

UTTAR PRADESH MUNICIPAL CORPORATION (LEVYING OF USER CHARGES AND REGULATION OF ITS PROCEDURE AND EXECUTION) RULES 2014

I.rrAR PRADESH SHASAN NAGAR VIKAS ANUBHAG- 9 In pursuance of the provisions of clause(3) of Article 348 of the Constitution, the Governor is pleased to order the publication of the following English translation of notification no. 1431 19-9-2014-376ja/I I dated December 31 ,2014 for general information. Notification No.1431 19-9-14-376ja/2011 Lucknow : Dated December 3/ ,2014 In exercise of the powers under section 573 and section 540 of the Uttar Pradesh Municipal Corporation Act 1959 (UP Act no 11 of 1959) the Governor is pleased to make the following rules after their previous publication under notification no. 1444/9-9-2012-376ja/I I dated August 08, 2012 as required by sub section (2) of section 540 of the said Act. THE UTTAR PRADESH MUNICIPAL CORPORATION (LEVYING OF USER CHARGES AND REGULATION OF ITS PROCEDURE AND EXECUTION) RULES 2014 Short extent title, commencement Definitons 1. 2. (1) (2) (3) (1) These rules may be called the Uttar Pradesh Municipal Corporation (Levyng of User Chrarges and Regulation of its procedure and Execution) Rules 2014. They shall be applicable to all the Municipal Corporations of Uttar Pradesh. They shall come into force with effect from the date of their publication in the Gazette. In these rules, unless there is any thing repugnant in the subject or context:- (a) "Act" means the Uttar Pradesh Municipal corporation Act, 1959. Rationale of 3- levyng user charges Application of user charges. Fixation and recovery of user chares. 4- 5- (2) (a) (b) (1) (2) (3) 2 (b) "Consumer" means a person or resident who uses service provided by the Municipal Corporation. (c) "Services" means the works, facilities and amenities provided by the Municipal Corporation under Sections 573-A of the Act. (d) "User Charges" means the charges levied for specific services rendered or infrastructure provision of the Act by the Municipal Corporation. Words and expressions not defined in these Rules but defined in the Act shall have the meanings assigned to them in the Act. to provide efficient services and to ensure effective recovery of costs there of for sustainability of the service. to promote economy in user of services and to avoid wastage. The user charges shall be levied on services mentioned under section 573-A of the Act or any other services related therewith. User Charges shall be calculated with a view to recover apporximate total cost involved in providing the services. The rates of User Charges may be fixed from time to time by the Municipal Corporation. while fixing the User Charges, feasibility of cost recovery, which may vary with the type, quality and quantity of the services provided may also be taken care of. (4) If necessary, the Municipal Corporations Maintenance of 6- records, Accounts Maps and plans etc. Recovery of User Charges Liability for payment of user charges Consolidation of user charges Penalty and composition 10- (1) (2) (3) (1) (2) (1) may classify the amenities and services into remunerative and non-cost recoverable categories for fixation of user charges on average basis so as to recover the total cost on agglomeration of the services. all records, accounts, maps, plans in respect of assessment levyng and collection of user charges shall be prepared and maintained in both paper and electronic form. The documents referred to in sub section (i) shall be kept in the concerned zone office as well as in the head office of the Municipal Corporation. Any officer authorized by the Municipal Commissioner in this behalf shall be the custodian of the records, account, maps, plans, registers. Charges may be recovered under the provisions of chapter (xxi) and section 573- A of the Act. An amount not less than the amount collected as user charges under these rules shall be earmarked to meet the expenses on rendering those services. The payment of user charges within stipulated time by the consumer shall be obligatory. For the purpose of assessing or levyng or collecting user charges, the Municipal Corporation may consolidate various User charges for different kind of services rendered to the consumer. Any contravention of the provisions of these rules shall be punishable with fine which may extend to five hundred rupees, and in case of a continuing breach with fine which may extend to one hundred rupees for every day during which such cotravention continues after conviction for the first breach. Not withstanding anything contained in (2) sub-rules (1) any offence punishable under these rules may be compounded by Municipal Commissioner or an officer authorized by him in this behalf on realization of the amount not less than half and not more than three fourth amount of the fine fixed for the offence. By Or r sh Singh) Sachiv