

मध्यप्रदेश नगरपालिका मोहल्ला समिति (गठन, कृत्य तथा कामकाज का संचालन) नियम, 2011

www.govtpressmp.nic.in 74] 4 23 4, 1932 23 2011 1956 23 1956) 433 34fi.AfiACI, 1961 37 1961) 355 356 7244 t, 1. (qaa, 2011 t. t, 1956 23 1956) 1961 37 1961); #ft" t, 14 A1-é 147 148 (q) 23 2011 h" t, 1956 7 1961 t, 1956 7 3RfüfruCl, 1961 5 3. GIRT, (45) (71) (IW5) (tIA) ATHABXUT•, Qlkf&l, 311Tä, 34fiß;xuii 5. 23 2011 18 O, a-TAI t; fih, fafi& 7. NXT, 148 (2) (y-i-q) a-lil) (3113) (AIR8) (axt) (71) 23 2011 3iR fiA1fiquä æ4Z*i, qöi, 23 2011 148 (3) 9. YFq—1 (AÄ5) (ii-q) TAT 51 TldH, (3) AFA-2 *711. GTIRTIT. 10. (IF5) (TIW) (3113) (#fQz0 -JIRi-d ' 'ATé a, feafd 7 GR8) Alf*i ATé fen 148 (4) 11. 23 2011 fifi" 3iQT<F., 12. 15 (2) 2/5 30 *lil. 1/5 i7fi. 13. dGi (3ffgz) fQ, (311fgzæ) (3ffgz fi-qhé) 3ifa-q 14. 23 2011 Nlfi, 6 (4) y-q-; .q 2 (5) 30 15. (g•qi) *aft. 16. 148 (5) (kA5) (Q) 3q-qfe-4fd aa*i a-ft 148 (6) 01) (Aiq) 23 2011 -e-q-éi -\$1 311fi 3-1Zl åa*i æfifi, AIAfiui, q•fi, 500 17. fifÅAi 18. 1) 1973 44 1973) qlw. -tIT11. (3) fifiq 23 2011 148 (7) 19. æfifi, (TIBH, 2009 fiA@i 34122Tl\$TR, (ft-qq 9 a-fig-a) --€TIå -ai (1) (2) 148 (8) (1) (2) (3) (4) (5) (6) (7) (8) 3. 4. (2) 23 2011 (3) (4) (5) 34fUfiuq, 1973 44 1973) fid : 23 2011 y-u-2 (qaq, 2011 9 148 (9) -g-q-qfr--q. Bhopal, the 23rd February 2011 No. 25-F-1-08-2011-XV111-3. In exercise of the powers conferred by Section 433 read with Section 48-B of the Madhya Pradesh Municipal Corporation Act, 1956 (No. 23 of 1956) and Section 355 and 356 read with Section 72-B of the Madhya Pradesh Municipalities Act, 1961 (No. 37 of 1961), the State Government, hereby, makes the following rules, namely RULES I. Short title and commencement. (1) These rules shall be called the Madhya Pradesh Municipalities Mohalla Committee (Constitution, Functions and Conduct of Business) Rules, 2011. (2) They shall come into force from the date of their publication in the Madhya Pradesh Gazette

2. Definitions.In these rules, unless the context otherwise requires; (a) (b) (d) "Act" means the Madhya Pradesh Municipal Corporation Act, 1956 (No. 23 of 1956) and the Madhya Pradesh Municipalities Act, 1961 (No. 37 of 1961); "General body" means the general body of the members of the Mohalla Committee; "Managing Committee" ITleans the committee constituted under rule 14 by the Mohalla Committee entrusted with the management of its affairs; "Mohalla" means any colony, residential enclave or housing complex having independent houses or 148 (10) 23 2011 buildings with flats/ apartments, situated in any ward of the municipal area which is inhabited by at least one hundred families; (e) "Mohalla Committee" means a committee constituted by the residents of the Mohalla for attaining objects of common interest, by whatever name called; (f) "Municipal area" means the area notified under Section 7 of the Madhya Pradesh Municipal Corporation Act, 1956 in case of a Municipal Corporation and under Section 5 of the Madhya Pradesh Municipalities Act, 1961 in case of a Municipal Council or Nagar Panchayat; (g) "Municipality" means a Municipal Corporation constituted under Section 7 of the Madhya Pradesh Municipal Corporation Act, 1956 and any Municipal Council or Nagar Panchayat constituted under Section 5 of the Madhya Pradesh Municipalities Act, 1961; (h) "Municipal Officer" means Municipal Commissioner in case of a Municipal Corporation and Chief Municipal Officer in case of a Municipal Council or Nagar Panchayat; (i) "Territorial area" means the territorial area of a Mohalla Committee

3. Constitution of Mohalla Committee.(1) A Mohalla Committee may be constituted under these rules by at least eleven residents of a Mohalla, who associate to attain the objects as described in rule 4, by affixing their signature to a memorandum of association. (2) Within a month of the constitution of the Mohalla Committee under sub-rule (1), the first meeting of the general body thereof shall be convened, in which the following business shall be transacted: (a) election of the office bearers of the Managing Committee; (b) giving a name to the Mohalla Committee; (c) resolution to adopt the byelaws regarding the functions and conduct of business of the Mohalla Committee; (d) determination of the entry fee for membership, annual membership fee, arrangement for office etc

4. Objects of Mohalla Committee.—The Mohalla Committee shall have the following objects, namely . (i) to undertake activities of common interest of the residents of the Mohalla such as security-arrangements, maintenance of roads, street lighting, supply of drinking water, waste (garbage) management, protection of environment etc. and to draw the attention of the municipality towards the deficiencies in the services provided by it and to suggest measures to improve the same; (ii) to exhort the residents of the Mohalla to make timely payment of the municipal taxes, fees and user charges; (iii) to seek

co-operation of various government and non-government agencies, besides the municipality, for creation, enhancement and upkeep of civic amenities in the Mohalla; (iv) to co-operate with the municipality in planning and implementation of city development schemes and management of Inunicipal services; (v) to promote cordiality and fellow-feeling among the residents of the Mohalla and to organize social, cultural and entertaininent proorammes for this purpose

5. Membership.—(1) The following persons shall be eligible to become members of the Mohalla Committee, namely (a) (b) (c) (d) 23 2011 who is a resident of the Mohalla; who is a citizen of India and is not below 18 years of age; who affirms to abide by the byelaws of the Mohalla Committee and agrees to pay the membership fee as fixed by Mohalla Committee; who is not a member of any other Mohalla Committee; who has not been convicted for any offence. (2) The elected Councillor representing the telTitorial area of the Mohalla Committee in the Municipality shall be ex-officio member and patron of the Mohalla Committee. (3) Decision to grant or not to grant membership to any person shall rest with the Managing Committee

6. Cessation of Membership.—The membership shall cease in the following situation, namely (i) on resignation (ii) on death (iii) on conviction by any court (iv) on getting mad (v) on non-payment of annual membership fee within three months of the specified date (vi) on a resolution of the general body for removal, passed by a majority vote

7. Functions of the Mohalla Committee.—The Mohalla Committee may undertake the following functions, looking to its managerial, technical, financial and organizational capability and the circumstances prevailing in the municipal area, namely (i) to promote the feeling of cordiality and unity among the residents of the Mohalla and to organize cultural and sports activities; (ii) to strengthen security arrangements in the Mohalla; (iii) repairs and maintenance of roads and drains; (iv) to keep a watch on the services provided by the Municipality such as sanitation, water supply, street lighting, waste (garbage) management and construction and betterment works carried out in the Mohalla and to apprise the concerned officers of the situation and give suggestions for improvement in regard to them; (v) to run library, reading room, community centre etc; (vi) to take up activities relating to tree plantation, environmental protection and pollution control and to co-operate with the agencies engaged in the implementation thereof; (vii) to take appropriate measures for recharging of ground water and to motivate the residents for adoption of rain water harvesting measures; (viii) to inform the municipality about encroachments and illegal constructions and to give active support to the municipality for prevention and removal thereof; (ix) to mobilise contributions from various sources including the residents of the Mohalla; (x) to remind the residents of the Mohalla about the timely payment of municipal taxes, fees and user charges and to extend co-operation to the municipality in this regard; (x i) to inform the municipality about any occurrence of any infectious disease or natural calamity in its area and to extend co-operation for prevention of or relief measures therefor; (xii) to identify such residents of the Mohalla as are eligible for benefits under the beneficiary oriented schemes of the government and to furnish list of such persons to the municipality or the concerned Government department; (xiii) to undertake the following activities under an agreement or men-norandum of understanding with the 148 (12) 23 2011 Inunicipality, namely: (a) collection of taxes, fees and other charges from the members, payable by them to the municipality; (b) management of roads, drains, gardens, parks, traffic crossings, public taps, community building etc; (c) construction, repairs and restoration of the local infrastructure works; (d) any other function or assignment, entrusted by the municipality

8. Assignment of operation and maintenance etc.of civic amenities to the Mohalla Committee.—(1) The municipality may assign, under an agreement or memorandum of understanding, operation and maintenance of civic services and amenities, maintenance and improvement of infrastructure works, management of any property of the municipality or recovery of municipal taxes and fees to a Mohalla Committee in its ten•itorial area: Provided that such an assignment shall be given only to a Mohalla Committee which has obtained accreditation from the municipality. (2) The agreement or memorandum of understanding shall be liable to be revoked by the Municipal Officer in the event of negligence or default to carry out any assigned function or responsibility, after obtaining an explanation from the concerned Mohalla Committee and upon consideration of the same

9. Grant of accreditation to Mohalla Committee.(1) For seeking accreditation of the municipality, a Mohalla Committee shall present an application to the Municipal Officer in Form-I. (2) The Municipal officer shall grant accreditation to the applicant Mohalla Committee on being satisfied that (i) no part of its territorial area is included in the territorial area of any other Mohalla Committee; (ii) one hundred or more families reside in its territorial area, out of which at least 51 residents have acquired membership of the Mohalla Committee and a Managing Committee has been constituted for conduct of its business; (iii) the bye-laws relating to the constitution, functions and conduct of business of the Mohalla Committee are compatible with or analogous to these rules; (3) In the event of grant of accreditation, the Municipal Officer shall issue a certificate in Form-2, No fee shall be charged for the application. IO. Duties of Municipality towards the Mohalla Committees.—The Municipality shall have the following duties towards the Mohalla Committees constituted in the Municipal area, namely (i) to act as facilitator in constitution of Mohalla Committees and thereafter make them partners in matters concerning municipal services at the local level; (ii) to deal with complaints received from the Mohalla Committees with promptitude; (iii) to disseminate information regarding the works proposed to be taken-up during the year in the territorial area of a Mohalla Committee or the ward in which it is situated; (iv) to organize meetings with the Mohalla Committees every quarter, turn by turn, at the level of Wards Committee, if constituted, otherwise at the level of Municipality, for deliberation on the proposals or suggestions received from them and to solve their problems and to apprise them of the action taken on their proposals and suggestions; (v) to assign functions and responsibilities as mentioned in clause (xiii) of rule, 7 to the accredited Mohalla Committees, on the basis of an agreement or memorandum of understanding, keeping in view their position and capacity and to allot requisite funds or extend financial help for discharging the same; (vi) to associate the Mohalla Committees as partners in the implementation/ supervision of the works sanctioned under a public participation scheme; 23 2011 148 (13) (vii) to direct the officers/ employees appointed for supervision of sanitation, solid waste management, water supply, street lighting and other public service activities at the ward level, to maintain regular contact with the office bearers of the Mohalla Committees; (viii) to award or honour the Mohalla Committees whose performance has been outstanding, on some special occasion

11. Sources of income of Mohalla Committee.—The sources of income of a Mohalla Committee shall be as follows, namely (i) entry fee and annual membership fee; (ii) social, cultural and entertainment programmes; (iii) assistance received from the Central Government, the State Government or the Municipality under public participation and other schemes (iv) contribution received from Member of Parliament, Member of State Legislative Assembly or Mayor/local Councillor, from his discretionary local development fund; (v) contribution, grant, charges or fee received from members and other persons, including the Municipality and other institutions

12. General Body.(1) The meeting of the general body of a Mohalla Committee shall be convened as often as needed, but shall be organized necessarily at least once during a year. The venue, date and time of the meeting shall be fixed by the Managing Committee and notice thereof shall be issued by the Secretary at least 15 days prior to the date of the meeting to each member: Provided that an emergency meeting may be called on a prior notice of 5 days. The quorum for a meeting of the general body shall be two-fifths of the total number of members. In the absence of quorum, the meeting shall be adjourned for 30 minutes and held at the same place and on the same date. The quorum for such adjourned meeting shall be one-fifth of the total number of members

3. Duties and Powers of General Body.—(1) The general body shall have the following duties and powers, namely: (i) to consider matters brought forth by the Managing Committee; (ii) to appoint auditor for audit of accounts; (iii) to consider the annual progress report and the audit report relating to the preceding year; (iv) to consider and approve the budget presented for the coming financial year; (v) to appoint a sub-committee for any special purpose; (vi) to consider, with the approval of the Chairperson, any other matter pertaining to development or interest of the Mohalla (2) All important matters concerning the Mohalla shall be brought up by the Managing Committee before the general body. The decisions taken by the general body shall be final and binding on the Managing Committee

14. Managing Committee.(1) The Managing Committee shall have the following office-bearers, namely.—(i) President- I (iii) Secretary-I (iv) Treasurer-I and (v) Members-3 to 5. (2) The office bearers

of the Managing Committee shall be elected in the ITIeeting of the convened for this purpose, by show of hands or by secret ballot. In the event of equality President-I (ii) Vice- general body specially of votes between two 148 (14) 23 2011 candidates, the matter shall be decided by tossing a coin or draw of lot. Only those members shall be eligible to vote in the election who have no overdues of membership fee. (3) The term of the Managing Committee shall be of 2 years, but it shall continue to function until a new Managing Committee is duly constituted. Such period shall however not exceed 6 months and the approval of the general body shall be necessary for such extension of term. The term shall be counted from the date of the meeting of the general body in which office bearers of the Managing Committee are elected. (4) The meeting of the Managing Committee shall be convened whenever required but shall necessarily be held once in 2 months. (5) The quorum for the meeting of the Managing Committee shall be of one half of its members. In the absence of quorum, the meeting shall be adjourned for 30 minutes and reconvened at the same place and on the same day, for which quorum shall not be necessary

15. The duties and powers of Managing Committee.—(1) The Managing Committee shall have the following duties and powers, namely. (i) to discharge the functions of Mohalla Committee as mentioned in rule 7; (ii) to contact the municipality and Government departments and other agencies for improvement and extension of civic amenities and solving the problems in its area; (iii) to implement the proposals approved by the general body; (iv) management, supervision, control and care of all movable and immovable properties of the Mohalla Committee; (v) to appoint employees for the work of the Committee and to fix their remuneration/honorarium. (2) In the event of temporary non-availability of the President, Secretary or Treasurer, the Managing Committee may authorise its any other member, to discharge the duties of such office bearer

16. Duties and powers of office bearers.— The various office bearers of the Mohalla Committee shall have the following duties and powers, namely (a) President . (i) to fix the venue, date and time for the meeting of the Managing Committee and to preside over the meetings of general body and Managing Committee. In the event of equality of votes on any subject deliberated in the meeting, the President shall have a casting vote; (ii) to sanction expenditure on any work of urgent nature to be executed on behalf of the Mohalla Committee, up to the limit prescribed by the general body. (b) Vice-President (i) to preside over the meetings of the general body and Managing Committee in the absence of President; to discharge the responsibilities of President (ii) in the event of the office of President falling vacant, until such time as that office is filled by election. Secretary (i) to maintain an upto date list of members; (ii) to receive, on behalf of the Mohalla Committee, membership fee, contributions etc.; 23 2011 148 (15) (iii) to send notices to members about the meetings of general body and Managing Committee; (iv) to include in the agenda of the meeting, suggestions and complaints received from members and other important letters; (v) to record the proceedings of the meetings of general body and Managing Committee in the minute book; (vi) to correspond on behalf of the Mohalla Committee. (d) Treasurer: (i) to maintain all accounts of income and expenditure of the Mohalla Committee; (ii) to make payment of taxes on movable and immovable property of the Mohalla Committee; (iii) to make payment on the bills sanctioned by Managing Committee, President or Secretary; (iv) to prepare the annual accounts of the Mohalla Committee and to take action for getting them audited; (v) to produce all bills, vouchers, receipts, cash books, ledgers etc. on demand by the President, Secretary or auditor. Note : The Managing Committee may place an imprest of up to Rs. 500 at the disposal of the Treasurer for defraying day to-day petty expenses

17. Management of Funds.—All funds received for the Mohalla Committee shall be deposited in an account opened in its name in a Scheduled Bank. The bank account shall be operated under the joint signatures of any two office bearers out of the President, the Secretary and the Treasurer

18. Miscellaneous : (I) Ownership of property.(a) All movable and immovable property of the Mohalla Committee shall be held in the name of the Mohalla Committee. (b) No purchase or sale or acquisition or transfer of any property for or on behalf of the Mohalla Committee shall be undertaken without a resolution of the general body, passed by majority: Provided that if the Mohalla Committee is registered under the Madhya Pradesh Society Registrickaran Adhiniyam, 1973 (No. 44 of 1973) or any other law, acquisition or purchase or sale or transfer in any manner shall not be done without the sanction of the competent authority. (2) Resignation.—The resignation of any member or office bearer shall be placed before the Managing Committee and the decision of the Managing Con-)mittee thereon shall be final. (3)

Filling up of Vacancies.—Any vacancy arising due to resignation, death etc. of any office bearer of the Managing shall be filled up by the Managing Committee by one of its members up to the next meeting of the general body and the proposal for election of such office bearer for the left-over term shall be placed in the next meeting of the general body

19. Dissolution. Mohalla Committee may be dissolved by a resolution of the general body, passed by a majority of three-fifth of the members present. In the event of dissolution, the movable and immovable property of the Committee shall be handed-over to any institution having similar object. 148 (16) 23 2011

20. Repeal and Saving.—The Madhya Pradesh Nagarpalika Mohalla Committee (Constitution, Functions, Powers and Procedure for Conduct of Business) Rules, 2009 are hereby repealed: Provided that any order made or action taken under the rules so repealed shall be deemed to have been made or action taken under the corresponding provisions of these rules. By order and in the name of the Governor of Madhya Pradesh, Form-I (See rule 9) From . Secretary Mohalla Committee Ward No. . Municipal Corporation/Municipal Council To The Commissioner/Chief Municipal Officer . Municipal Corporation/Municipal Council District . Sub.—Application for accreditation of Mohalla Committee Sir, PRAMOD GUPTA, Dy. secy. Place: . Date: . We, the undersigned signatories and members of the above mentioned Mohalla committee, submit this application to seek accreditation to our Mohalla Committee by Council

2. The necessary details about our Committee are as follows . Municipal Corporation/Municipal (1) Name of Mohalla Committee Number of members . Colony/Sector . . No. of houses in the Mohalla . Ward No. . (2) Postal address of the Mohalla Committee . (3) Particulars of the office bearers of the Managing Committee of the Mohalla Committee: Sr. No. (1) (2) (3) Name (Along with name of Father/Husband) Address Office held Occupation/ Profession 23 2011 (4) Particulars of the Bank Account of the Mohalla Committee: 148 (17) Account No.. . Bank. . Branch. (5) In case the Mohalla Committee has been registered under the Madhya Pradesh Society Registration Adhiniyam, 1973 (No. 44 of 1973) or any other Act, its registration number under which registered . (6) Copy of the minutes of the first meeting of the general body of the Mohalla Committee : Enclosed Act (7) Copy of the byelaws of the Mohalla Committee : Enclosed (8) Copy of the list of the present members of the Mohalla Committee (Along with father's/ husband's Enclosed name and house number) 3. It is requested that accreditation may be granted to our Mohalla Committee by the Municipal Corporation/Municipal Council

4. We hereby certify that the above particulars are true to the best of our knowledge and belief. Signature . Secretary Signature President Enclosures (1) Minutes of the first meeting of the general body (2) List of Members (3) Copy of bye-laws (See rule 9) Municipal Corporation/Municipal Council Mono Dated. . . Accreditation Certificate hereby granted to the Mohalla Committee constituted and named as Accreditation is .in Ward number. . the Madhya Pradesh Rules, 2010. .of. Municipal Corporation/ Municipal Council, under rule 9 of Municipalities Mohalla Committee (Constitution, Functions and Conduct of Business) Signature Commissioner / Chief Municipal Officer Municipal Corporation/ Municipal Council District By order and in the name of the Governor of Madhya Pradesh, PRAMOD GUPTA, Dy. secy.