

The Orissa State Municipal Council's Union Rules, 1966

ODISHA

India

The Orissa State Municipal Council's Union Rules, 1966

Rule

THE-ORISSA-STATE-MUNICIPAL-COUNCIL-S-UNION-RULES-1966 of 1966

- Published on 15 February 1967
- Commenced on 15 February 1967
- [This is the version of this document from 15 February 1967.]
- [Note: The original publication document is not available and this content could not be verified.]

The Orissa State Municipal Council's Union Rules, 1966Published vide Notification No. 2748-Legislative-20/27-U.D., dated 15th February, 1967, Orissa Gazette Extraordinary No. 214-A/1.3.1967Notification No. 2748-Legislative-20/27-U.D., dated 15th February, 1967. - In exercise of the powers conferred by Section 387 of the Orissa Municipal Act, 1950 (Orissa Act 23 of 1950), the State Government do hereby make the following rules, the same having been previously published, as required under Section 392 of the said Act.

1. Short title and commencement.

(a)These rules may be called the Orissa State Municipal Council's Union Rules, 1966.(b)They shall come into force at once.

2. Definitions.

- In these rules, unless the context otherwise required-(a)"Act" means the Orissa Municipal Act, 1950;(b)"Committee" means the 'Executive Committee' of the Union constituted under Rule 11;(c)"Municipality", "Municipal Council" and "Municipal Administration", wherever they occur in these rules shall also mean respectively "Notified Area" "Notified Area Council" and "Notified Area Administration" constituted under Section 417-A of the Act;(d)"Union" means the "Orissa State Municipals Union".

3.

Aims and object of the Union shall be -(a)To bring together the Councillors of all urban local bodies and provide an opportunity to examine and deliberate upon problems of common interest relating to the urban local bodies.(b)To clearly define the objectives of Local Self-Government.(c)To encourage the spread of Local Self-Government institutions for training the people in the principles and practice of Local Self-Government and to devise ways and means to inculcate better civic sense and promote standard of amenities.(d)To advance knowledge of the principles and practice of Local Self-Government and to promote the study of and provide centres of information and advise the Municipal Councils on the improvement of municipal administration.(e)To advise Government in taking disciplinary action against any Municipality/Notified Area Council when referred by Government or suo motu.(f)To adopt measures conducive to the maintenance of harmony amongst Municipal Councils and to mediate voluntarily or on request in cases of discord.(g)To secure the co-operation of and to co-operate with other local bodies in matters of general and common interest.(h)To create a training institute and to impart training to municipal employees in the State and hold examination for award of certificates.(i)To safeguard and promote the interests of residents by constituting associations, like consumers' co-operatives, etc.(j)To assist Government to evolve a common principle of municipal administration in the State.(k)To provide cultural and research facilities like establishment of a library, Organisation of debates and seminars on various aspects of Local Self-Government.(l)To bring out a monthly or quarterly journal which shall serve as the official organ of the union, in which the activities of the union and its member Municipalities will be given publicity and the common and special problems faced by the urban local bodies will be highlighted through articles contributed by both the official and non-official heads of municipal, administration.

4.

The State Government shall publish by notification in the Official Gazette the formation of a union when one is formed under Sub-section (1) of Section 62 of the Act.

5. Membership of the union.

(1)All Municipal Councils lying within the State of Orissa shall be members of the union and shall pay to the union through its General Secretary an annual subscription at the rate of one per cent of their annual income from all sources except Government grants and loans and income from such taxes/fees/rates in lieu of which a Municipal or Notified Area Council is bound to render services.(2)When there is any default of payment of the annual subscription on the part of any member Municipality/Notified Area Council inspite of notices, the General Secretary shall mention in the annual report such cases of default on the basis of which the union may pass orders reporting to Government the name of the Municipality/Notified Area Council, the amount in arrears and requesting them to effect the recovery. On receipt of such a report, Government shall be competent to effect deduction to the extent of default from out of the grant-in-aid that may be due in favour of the concerned Municipality/ Notified Area Council and pay the amount to the union through its General Secretary.

6. Composition of the general body of the union.

- There shall be a general body of the union consisting of the following, namely : (a) All Chairmen and Vice-Chairmen of Municipal Councils. (b) Where, a Municipal Council has been either superseded or dissolved but not reconstituted, there is no Chairman, or Vice-Chairman, the Special Officer and the Officer-in-charge of the Council. (c) Life members. (d) Associate members. (e) One Councillor or representative from each of the Municipal Councils in whose favour the Municipal Council before the meeting of the general body shall pass a resolution to represent as such. (f) The Minister and Secretary of the Urban Development Department who shall be the President and the Vice-President respectively. (g) The Director of Urban Local Bodies, who shall be the General Secretary.

7. Associate members and life members.

- Persons who were or are Municipal Councillors, Presidents, Secretaries and ex-Members of the Executive Committee or any person in the Municipal Administration may become associate members of the General Body of the union for a period of one year or Life Members for life time on payment of annual subscription of Rs. 10 per year or Rs. 100 at a time respectively or such amounts as the union by a resolution may decide.

8. Office.

- The office of the union shall be at Bhubaneswar or at such other place as the Executive Committee may, from time to time, decide in consultation with the Urban Local Bodies. The Chairman of the Executive Committee shall have power to appoint such staff to carry on the office work of the Union and have full control over the staff and their allowances, pay, travelling allowances, etc., subject to such rules as may be made by the Executive Committee. The service conditions of staff will be as per Government employees except in case of pension, gratuity, etc., which will be in accordance with the provisions of the Orissa Municipal Rules.

9.

The Union may decide at its annual general body meeting or at any time to raise special contribution from the Member Municipalities/Notified Area Council to meet any extraordinary expenditure which the union shall deem fit and proper.

10.

The Executive Committee may, by adopting resolution, delegate any of Its powers under these rules to, or authorise the Joint Secretary of the Executive Committee to perform all or any of its duties.

11. The Executive Committee.

(a)The Executive power of the general body of the Union shall be vested in a Committee to be called the Executive Committee with the following members :

1. The President of the General Body-Chairman.

2. Vice-President of the General Body-Vice-Chairman.

3. General Secretary to the General Body-General Secretary.

4. A representative shall be elected by the General Body on the basis of one candidate for each district from among the existing Chairman of the Municipal Councils of that district.

5. Two Life Members,

6. Two Associate Members shall also be elected by the General Body.

The General Secretary shall be the Chief Executive Officer. The general body shall also elect a Joint Secretary and a Treasurer for the Executive Committee. (b) Ten members of the Executive Committee will form a quorum thereof. No quorum will be necessary for a meeting once adjourned for want of quorum. Seven days' notice shall be given for all ordinary meetings and 3 days' for all special meetings. The Chairman or in his absence the Vice-Chairman shall preside over the meeting. (c) The non-official members of the Committee shall be eligible to draw such allowances and travelling allowance as 1st Class State Government Officials. (d) All cases shall be decided by means of voting. (e) In case of equality of votes the Chairman shall have a casting vote.

12.

The members and office bearers of the Committee shall, for the first time on its formation, be nominated by the State Government for a period of one year, from amongst the Councillors of the member Municipalities, life members and associated members. Subsequently they shall be elected in the annual general body meeting of the Union as laid down in Rule 11.

13. Official organ.

- The Union may bring out a monthly or quarterly journal, which will be its official organ of expression. The activities of the Union and its individual members will be given due publicity therein. It shall contain articles contributed by official and non-official persons connected with municipal administration in which special and common problems and difficulties, if any of the Municipalities will be high-lighted with a view to find solution therefor. The journal would be

controlled by a Sub-Committee of five including the Editor appointed by the Executive Committee. A copy of the journal will be supplied free to all member Municipalities and to others on payment of subscription, as may be decided by the Executive Committee.

14. Fund of the Union.

- The funds of the Union shall comprise of the following : (a) Amounts paid by Municipalities/Notified Area Councils as annual subscription to become members of the Union and any contribution made by them; (b) Amounts received from the sale proceeds of the journal of the Union; (c) Amounts received as subscription from Associate and Life Members of the Union; and (d) Grants, loans and contributions received from State Government or any Corporation or Organisation or from any other Sources.

15. Custody of the Union Fund.

(a) All sums due to the Union shall be remitted to the General Secretary, who shall acknowledge the same, and shall immediately credit the amount so received to the funds of the Union. (b) The funds of the Union shall be kept in a Bank approved by Government and shall be operated jointly by the General secretary and the Treasurer.

16. Expenditure.

- The funds of the Union shall be spent on the following items of expenditure : (1) Construction, repairs, alteration, addition or modification of the building of the Union. (2) Pay and allowances of the staff and the allowances to the members of the committee. (3) Payment on account of furniture, stationary, stamps, postage and other contingent charges. (4) Cost of printing of journal of the Union. (5) Cost of making arrangements for holding conferences, meetings and seminars. (6) Payment of honorarium to the office-bearers of the Union as may be decided by the general body of the Union in its annual conference. (7) Payment of house-rent, if need be. (8) Such other expenditure consistent with its aims and objects. Subject to provision in the budget, the Chairman shall have full authority to incur expenditure from the funds of the Union. The Chairman if he so likes may delegate his power in this respect to the General Secretary of the Executive Committee to be rectified by the Executive Committee.

17. Budget.

- The General Secretary shall prepare a budget in consultation with the Chairman of the Union and shall get it passed by the Executive Committee at least one month before the commencement of the next financial year. In case, there is any dissension regarding passing of the budget, the budget shall be placed before the general body and till such time the Chairman shall have power to incur expenditure in accordance with the budget.

18. Audit.

- The provisions of the Orissa Local Fund Audit Act, 1948, shall apply in regard to the audit of the funds of the Union.

19.

A person shall be liable for any expenditure made from Union fund contrary to law where such illegal payment has been authorised by him while acting as office bearer of the Union and the procedure prescribed under Sections 375 and 382 of the Orissa Municipal Act, 1950 shall be followed.

20. Conference.

- An Annual Conference of the delegates from Municipalities and Associate and Life Members shall be held every year. Associate Members and Life Members shall have no voting power at the Conference. The Conference shall be held at least once a year, at a place to be determined, if possible, at the preceding Conference. Otherwise, the Executive Committee shall have the power to select the place in consultation with the local bodies through their elected representatives. A Special Conference may be held at the instance of the Executive Committee at such time and place as Committee may decide. A Special Conference of the Union shall also be held on the requisition of two-thirds or more of the member Municipalities. The President of a Special Conference shall be the President of the previous Annual Conference, if he is available, otherwise the Executive Committee shall elect a President for the Conference. The time and place of the Annual Conference may be altered in the course of the year by the Executive Committee, if necessary. Any alteration made under such circumstances shall be notified to the Municipalities before a month from the date of the Meeting of the Conference. The Travelling Allowance of the delegates except the Associate and Life Members shall be admissible under the provisions of the Orissa Municipal Rules. The Executive Committee may select a President for the Annual Conferences. The Executive Committee shall invite before the date of the conference draft resolutions from each Municipality members of the Executive Committee, Associate and Life Members for discussion in the Conference. The Executive Committee shall place all such resolutions before the Subject Committee or Committees to be appointed by the Conference to consider them and shall also decide on the agenda be items including as to what such resolutions should or should not referred to the Subject Committee.

21. Subject Committee.

- The Subject Committee shall, unless otherwise decided by the Conference, consist of-

1. The Chairman of the Executive Committee.

2. The General Secretary of the Union.

3. The representative elected from each district to the Executive Committee.

The Subject Committee shall discuss resolutions referred to it by the Executive Committee and make its recommendations and suggestions thereon to the Conference. On the same day of the meeting of the Subject Committee, or Committees, as the case may be will be discussed and considered in the open session of the Conference which shall pass resolution on each item of recommendations on the basis of the consensus of opinions of the participants in the Conference. All points of order shall be decided by the President whose decision shall be final. No new subjects other than those discussed in the Subject Committee or any side issue arising out of them can be introduced in the Conference without the permission of the President.

22.

The recommendation of the Union shall be advisory in nature and not binding on the State Government.