

# **Chhattisgarh Nagar Palika Mohalla Samiti (Constitution, Functions, Powers and Procedure for Conduct of Business) Rules, 2005**

CHHATTISGARH

India

## **Chhattisgarh Nagar Palika Mohalla Samiti (Constitution, Functions, Powers and Procedure for Conduct of Business) Rules, 2005**

- Published on 11 July 2005
- Commenced on 11 July 2005
- [This is the version of this document from 11 July 2005.]
- [Note: The original publication document is not available and this content could not be verified.]

Chhattisgarh Nagar Palika Mohalla Samiti (Constitution, Functions, Powers and Procedure for Conduct of Business) Rules, 2005 Published vide Notification No. F-1-132/18/2004, dated 11-7-2005, C.G. Rajpatra (Asadharan) dated 11-7-2005 at pages 316 (2)-316 (5) In exercise of the powers conferred by Section 48-B read with Section 433 of the Chhattisgarh Municipal Corporation Act, 1956 (No. 23 of 1956) and Section 72-B read with Sections 355 and 356 of the Chhattisgarh Municipalities Act, 1961 (No. 37 of 1961), the State Government, hereby make the following rules, namely :-

### **1. Short Title and Commencement.**

(1) These rules may be called the Chhattisgarh Nagar Palika Mohalla Samiti (Constitution, Functions, Powers and Procedure for Conduct of Business) Rules, 2005. (2) These rules shall come into force from the date of its publication in the Official Gazette.

### **2. Definitions.**

- In these rules, unless the context, otherwise requires, -(a) "Act" means the Chhattisgarh Municipal Corporation Act, 1956 (No. 23 of 1956) and the Chhattisgarh Municipalities Act, 1961 (No. 37 of 1961); (b) "Council" means Corporation in case of Municipal Corporation and Council in case of a Municipality or Nagar Panchayat, as the case may be; (c) "Mohalla Samiti" means the Mohalla Samiti constituted under Rule 4 of said rules; (d) "Municipal Area" means the area notified under Section 7 of the Chhattisgarh Municipal Corporation Act, 1956, in case of a Municipal Corporation and under Section 5 of the Chhattisgarh Municipalities Act, 1961 in case of a Municipal Council or Nagar Panchayat; (e) "Municipality" means any Municipal Corporation constituted under Section 7 of the

Chhattisgarh Municipal Corporation Act, 1956 (No. 23 of 1956) and any Municipal Council or Nagar Panchayat constituted under Section 5 of the Chhattisgarh Municipalities Act, 1961 (No. 37 of 1961);(f)"Section" means a Section of the Act;(g)"Territorial Area" means the territorial area of any Mohalla (Samiti);(h)"Chairman District Planning Committee" means such member of Cabinet who is nominated as Chairman of the District Planning Committee under the provision of Clause (a) of sub-section (3) of Section 4 of Jila Yojana Samiti Adhiniyam, 1995.

### **3. Determination of Territorial Area of Mohalla Samiti.**

- The area of each ward of Municipal Corporation, Municipal Council and Nagar Panchayat, shall be territorial area of Mohalla Samiti and for every such territorial area a Mohalla Samiti shall be constituted.

### **4. Constitution of Mohalla Samiti.**

(1)Every Mohalla Samiti shall consist of following :-(a)Mohalla Samiti shall consist of Ward Councillor and the nominated members of the ward.(b)for each ward, members shall be nominated from of the people residing therein. Following number of members shall be in each ward :-

No.	Type of ULB	Number of Committees	Number of Members
1	Municipal Corporation	one in each ward	10
2	Municipal Council	one in each ward	7
3	Nagar Panchayat	one in each ward	5

(2)Names of the persons for nomination, shall be submitted to the District Planning Committee, by the Collector. Approval of the names for nomination, shall be made by the Chairman of the District Planning Committee on the basis of following conditions.Out of total number of nominated members, at least half of the members shall be from Women. Scheduled Caste, Scheduled Tribe, Other backward classes and non-Government organisation residing in its territorial area.(3)Members shall be nominated from the people who are resident of the that territorial area and are eligible for council election.(4)The elected councillor of the ward shall be the President of the mohalla samiti.(5)The Vice-President and Treasurer shall be nominated by the Chairman of the District Planning Committee from amongst such persons who are resident of the Mohalla concerned and are eligible for election as Councillor. The term of office of the Vice-President and Treasurer shall be co-terminus with the term of President.(6)Mayor in the case of Municipal Corporation and President in the case of Municipal Council and Nagar Panchayat shall be care-taker of the Mohalla Samiti.

### **5. Term of Mohalla Samiti.**

- The term of each Mohalla Samiti shall be co-terminous with the term of Council.

## **6. Powers and functions of the Mohalla Samiti.**

- The powers and functions of each mohalla Samiti shall be as follows :-(1) Powers and functions assigned by the Municipality or any department of the State Government. (2) To prepare proposal or schemes relating to the development of mohalla. (3) To receive funds from the residents of the mohalla for development work mohalla and carryout the development work subject to the procedures laid by the municipalities. (4) To motivate people for participation in the development works. (5) To protect and maintain property of the Municipality such as park, open land and other public places. (6) To assess and collect tax/fees subject to the procedures determined by the local body and conduct all such business related to it.

## **7. Sources of Income of the Mohalla Samiti.**

- The Sources of Income of the mohalla samiti shall be as follows :-(a) funds received from Central Government, State Government or Municipality. (b) funds collected from the resident for the development of Mohalla as donations. (c) funds received from any other sources.

## **8. Receipt of the sums and withdrawals.**

(1) Each Mohalla Samiti shall have Bank Account which shall be opened in such Bank as may be earmarked by the Municipality. (2) Whichever sums received to the Mohalla Samiti under Rule 7 shall immediately be deposited in the Bank Account opened under sub-rule (1). (3) The amount shall be withdrawn from the Bank Account through cheque under the joint signatures of the President and Secretary of the Mohalla Samiti after the approval of Mohalla Samiti. (4) An account book shall be maintained for the purpose of income and expenditure and the accounts shall be audited by such institution which may be determined by the Municipality.

## **9. Procedure for the conduct of business of Mohalla Samiti.**

(1) Each Mohalla Samiti shall have a office and a Secretary therein. Arrangement of Secretary shall be made by the Municipality. (2) The date and time for the meeting of Mohalla Samiti shall be fixed by its President and such meeting shall necessarily be conveyed at least once in a month. The notice of conveying the meeting shall necessarily be given by Secretary to the President and all the members of the Mohalla Samiti at least three days before. (3) In the meeting of the Mohalla Samiti the decision shall be taken by majority of the votes and in case of the equality of votes the President of the Mohalla Samiti shall have the right of casting vote. (4) In each meeting of Mohalla Samiti, Secretary shall necessarily be present. (5) The quorum for the meeting shall be one half of the total number of members. (6) Each Mohalla Samiti shall have its own Minutes Book in which the names of the members present in each meeting the details of the cases discussed in the meeting, the decision taken in each case, the names of the members who voted in favour of decision and the names of members who voted against the decision, etc. shall be recorded. (7) Minutes of the proceedings at each meeting shall be signed by the President and Secretary of the Mohalla Samiti.

## **10. Removal of Difficulties.**

- In case of any doubt or difficulty arise in giving effect to the provisions of these rules the same shall be referred to the State Government on which the decision of the State Government shall be final.