

**THE CORE URBAN REGION (INTEGRATED GOVERNANCE) BILL,
2026**

ARRANGEMENT OF SECTIONS

<i>Sections</i>	<i>Pages</i>
PART I	15
PRELIMINARY	15
Chapter 1	15
Preliminary	15
1. Short Title, Extent and Commencement.-	15
2. Definitions.-	15
PART II	23
CORPORATIONS	23
Chapter 2	23
Establishment of Corporations	23
3. Constitution of Corporations.—	23
4. Municipal authorities charged with the execution of the Act .-	23
5. Composition of Corporation .-	24
6. Reservation in the Corporation .-	25
7. Term of office of Members .-	26
Chapter 3	27
Elections	27
8. Elections.-	27
Chapter 4	28
Proceedings of the Corporation	28
9. Provisions regulating the Corporation’s proceedings .-	28
10. Power to order withdrawal of member .-	31
11. Election of Mayor and Deputy Mayor .-	31
12. Resolution of disputes relating to cessation for disobedience of party whip .-	32
13. Deputy when to act as Mayor .-	32
14. Motion of no confidence in Mayor/Deputy Mayor .-	32
15. Resignations .-	34

16.	Constitution of the Standing Committee.-	34
17.	Provisions regulating the proceedings of the Standing Committee.-	34
18.	Special Committees of the Corporation.-	36
19.	Appointment of Ad-hoc Committee.-	38
20.	Joint transactions with other local authorities.-	38
21.	Vacancies in Corporation, etc., not to invalidate its proceedings .-.....	39
22.	Proceedings of Corporation etc., not vitiated by disqualification, etc., of members thereof .-	39
23.	Proceedings of meeting to be good and valid until contrary is proved. -	39
24.	Appointment of Commissioner. -.....	40
25.	Appointment of Special Commissioner, Additional Commissioner, Zonal Commissioner, Joint Commissioner, Deputy Commissioner and Assistant Commissioner.-	40
26.	Functions of a Special Commissioner, Additional Commissioner, Zonal Commissioner, Joint Commissioner, Deputy Commissioner and Assistant Commissioner.-	40
27.	Salary of the Commissioner and Special Commissioner, Additional Commissioner, Zonal Commissioner, Joint Commissioner, Deputy Commissioner and Assistant Commissioner.-	41
28.	Grant of leave of absence to the Commissioner or Special Commissioner, Additional Commissioner, Zonal Commissioner, Joint Commissioner, Deputy Commissioner and Assistant Commissioner.-	41
29.	Allowances whilst absent on leave.-	42
30.	Appointment and remuneration of Acting Commissioner or Acting Special Commissioner, Additional Commissioner, Zonal Commissioner, Joint Commissioner, Deputy Commissioner and Assistant Commissioner.....	42
31.	Commissioner and Special Commissioner, Additional Commissioner, Zonal Commissioner, Joint Commissioner, Deputy Commissioner and Assistant Commissioner not to be interested in any contract with the Corporation.....	42
	Chapter 5	44
	Duties and Powers of the Municipal Authorities	44
32.	Duties of the Corporations	44
33.	Powers of the Corporations	45
34.	Functions of the several Municipal Authorities.....	47
35.	Commissioner to exercise powers and perform duties of Corporation under other law.-	48
36.	Municipal Officers may be empowered to exercise certain powers, etc., of the Commissioner.-	48

37. Corporation may call for extracts from proceedings of the Standing Committee, etc.-	48
38. Corporation may require Commissioner to produce documents and furnish returns, reports etc.-	48
39. Right to ask questions and make proposals .-	49
40. Exercise of powers to be subject to sanction by Corporation of the necessary expenditure .-	50
41. Power of the Commissioner to execute contracts on behalf of the Corporation. 51	
42. Works requiring sanction of the Standing Committee.....	51
43. Mode of executing contracts.....	51
44. Tenders to be invited for contracts involving expenditure exceeding Rs. 5 lakhs. 52	
45. Security when to be taken for performance of contract.-.....	52
46. Power of Corporation to determine whether works shall be executed by contract.-	52
47. Works requiring sanction of the Corporation or the Government.-	52
48. Maintenance of database.-.....	53
Chapter 6	54
Local Government Service, Municipal Officers and Servants	54
49. Local Government Service.-	54
Chapter 7	55
Municipal Property	55
50. Property of the Corporation .-	55
51. Powers of Corporation as to acquisition of property .-	55
52. Acquisition of immovable property by agreement .-	55
53. Procedure when immovable property cannot be acquired by agreement .-	56
54. Disposal of property and interests therein .-	57
55. Property of the Government managed by the Corporation .-.....	58
56. Power of the Government to manage the Corporation property.-.....	58
57. Decision of claims to the property by or against the Corporation.-	58
58. Power of the Corporation to manage private property.-	58
59. Maintenance of Property register.-.....	58
Chapter 8	60
Licenses and Fees.....	60
60. Granting of Licenses.-	60

61.	Exemption from procuring license.-	60
62.	Licenses and written permission to specify conditions on which they are granted .-	60
63.	Promotion of night economy.-	60
64.	Fees.-	61
65.	Power to revoke license .-	61
66.	Entry and Inspection.-	62
67.	Consequences of failure to obtain license .-	62
Chapter 9		63
Borrowing		63
68.	Borrowing powers.-	63
Chapter 10		64
Revenue and Expenditure		64
69.	Revenue and Expenditure.-	64
Chapter 11		65
Taxation, Service Charges, Fees and Fines.....		65
70.	Taxes to be imposed under the Act. –.....	65
71.	Charges for civic services.-	65
72.	Cess .-	65
73.	Power to levy and collect fees and fines.-.....	66
74.	Procedure regarding levy for certain taxes.-	66
75.	Integrated Property Identity Code .-	66
76.	Rate of property tax for lands and buildings.-	67
77.	Rate of tax on Vacant Lands.-.....	68
78.	Calculation and fixation of tax during transition. -	68
79.	Revision of market values or rate of property tax.-	70
80.	Unit of assessment.-	71
81.	Primary liability for payment of property taxes.-	71
82.	Person primarily liable for property taxes how to be designated, if name cannot be ascertained.-	72
83.	Payment of property tax.-.....	72
84.	Property tax from when to be levied.-.....	73
85.	Municipal Assessment Book.....	74
86.	Self-assessment. –	74
87.	Suo-motu assessment by the Commissioner.-.....	75

88.	Powers of Commissioner regarding assessment.-	75
89.	Rebate of Property Tax.-	75
90.	Premises in respect of which property tax is to be levied and exceptions.-	76
91.	Exemption of Property Tax in special cases.-	77
92.	Levy of Service Charges on Central Government properties and taxes on Government companies. -	77
93.	Adjustment or refund of excess tax paid.—	78
94.	Levy of penalty by way of property tax on unauthorized construction.-	78
95.	Liability for payment of property tax to continue in absence of transfer notice.- 79	
96.	Notice to be given to the Commissioner of demolition or removal of a building.-	79
97.	Tax on transfer of property.-	80
98.	Transfer of Title and Mutation.-	80
99.	Mutation other than by transfer of title.-	81
100.	Entertainment Tax.-	82
101.	Supplementary Taxation.-	82
102.	Recovery of service charges.-	82
103.	Presentation of Bills.-	82
104.	Recovery of dues to the Corporation.-	83
105.	Third party direction ordering attachment	83
106.	Attachment of movable and immovable property	84
107.	Due Process for Recovery Proceedings	84
108.	Withdrawal of Recovery Proceedings upon Payment	84
109.	Recovery of arrears of Revenue.-	85
110.	Defaulters may be sued for arrears if necessary.-	85
111.	Remittance of amounts due to the Corporation by authorities .-	85
112.	Limitation for recovery of dues.-	85
113.	Writing off of irrecoverable taxes.-	86
114.	Liability for loss, waste, misapplication.-	86
	Chapter 12	87
	Streets, Traffic Management and Pedestrian Infrastructure	87
115.	Vesting of public streets in the Corporation.-	87
116.	Powers of Corporation in relation to public streets.-	87
117.	Powers of State Government in relation to streets.-	87

118.	Disposal of land forming site of closed street.-	87
119.	Coordination in case streets cross corporation limits.-	87
120.	Power to make street development plans.-.....	88
121.	Streets to be built as per universal design.-.....	88
122.	Regular line of street and setback of buildings.-.....	88
123.	Setback and removal of buildings within the street line .-.....	88
124.	Setting forward of buildings.-	89
125.	Control and Development of Private streets.-.....	89
126.	Powers in relation to projections and obstructions:	90
127.	Prohibition of depositing of thing in streets.-	90
128.	Removal of unauthorised encroachments and obstructions.-.....	91
129.	Commissioner may permit booths, etc., to be erected on streets .-.....	91
130.	Streets when broken up for any municipal purposes to be restored without delay.- 91	
131.	Closure of Streets in case of municipal work.-	91
132.	Traffic Management in case of municipal work.-.....	91
133.	Precautions to be taken for public safety in case of municipal work.-	92
134.	Streets not to be opened or broken up and building materials not be deposited without permission.-.....	92
135.	Persons who opens up or breaks up street must reinstate streets, etc.-	93
136.	Public safety during works affecting streets and adjoining premises.-.....	93
137.	Naming of streets, and numbering of houses.-.....	94
138.	Buildings at corners of streets.-.....	95
139.	Public streets to be lighted.-	95
140.	Prohibition of damage to municipal property etc.-	95
141.	Persons accidentally breaking lamps to repair the damage .-	95
142.	Measures for watering streets.-	96
143.	Rights of way for underground utilities.-.....	96
144.	Maps of underground utilities.-.....	97
145.	Traffic Management Schemes.-	97
146.	Regulation of vehicular traffic on public streets.-.....	97
147.	Parking Regulation.-	98
148.	Enforcement of Traffic Management Measures.-	98
149.	Provision and Maintenance of Pedestrian Infrastructure.-.....	98
150.	Shared and Non-Motorised Transport Infrastructure.-	99

151.	Accessibility and Universal Design.-	99
152.	Prohibition of Obstruction and Damage.-	99
153.	Duty to follow directions.-	100
154.	Miscellaneous.-	100
Chapter 13		101
Building Regulations.....		101
155.	Harmonization with Metropolitan Development Plan.-	101
156.	Digital platform for building permissions.-	101
157.	Notice and grant of approval for building permissions.-	101
158.	Vesting of common areas.-	102
159.	Deemed approval.-	102
160.	Regulation and penalisation of construction of buildings in deviation of sanctioned plan.-	103
161.	Cancellation of permission or approval.-	103
162.	Supervision and inspection of buildings and works.-	103
163.	Use and occupancy of buildings as per original permissions and purpose.-..	104
164.	Stop-work and demolition of unauthorized construction. -	104
165.	Powers to seal unauthorized construction and development .-	105
166.	Power of Commissioner to cause any building to be vacated in certain circumstances.-	105
167.	Restriction on Grant of Utility Connections without Occupancy Certificate	106
168.	Prohibition on Transfer of Property with Unauthorized Construction.-	107
169.	Provision to prepare Local Area plan.-	108
170.	Sustainability measures.-	108
171.	Mandatory observance of accessibility norms for building approval.-	109
172.	General building standards for construction and materials used -	109
173.	Powers in relation to dangerous structures.-	109
174.	Entry into adjoining premises for carrying out necessary works for dangerous structures.-	110
Chapter 14		111
Sanitation and Solid Waste Management		111
175.	Duty to comply with Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013.-	111
176.	Duties of Corporation .-	111
177.	Powers of Corporation .-	111

178.	Duties of Owners and Occupiers .-	112
179.	Duties of Residential Associations .-	112
180.	Duties in relation to Construction and Demolition Waste .-	113
181.	Prohibition of Unauthorized Transport or Dumping of Construction and Demolition Waste.-	113
182.	Waste Processing and Disposal facility.-	114
Chapter 15		115
Public Health.....		115
183.	Duty of Corporations with respect to public health.-	115
184.	Duty of Corporation in case of public health emergencies.-	115
185.	Power of Commissioner to issue general directions for regulation of places of public resort or entertainment.-	116
186.	Duty of Medical Practitioners and Establishments .-	116
187.	Duty of Health Officers .-	117
188.	Power to inspect buildings and premises .-	117
189.	Power to sanitise and issue directions to sanitise building or premises .-	117
190.	Place of Disinfection .-	118
191.	Prohibition of use of water likely to spread infection .-	118
192.	Duty of Corporation to eradicate vectors and prevent breeding .-	118
193.	Duty of owner or occupier in relation to vector control .-	119
194.	Sealing of premises operating without a license .-	119
195.	Registration for Places of Cremation or Burial .-	120
196.	Provision of Places for Cremation or Burial .-	121
197.	Inspection of Places for Cremation or Burial .-	121
198.	Burials within places of worship and exhumation not to be made without permission of Commissioner .-	121
199.	Prohibited Acts .-	121
Chapter 16		123
Parks and Urban Biodiversity		123
200.	Duties of Corporation, Green Budget and Green Action Plan.-	123
201.	Accessibility, Inclusivity, and Spatial Standards for Parks and Urban Green Spaces .-	124
202.	Minimum Standards for Design, Maintenance, and Regulation of Parks .-	124
203.	Community Participation.-	124
Chapter 17		126

Management and control of Animals.....	126
204. Management and control of animals .-	126
Chapter 18	127
Nuisance.....	127
205. General duty not to create nuisance.-	127
206. Procedure for filing a complaint.-	127
207. Procedure on filing of complaint.-	127
208. Preventive action by the Commissioner .-	128
209. Delegation of powers .-	129
Chapter 19	130
Vital Statistics	130
210. Registration of births and deaths and their reporting.	130
211. Registration of name of child or of alteration of name.	130
212. Correction of errors in registers of births or deaths.	130
213. Information of births	130
214. Information regarding deaths	131
215. Duties of police in regard to unclaimed corpses.	131
Chapter 20	132
Delegated Legislation	132
216. Power of Government to make rules.-	132
217. Power of the Corporation to Make Bye-laws.-	132
Chapter 21	133
Penalties	133
218. Penalties for Contravention of Duties and Directions.	133
219. Relationship with other Penalties.....	133
220. Due Process for Imposition of Civil Penalty.	133
221. Recovery of Civil Penalties.....	134
222. Compounding of Civil Penalties	134
223. Appeal	134
Chapter 22	136
Notice, Inspection and Recovery of Expenses.....	136
224. Notice, Inspection and Recoveries.-	136
Chapter 23	137
Compensation.....	137

225. Compensation.-	137
Chapter 24	138
Appeals to Courts.....	138
226. Election Petitions .-	138
227. Proceedings before Magistrate .-	138
228. Proceedings before City Civil Court .-.....	138
229. Appeals .-	138
PART III	139
INTEGRATED GOVERNANCE ARCHITECTURE FOR CURE	139
Chapter 25	139
Jurisdiction of Authorities.....	139
230. Jurisdiction of Authorities:-	139
Chapter 26	139
Coordination.....	139
231. Constitution and Composition of the CURE Apex Governance Council.-....	139
232. Powers and Functions of the Apex CURE Governance Council.- The CURE Apex Governance Council shall-	139
233. Constitution and Composition of the CURE Executive Committee.-	139
234. Powers and Functions of the CURE Executive Committee.....	140
Chapter 27	141
Water Supply and Sewerage	141
235. Application and Authority -	141
236. Sewerage charges .-.....	141
237. Revision of Charges.-.....	141
238. Capital Development Charge .-.....	141
239. Recovery .-	142
240. Exemption from water supply charges .-	142
Chapter 28	143
Hyderabad Disaster Response And Asset Protection Agency (HYDRAA)	143
241. Establishment and Functions.-	143
242. Specific Powers and Designations.-.....	143
Chapter 29	145
Environmental Sustainability, Climate Action and Net Zero	145
243. Functions in relation to the Environment .-	145
244. Climate Action Cell .-	146

245.	Powers and Functions of the Climate Action Cell .-	146
246.	Net Zero and Climate Action Framework for the CURE .-	147
247.	Climate Proofing of Infrastructure.-	148
248.	Mandatory use of recycled construction and demolition waste in government works.—	149
249.	Mandatory treatment and reuse of grey water.—	150
250.	Provision of Electric Vehicle Charging Infrastructure .-	150
251.	Shade Facilities in Public Places.-	151
252.	Prohibition and Regulation for Maintenance of Clean Air .-	152
253.	Prohibition or Regulation of Single Use Plastics and Other Specified Plastic Items .-	152
254.	Prohibition of disposal into water bodies .-	154
255.	Lake Protection Committee.-	154
Chapter 30		155
Disaster Management.....		155
256.	CURE Disaster Management Authority.-	155
257.	CURE Disaster Management Plan.-	155
258.	Functions of the authorities within CURE in relation to disasters .-	156
Chapter 31		157
Traffic Management.....		157
259.	CURE Traffic Management and Road Safety Authority.-	157
260.	CURE Utility Coordination Committee.-	157
Chapter 32		159
Fire Safety and Management		159
261.	Empanelment of Experts for Fire Safety Audits –	159
262.	Powers of inspections and enforcement.-	159
Chapter 33		161
Food Safety and Nutrition.....		161
263.	Food Safety and Nutrition Committee.-	161
Chapter 34		162
Heritage Conservation.....		162
264.	Constitution of the CURE Heritage Committee .-	162
265.	Functions and Powers of the Committee .-	162
266.	Regulation of Development in Heritage precincts.-	162
267.	Incentives and Financial Mechanisms .-	163

268. Limitations on powers of the Committee.-	164
Chapter 35	165
Digital Governance	165
269. Digital Governance Framework for CURE.-	165
270. Common Billing and Payment System for CURE. –.....	165
271. Digital Notices and proof of service.-	166
Chapter 36	167
CURE Smart Governance Centre (SGC)	167
272. Establishment of the CURE Smart Governance Centre.-	167
273. Functions.-.....	167
Chapter 37	168
Advertisements.....	168
274. Constitution of Advertisements Regulatory Committee.-.....	168
275. Permission for advertisements	168
276. Enforcement against unauthorized advertisements	168
Chapter 38	170
Gender Inclusion	170
277. Constitution of Gender Inclusion Cell .-.....	170
278. Functions of Gender Inclusion Cell .-.....	170
279. Gender Inclusive CURE.-	170
Chapter 39	172
Labour Welfare	172
280. Application and Non-Derogation .-	172
281. CURE Urban Livelihoods Coordination Cell .-.....	172
282. Measures for Gig and Platform Workers .-.....	172
283. Protection of livelihoods of Street Vendors and other informal workers .-..	173
Chapter 40	174
Education	174
284. Objectives of Education in the CURE .-	174
285. Student Safety, Inclusion and Well-being.-	174
286. Promotion of Public Libraries as Community Learning Spaces .-	175
287. Integration of Public Libraries with Education and Community Systems .- ..	175
288. Modernisation and Innovation of Public Libraries .-	175
Chapter 41	176

CURE Appellate Authority	176
289. Establishment of CURE Appellate Authority.-.....	176
290. Composition of Authority.-.....	176
291. Qualifications of Chairperson and Members of Authority.-	176
292. Term of office of Chairperson and Members .-	177
293. Salary and allowances payable to Chairperson and Members .-.....	177
294. Administrative powers of the Chairperson.-	177
295. Removal of Chairperson and Members .-	177
296. Restrictions on Chairperson or Members on employment after cessation of office.-	178
297. Restrictions on Chairperson or Members on communication after cessation of office.-	178
298. Officers and other employees of Authority.-	179
299. Limitation for Appeals .-.....	179
300. Powers of the Appellate Authority. -	179
301. Decision of Appellate Authority. -.....	179
PART IV	181
CONTROL.....	181
Chapter 42	181
Role of the State Government	181
302. Government's power to call for records.-	181
303. Government's power to cause inspection to be made .-	181
304. Government's power to require the performance of duties. .-	181
305. Government's power to appoint a person to take action in default .-	182
306. Power of revision .-	182
307. Government's power to cancel or suspend resolutions, etc.-.....	183
308. Government's power to suspend Mayor or Deputy Mayor or Member .-	184
309. Government's power to remove Mayor or Deputy Mayor .-	184
310. Government's power to dissolve the Corporation .-	185
311. Power to give directions .-	186
312. Organisation of Circles and Zones and Coterminous Jurisdictions within CURE.-.....	187
313. Power to transfer functions of the Corporation to the Telangana Industrial Infrastructure Corporation.-	187
314. Power to Transfer powers and functions .-	187

PART V.....	189
MISCELLANEOUS	189
Chapter 43	189
Miscellaneous, Repeal and Transition	189
315. Miscellaneous .-	189
316. Protection of action taken in good faith	189
317. Power to remove difficulties .-.....	189
318. Repeals and Savings.-	189
319. Transition.-	190
SCHEDULE I	191
SCHEDULE II	192
SCHEDULE III.....	232
SCHEDULE IV.....	235
SCHEDULE V	246
SCHEDULE VI.....	256
SCHEDULE VII	262
SCHEDULE VIII.....	264
SCHEDULE IX.....	265

The Core Urban Region (Integrated Governance) Bill, 2026

An Act to consolidate the law relating to the governance of the Core Urban Region in the State of Telangana

Be it enacted by the State Legislature of the State of Telangana in the Seventy-seventh Year of the Republic of India as follows:—

PART I PRELIMINARY

Chapter 1 Preliminary

1. Short Title, Extent and Commencement.-

- (1) This Act may be called the Core Urban Region (Integrated Governance) Act, 2026.
- (2) It extends to the Core Urban Region (CURE) and shall come into force at once.

2. Definitions.-

In this Act unless there is anything repugnant in the subject or context,-

- (1) ‘Advertisement’ means any visual, digital, electronic, or audio-visual display, hoarding, banner, screen, or other medium, whether illuminated or not, made visible in or upon any land, building, wall, or structure, that is visible to the general public from any public street or place, for the purpose of promoting or drawing attention to any product, service, brand, business, profession, event, or activity, whether commercial or otherwise, and includes any advertisement displayed through any authorised agency, contractor, or media owner, but does not include any display located entirely within a building or premises or any signage;
- (2) ‘Authority’ means a body constituted under this Act or under any other law for the time being in force, or established by the Government, and charged with carrying out such functions as may be entrusted to it under this Act from time to time;
- (3) ‘Appellate Authority’ means the CURE Appellate Authority established under Section 289 of this Act;
- (4) ‘Budget Grant’ means the total sum entered on the expenditure side of a budget estimate under a major head and finally adopted by the Corporation;
- (5) ‘Building’ means any permanent structure or otherwise constructed of any material for any purpose and includes multi storied complexes, gated communities, malls, high-rise buildings, a house, out-house, shop, stable, latrine, shed, hut, wall and compound wall, or any part of such building either residential or non-residential;

- (6) 'Building permission' means the permission issued by the Commissioner under section 157 and includes permission for the erection of a building, the undertaking of any layout, or the carrying out of any development;
- (7) 'Bulk Waste Generator' means a bulk waste generator as defined under the rules made under the Environment (Protection) Act, 1986 (Act No. 29 of 1986), as amended from time to time;
- (8) 'Business' includes any trade, commerce, e-commerce or manufacture or any concern in the nature of trade, commerce, e-commerce or manufacture;
- (9) 'Bye-law' means bye-law made by the Corporation under the Act;
- (10) 'Capital Value' means the guideline value of any building, including any land occupied by it, or vacant land, or both, as fixed by the Revenue (Registration) Department for the purpose of registration, subject to such modifications as may be determined by the Government;
- (11) 'Civil Society' includes any non-governmental organization or association of persons, established, constituted or registered under any law for the time being in force and working for social welfare, and includes any community-based organization, residents welfare association, professional institution and civic, health, educational institution, social or cultural body or any trade or industrial organization, other stakeholders and such other association or body, as may be prescribed by the Government;
- (12) 'Commissioner' means the Commissioner of a Corporation appointed under Section 24 of this Act;
- (13) 'Company' means a company as defined in the Companies Act, 2013 (Act No. 18 of 2013), or a body formed in pursuance of an Act of Parliament or an Act of the Legislature of a State, and includes any firm or association of persons carrying on business in the State of Telangana, whether or not it is incorporated under any law or its principal place of business is situated within the State;
- (14) 'Construction and Demolition Waste' means the waste generated due to construction, demolition, remodelling, renovation, repair, and maintenance activities, and comprises of soil, sand and gravel, bricks and masonry, concrete, metal, wood, plastic, ceramic and such other items;
- (15) 'Core Urban Region' or 'CURE' means the area governed under the Greater Hyderabad Municipal Corporation Act, 1955 (Act No. II of 1956), as it existed immediately before its repeal as mentioned in Schedule I, and such areas as may be added to, or excluded from such region by amendment of Schedule I of this Act from time to time;
- (16) 'Corporation' means one or more corporations within the Core Urban Region, as constituted under sub-section (1) of Section 3 of this Act;
- (17) 'Corporation Area' means the territorial area within the limits of a municipal Corporation;
- (18) 'Clinical Establishment' means a clinical establishment as defined under section 2(c) of the Clinical Establishments (Registration and Regulation) Act, 2010 (Act No. 23 of 2010);
- (19) 'Drain' includes a sewer, tunnel, pipe, ditch, gutter or channel and any cistern, flush tank, septic tank or other device for carrying off or

- treating sewage, offensive matter, polluted water, sullage, waste water, rain water, or sub-soil water and any culvert, ventilation shaft or pipe or other appliance or fitting connected therewith, and any ejector, compressed air main, sealed sewage main and special machinery or apparatus for raising, collecting, expelling or removing sewage or offensive matter from any place;
- (20) 'Drainage' includes all liquid discharges except Sewerage;
- (21) 'Department' refers to any Department of Government of Telangana;
- (22) 'Dry waste' means waste other than wet waste, sanitary waste, special care waste and includes recyclable waste and non-recyclable waste;
- (23) 'Election Authority' means such officer or authority as may appointed by the State Election Commission to exercise such powers and to perform such functions in connection with the conduct of elections to the Municipal Corporations;
- (24) 'Empanelled experts' means any third-party agency empanelled by the government for the purpose of carrying out fire safety audit under this Act;
- (25) 'Entertainment' means and includes any amusement event or provision of service which involves a performance, presentation, production or staging of any act and for the viewing of which any person or body of persons may be required to purchase a ticket to enter such an event or purchase a connection to view such a service;
- (26) 'Factory' means a factory as defined in the Occupational Safety, Health and Working Conditions Code, 2020 (Act No. 37 of 2020);
- (27) 'Food Business' means food business as defined in section 3(1)(n) of the Food Safety and Standards Act, 2006 (Act No. 34 of 2006);
- (28) 'Food Business Operator' means a food business operator as defined in section 3(1)(o) of the Food Safety and Standards Act, 2006 (Act No. 34 of 2006);
- (29) 'Filth' means night soil or other contents of latrines, cess-pools and drains, dirt, dung, refuse, useless or offensive material thrown out in consequence of any process of manufacture, industry or trade; and putrid or putrefying substance;
- (30) 'Finance Commission' means the Finance Commission constituted by the Governor under Article 243-I of the Constitution of India;
- (31) 'Financial Year' means the year beginning on the first day of April or such other date as the Government may by notification appoint;
- (32) 'Gig worker' means a person who performs work or participates in a work arrangement and earns from such activities outside of traditional employer-employee relationship and who works on contract that results in a given rate of payment, based on terms and conditions laid down in such contract and includes all piece-rate work;
- (33) 'Government' means the Government of Telangana;
- (34) 'High-rise building' means all buildings which are greater in height than such threshold as may be determined by the Government measured

from the average level of the central line of street on which the site abuts, Staircase rooms, lift rooms, chimneys, elevated tanks above the top most floor and architectural features are excluded from the height of such Buildings;

- (35) 'Hyderabad Metropolitan Water Supply and Sewerage Board' or 'HMWSSB' means the Board established under the Hyderabad Metropolitan Water Supply And Sewerage Act, 1989 (Telangana Act No. 15 of 1989);
- (36) 'Land' includes land which is being built upon or is covered with water, benefits to arise out of land, things attached to the earth or permanently fastened to anything attached to the earth and rights created by law over the same situated on any street within the jurisdiction of the Corporation;
- (37) 'License' means a license issued under this Act;
- (38) 'Market' includes any place, whether public or private, by whatever name called, where persons assemble for the trade of meat, fish, fruit, vegetables, livestock, or any other article of food of a perishable nature, or any other merchandise for which there is a collection of shops or warehouses or stalls, or premises let out to professionals, government or any other bodies, declared and licensed by the Corporation as a market;
- (39) 'Medical Practitioner' means a person who is licensed to practice medicine under the National Medical Commission Act, 2019 (Act No. 30 of 2019), the National Commission for Indian Medicine System Act, 2020 (Act No. 14 of 2020), or under any other law in force;
- (40) 'Member' means a person who is duly elected or deemed to be duly elected as a Member of the Corporation under this Act;
- (41) 'mental illness' means 'mental illness', as defined in section 2 (s) of the Mental Healthcare Act (Act No. 2 of 2017);
- (42) 'Municipal building', 'municipal drain', 'municipal market', 'municipal slaughterhouse' or 'municipal water works' means a building, drain, market, slaughterhouse or water works as respectively vest in or are managed by the Corporation under this Act;
- (43) 'Nuisance' shall include any act, omission, commission of such act at such places, which causes or is likely to cause injury, danger, annoyance, or offence to the sense of sight, smell or hearing, disturbance to rest or sleep, or which is or may be dangerous to human life, or injurious to health or property;
- (44) 'Occupancy Certificate' is a certificate issued by the Corporation to occupy the premises, only upon completion of construction of a building in accordance with the provisions of this Act;
- (45) 'Occupier' includes-
 - (a) any person who for the time being is paying or is liable to pay to the owner the rent or any portion of the rent of the land or building in respect of which such rent is paid or is payable,
 - (b) a rent-free tenant,
 - (c) licensee in occupation of any land or building, and

- (d) any person who is liable to pay to the owner damages for the use and occupation of any land or building;
- (46) 'Offensive matter' includes-
 - (a) filth,
 - (b) sewage,
 - (c) dust, house-sweeping, spittings, including chewed betel and tobacco, kitchen or stable refuse, pieces of broken glass or pottery-debris and waste paper;
- (47) 'Owner' means and includes—
 - (a) the person for the time being receiving or entitled to receive, whether on his own account or as agent, trustee, guardian, manager or receiver for another person or estate for any religious or charitable purposes, the rent or profits of the property in connection with which the word is used;
 - (b) the person for the time being in charge of the animal or vehicle in connection with which the word is used;
- (48) 'Platform' means any arrangement providing a service through electronic means, at the request of a recipient of the service, involving the organization of work performed by individuals at a certain location in return for payment, and involving the use of automated monitoring and decision making systems or human decision making that relies on data;
- (49) 'Platform worker' means a person engaged in or undertaking platform work;
- (50) 'Plinth area of building' means the area arrived at by multiplying the length of the building with the breadth as measured outside of the basement level;
- (51) 'Political party' means a political party registered under section 29A of the Representation of the People Act, 1951 (Act No. 43 of 1951);
- (52) 'Population' means the Population as ascertained at the last preceding census of which relevant figures have been published;
- (53) 'Persons with Disabilities' means 'persons with disabilities', as defined in section 2(s) of the Rights of Persons with Disabilities Act, 2016 (Act No. 49 of 2016);
- (54) 'Premises' includes messuages, buildings and lands of any tenure whether open or enclosed, whether built on or not and whether public or private;
- (55) 'Prescribed' means prescribed by rules made by Government under this Act;
- (56) 'Private street' means any street, which is not a 'public street' but does not include a pathway made by the owner of premises on his own land to secure access to or the convenient use of such premises;
- (57) 'Privy' means a place set apart for defecating or urinating or both, together with the structure comprising such place, the receptacle therein for human excreta and the fittings and apparatus, if any, connected therewith;

- (58) 'Public Health Emergency' means public health emergency as defined under clause (h) of section 2 of the Telangana Disaster and Public Health Emergency (Special Provisions) Act, 2020 (Telangana Act No. 14 of 2020);
- (59) 'Public place' includes any park or garden, ground or any other place to which the public have or are permitted to have access;
- (60) 'Public securities' means—
- (a) securities of the Central Government or any State Government,
 - (b) stocks, debentures or shares, the interest whereon has been guaranteed by the Central or any State Government,
 - (c) debentures or other securities for money issued by or on behalf of any local authority,
 - (d) securities expressly authorised by any order which the Government makes in this behalf;
- (61) 'Public Servant' means any person falling within the meaning of section 2(35) of the Bharatiya Nyaya Sanhita, 2023 (Act No. 45 of 2023) , and includes every officer, employee, or servant appointed by or acting under the authority of any Corporation, authority, body, or department within CURE in the discharge of any function conferred by or under this Act;
- (62) 'Public street' means any street over which the public have a right of way, whether a thoroughfare or not and includes— (a) a roadway over or a footway attached to any public bridge or cause-way, and (b) the drain attached to any such street, public bridge or cause-way and the land, whether covered or not by any pavement, verandah, or other structure, which lies on either side of the roadway upto the boundaries of the adjacent property, whether that property is private property or property belonging to Government;
- (63) 'Qualifying date' in relation to the preparation and publication of every electoral roll under this Act, means the first day of January of the year in which it is so prepared and published;
- (64) 'Recognised Organisation' means any society, trust, or non-profit entity registered under any law for the time being in force, engaged in animal welfare activities within the CURE, and recognised as such by the Corporation on an application made in this behalf;
- (65) 'Rubbish' includes dust, ashes, broken bricks, mortar waste, garden refuse and refuse of any kind which is not offensive matter or sewage;
- (66) 'Sanitation facilities' include flush toilets, outdoor toilets, hand washing facilities, lavatories, urinals and showers;
- (67) 'Sanitary waste' means waste consisting of used diapers, sanitary towels or napkins, tampons, condoms, incontinence sheets and any other similar waste;
- (68) 'Schedule' means the schedule annexed to this Act;
- (69) 'Segregation' means sorting and separate storage of various components of solid waste namely wet waste including agriculture and dairy waste, dry waste including recyclable waste, non-recyclable

combustible waste, sanitary waste and non-recyclable inert waste, special care waste, and construction and demolition waste;

- (70) 'Sewage' means night soil and other contents of water closets, latrines, privies, urinals, cesspools or drains and polluted water from sinks, bathrooms, stables, cattle-sheds and other like places and includes trade effluent and discharges from manufactories of all kinds;
- (71) 'Signage' means any name board, identification board, direction board, fascia, display, lettering, or sign, whether illuminated or not, installed or exhibited on or within the premises, building, or asset owned, leased, or lawfully occupied by the person carrying on the business or activity to which it relates, identifying the name, nature, logo, address, or details of such business, profession, institution, or activity, and in respect of which no consideration, fee, rent, licence amount, revenue share, sponsorship, or other compensation is paid to any other party for the display of such content ;
- (72) 'Solid Waste Management' means and includes collection, segregation, storage, transportation, processing and disposal of municipal solid waste;
- (73) 'Street vendor' means street vendor as defined in section 2(l) of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (Act No. 7 of 2014);
- (74) 'Special care waste' means and includes discarded paint drums, pesticide cans or containers or bottles, compact fluorescent lamp or bulbs, tube lights, expired medicines, broken mercury thermometers, waste batteries, used or waste needles and syringes and contaminated gauge, or any other waste notified by Central Pollution Control Board from time to time, generated at the household level;
- (75) 'State Election Commission' means the State Election Commission constituted in pursuance of Article 243-K of the Constitution of India;
- (76) 'Stream' means stream as defined under section 2 (j) of the Water (Prevention and Control) of Pollution Act, 1974 (Act No. 6 of 1974);
- (77) 'Streets' includes any highway, and any cause-way, bridge, viaduct, arch, road, land, footway, sub-way, court, alley or riding path or passage, whether a through fare or not; and, when there is a footway as well as a carriage way in any street, the said term includes both;
- (78) 'To erect or re-erect a building' means any material alteration, enlargement, addition, or structural conversion of any building, including conversion into or from a place of human habitation, place of religious worship, stall, shop, warehouse, or godown, conversion of any number of dwelling units into a greater or lesser number thereof, any alteration affecting drainage, sanitary arrangements, or structural security, roofing or covering of any open space between walls or buildings, or construction of a door on a wall adjoining any street or land not vested in the owner of such wall;
- (79) 'Trade Effluent' means trade effluent as defined under section 2(k) of the Water (Prevention and Control) of Pollution Act, 1974 (Act No. 6

- of 1974);
- (80) 'Unorganised Worker' means unorganised worker as defined in section 2(86) of the Code on Social Security, 2020 (Act No. 36 of 2020);
 - (81) 'Vacant land' means, land not built upon and does not include land appurtenant or attached to a building;
 - (82) 'Veterinary Officer' means a Veterinary Officer appointed by or recognized by the Government of Telangana or the Corporation for the purposes of this Act;
 - (83) 'Ward Committee' means a Ward Committee constituted under clause (3) of Schedule II;
 - (84) "Waste Processing and Disposal facility" means any site, plant, installation, or premises used for the purpose of receiving, processing, treating, recycling, converting, or disposing any waste including solid or semi-solid domestic waste, sanitary waste, commercial waste, institutional waste, catering and market waste and other non-residential wastes, street sweepings, silt removed or collected from the surface drains, horticulture waste, agricultural and dairy waste, bio-medical waste, industrial waste, e-waste, lead acid batteries and radio-active waste;
 - (85) 'Water Connection' includes—
 - (a) any tank, cistern, hydrant, stand-pipe, meter or tap situated on any private property and connected with a water-main or pipe belonging to the Corporation; and
 - (b) the water-pipe connecting such tank, cistern, hydrant, stand-pipe, meter or tap with such water-main or pipe;
 - (86) 'Water-course' includes any river, stream or channel;
 - (87) 'Water works' includes a lake, stream, spring, well, pump, reservoir, cistern, tank, duct whether covered or open, sluice, main pipe, culvert, engine, water-truck, hydrant, stand-pipe, conduit and machinery, land, building or thing for supplying or used for supplying water or for protecting services of water supply;
 - (88) 'Wet waste' means and includes organic waste including kitchen waste, food waste, vegetable waste, meat waste, fruits waste, flower waste, and such similar waste and biodegradable waste; and
 - (89) 'Zoonotic Disease' means any disease or infection that is naturally transmissible from vertebrate animals to humans and includes such diseases as may be notified by the Government from time to time.

Explanation — In this Act, words and expressions importing any gender shall be construed to include all genders, including persons of transgender identity, unless the context otherwise requires.

PART II CORPORATIONS

Chapter 2 Establishment of Corporations

3. Constitution of Corporations.—

(1) The Core Urban Region shall consist of all the Corporations specified in Schedule I, and all Corporations so specified shall be deemed to have been established as Corporations under this Act, and the provisions of this Act shall apply to all such Corporations.

(2) Each Corporation specified in Schedule I shall be a body corporate by the name specified therein, having perpetual succession and a common seal, and shall be vested with the capacity to sue and be sued in its corporate name, to acquire, hold and transfer property, to enter into contracts, and to do all things necessary or expedient for the purposes for which it is established.

(3) The State Legislature may, by way of amendment to this Act, modify, add, alter or remove any entry in Schedule I, and may by any such amendment do any one or more of the following, namely —

(a) establish a Corporation;

(b) alter the name of any Corporation;

(c) alter the jurisdiction of any Corporation, including by readjustment of areas between two or more Corporations;

(d) abolish any Corporation;

(e) include within the Core Urban Region any area not forming part thereof, by including that area within the jurisdiction of a Corporation, whether existing or established by the same amendment;

(f) exclude from the Core Urban Region any area forming part thereof, by removing that area from the jurisdiction of the Corporation in which it is for the time being comprised, whereupon that area shall cease to form part of the Core Urban Region;

and on the coming into force of any such amendment, the Core Urban Region and the Corporations therein shall stand constituted in accordance with Schedule I as so amended.

(4) Where any Corporation is established, altered or abolished under sub-section (3), the Government may, by notification, make such transitional and consequential provisions as it deems necessary, including provisions relating to transfer of assets, liabilities, employees and pending proceedings.

(5) Where any dispute arises between Corporations which cannot be resolved mutually, the Government may decide such dispute.

4. Municipal authorities charged with the execution of the Act .-

The Municipal authorities charged with carrying out the provisions of this Act are:-

(a) a Corporation;

- (b) a Standing Committee;
- (c) a Commissioner;
- (d) the Ward Committee.

5. Composition of Corporation .-

- (1) Subject to the provisions of section 6, the Corporation shall consist of such number of elected members as may be notified from time to time by the Government in the Telangana Gazette, in accordance with such principles as may be prescribed.
- (2) Every member of the Legislative Assembly of the State and every member of the House of the People representing a constituency of which the Corporation or a portion thereof forms part, and every member of the Council of the State registered as an elector within the area of the Municipal Corporation and every Member of the Legislative Council of the State registered as an elector within the area of the Municipal Corporation shall be ex-officio member of the Corporation:
Provided that a Member of the Legislative Assembly or a Member of the House of the People representing a constituency which comprises a portion of the Corporation and a part of any municipality or municipalities, shall be ex-officio Member of either the Corporation or of one such municipalities, which he chooses; and he shall also have the right to take part in the proceedings of any meetings of the other Municipal Councils or Corporation, as the case may be, within the constituency, but shall not be entitled to vote at any such meeting.
- (3) In addition to the members referred to in subsections (1) and (2), three persons having special knowledge or experience in Municipal Administration, of whom one shall be woman, shall be co-opted as members of the Corporation in the prescribed manner by the members of the Corporation from among the persons who are registered voters in the Corporation and who are not less than twenty one years of age:
Provided that the members co-opted under this sub-section shall have the right to speak in and otherwise to take part in the meetings of the Corporation but shall not have right to vote.
- (4) Two persons belonging to the minorities of whom one shall be woman be co-opted as members of the Corporation in prescribed manner by the members of the Corporation specified in sub-sections (1) and (2) from among the persons who are registered voters in the Corporation and who are not less than twenty one years of age:
Provided that the members co-opted under this sub-section shall have the right to speak in and otherwise to take part in the meetings of the Corporation but shall not have right to vote.
- (5) One person belonging to the transgender community shall be co-opted as a member of the Corporation in the prescribed manner by the members of the Corporation specified in sub-sections (1) and (2), from among the persons who are registered voters in the Corporation and who are not less than twenty-one years of age:

Provided that the member co-opted under this sub-section shall have the right to speak in, and otherwise to take part in the meetings of the Corporation but shall not have the right to vote.

- (6) No person shall be a member in more than one of the categories specified in sub-sections (1), (2), (3), (4) or (5). A person who is or becomes a member of the Corporation in more than one such category shall, by notice in writing signed by him and delivered to the Commissioner, within fifteen days from the date on which he so becomes a member, intimate in which one of the said categories he wishes to serve, and thereupon he shall cease to be the member in the other category. In default of such intimation within the aforesaid period, his membership in the Corporation in the category acquired earlier shall, and his membership acquired later in the other category shall not, cease at the expiration of such period. The intimation given under this sub-section shall be final and irrevocable.

6. Reservation in the Corporation .-

In the Corporation out of the total strength of elected members, the Government shall, subject to the rules as may be prescribed, by notification reserve,-

- (a) such number of seats to the Scheduled Castes and Scheduled Tribes as may be determined by them, subject to the condition that the number of seats so reserved shall bear, as nearly as may be, the same proportion to the total number of seats to be filled by direct election to the Corporation, as the population of the Scheduled Castes, as the case may be, the Scheduled Tribes in the Corporation bears to the total population of the Corporation; and such seats may be allotted by rotation to different wards in the Corporation;
- (b) such number of seats for the members belonging to the Backward Classes; and such seats may be allotted by rotation to different Wards in the Corporation;
- (c) fifty percent of the total number of seats reserved under clauses (a) and (b) for women belonging to the Scheduled Castes, Scheduled Tribes or as the case may be, the Backward Classes;
- (d) fifty percent (including the number of seats reserved for women belonging to the Scheduled Castes, Scheduled Tribes and Backward Classes) of the total number of seats to be filled by direct election to the Corporation shall be reserved for women and such seats may be allotted by rotation to different Wards in a Corporation.
- (e) the allotment by rotation to different Wards as provided under clauses (a), (b) and (d) once made, shall be in force for two consecutive terms;

Explanation:- In this section,-

- (i) the expression 'Scheduled Castes' and 'Scheduled Tribes' shall have the same meanings respectively assigned to them in clause (24) and clause (25) of article 366 of the Constitution of India;
- (ii) the expression 'Backward Classes' means any socially, and educationally Backward Classes of citizens recognised by the Government

for purposes of clause (4) of article 15 of the Constitution of India, without reference to the classification but including the creamy layer amongst such Backward Classes of citizens;

(iii) For the purposes of clauses (a), (b), (d) and (e), the 50% reservation of wards in the Corporation implemented vide G.O.Ms.No.25 MA & UD, dated: 08.01.2016 for Scheduled Tribes, Scheduled Castes, Backward Classes and Women on the basis of total number of seats as prescribed in G.O.Ms.No.169 MA & UD, dated: 23.11.2015 and G.O.Ms.No.186 MA & UD. dated: 11.12.2015, shall be treated as first term, since the elections to the Corporation were conducted on 02.02.2016.

7. Term of office of Members .-

- (1) The term of office of elected members shall, save as otherwise expressly provided in this Act, be five years from the date appointed for the first meeting of the Corporation under clause (b) of section 9 and the last day of their term of office is in this Act referred to as the day for retirement.
- (2) An ex-officio Member shall hold office so long as he continues to be the member of the Legislative Assembly of the State or the Legislative Council of the State or the House of the People, as the case may be.

Chapter 3

Elections

8. Elections.-

The conduct of elections to the Corporation, including the qualifications and disqualifications of candidates, the manner of filing nominations, the conduct of polls, the counting of votes, the declaration of results, and the resolution of election disputes, shall be governed by the provisions specified in Schedule II to this Act.

Chapter 4

Proceedings of the Corporation

9. Provisions regulating the Corporation's proceedings .-

The Corporation shall meet for the despatch of business and shall from time to time, make such bye-laws with respect to the summoning, notice, place, management and adjournment of such meetings, and generally with respect to the mode of transacting and managing the business of the Corporation including the submission, asking and answering of questions under section 39 as they think fit, subject to the following conditions:-

- (a) the ordinary meeting in the month immediately preceding the month in which the first meeting referred to in clause (b) is held shall be held not later than the twentieth day of the month so preceding;
- (b) the first meeting after general elections shall be held within a month of the publication of the declarations under clause 66 under Schedule II on such day and at such time and place as the Commissioner may fix;
- (c) the day, time and place of meeting shall in every other case be fixed by the Mayor, in his absence by the Deputy Mayor and in the absence of both the Mayor and the Deputy Mayor by the Chairman of the Standing Committee and every such meeting shall be held at least once in three months;
- (d) the Mayor or in his absence the Deputy Mayor or in the absence of both the Mayor and Deputy Mayor the Chairman of the Standing Committee may whenever he thinks fit, and shall, upon a written requisition signed by not less than one-sixth of the whole number of members or by not less than four members of the Standing Committee, call a special meeting;
- (e) every meeting shall be open to the public, unless a majority of the members present thereat decide, by a resolution which shall be put by the presiding authority, of his own motion or at the request of any member present without previous discussion, that any inquiry or deliberation pending before the Corporation is such as should be held in private, and provided that the presiding authority, may at any time cause any person to be removed who interrupts the proceedings;
- (f) if at any time during a meeting it shall be brought to the notice of the presiding authority that the number of members present inclusive of the presiding authority, falls short of one-fourth of the whole number of members, the presiding authority shall adjourn the meeting to some other day, fixing such time and place for the same as he shall think convenient, and the business which remains undisposed at such meeting shall be disposed of at the adjourned meeting or, if the latter meeting should be again adjourned, at such adjourned meeting, whether there is a quorum or not;
- (g) every meeting shall be presided over by the Mayor and in his absence by the Deputy Mayor or in the absence of both the Mayor and the Deputy Mayor by such one of the members present as may be chosen by the meeting to be the Chairman for the occasion;

- (h) at least seven clear days' notice shall ordinarily be given of every meeting, other than an adjourned meeting, but in cases of urgency any such meeting may be called, except for the purpose of considering an annual budget estimate, in pursuance of a written requisition signed by not less than four members of the Standing Committee, upon a notice of not less than three clear days' of adjourned meetings such previous notice shall be given as shall be practicable having regard to the period of the adjournment;
- (i) every notice of a meeting shall specify the time and place at which such meeting is to be held and the business to be transacted thereat other than questions under section 39 and shall be given by the Municipal Secretary in the manner prescribed;
- (j) any Member who desires at any meeting to bring forward any business, other than any questions under section 39 or to make any substantive proposition, which is not already specified in the notice of such meeting, shall give written notice of the same to the Municipal Secretary at least three clear days before the day fixed for the meeting; and a supplementary announcement of the business of propositions, of which notice has been so given, shall be given by the said Secretary in the manner practicable not later than the day previous to the meeting;
- (k) except at a meeting called on a requisition of urgency or at the discussion at any meeting of a budget estimate, no business shall be transacted at any meeting other than the business specified in the notice given under clause (i) and any questions asked under section 39 or urgent business not specified in the said notice which the Standing Committee, or the Commissioner deem it expedient to bring before the meeting, and no substantive proposition shall be made or discussed which is not specified in the said notice or in the supplementary announcement, if any, given under clause (j), or which is not in support of the recommendation of the Standing Committee, or the Commissioner, as the case may be, with reference to any urgent business brought by any of those authorities, respectively before the meeting:
 Provided that no such urgent business as aforesaid shall be brought before any meeting unless at least three-fourths of the members present at such meeting, such three-fourths, being not less than one-sixth of the whole number of members, assent to its being brought forward thereat;
- (l) at a meeting called on a requisition of urgency and during the discussion at any meeting of a budget estimate, no business shall be transacted and no substantive proposition shall be made or discussed which does not directly relate to the business for which the urgent meeting was called, or to the budget estimate as the case may be, and no proposition involving any change in the taxes which the Standing Committee propose to impose, or an increase or decrease of any item of expenditure in a budget estimate, shall be made or discussed at any meeting at which such budget estimate is under consideration, unless such proposition is specified in the notice of the meeting given under clause (i) or in the supplementary announcement, if any, given under clause (j) or unless, in the case of an adjourned meeting,

each of the conditions mentioned in the proviso to clause (m) has been fulfilled;

- (m) any meeting may, with the consent of a majority of the members present be adjourned from time to time, but no business shall be transacted and, except as is hereinafter provided, no proposition shall be discussed at any adjourned meeting other than the business and propositions remaining undisposed of at the meeting from which the adjourned meeting took place: Provided that at any adjourned meeting at which a budget estimate is under consideration a proposition involving any change such as is described in clause (1) may be made and discussed, notwithstanding that such proposition is not one remaining undisposed of at the meeting from which the adjournment took place, if each of the following conditions has been fulfilled, namely-
 - (i) that written notice of such proposition has been given at the meeting from which the adjournment took place;
 - (ii) that the adjournment has been for not less than two clear days; and
 - (iii) that a special announcement of the proposition has been given by the Municipal Secretary who shall be bound to give such announcement in the manner practicable not later than the day previous to the adjourned meeting;
- (n) a minute of the proceedings at every meeting and showing the names of the members present thereat shall be drawn up and fairly entered by the Municipal Secretary in a book to be provided for this purpose and shall be signed at, by the presiding authority, after completion of the meeting; and the said minute book shall at all reasonable times be open at the Chief municipal office to inspection by any member free of charge, and by any other person on payment of a fee of eight annas;
- (o) a member shall not vote or take part in the discussion of any matter before a meeting or ask any question concerning any matter in which he is, directly or indirectly, by himself or by his partner, professionally interested on behalf of a client, principal or other person;
- (p) every question other than the question whether the Standing Committee or the Commissioner shall be permitted to bring urgent business before a meeting without notice, shall be decided by a majority of votes of the members present and voting on that question, the presiding authority having a casting vote when there is an equality of votes;
- (q) a declaration by the presiding authority that a proposition has been carried and an entry to that effect in the minute book shall, unless a poll be demanded at the time of such declaration by any member, be conclusive evidence of the fact, without proof of the number of votes given for or against the proposition;
- (r) when a poll is taken, the vote of each member present and voting upon the proposition shall be taken by tellers appointed by the presiding authority and the names of the members voting respectively for or against the proposition shall be recorded in the minute-book;
- (s) the Commissioner shall have the same right of being present at a meeting

of the Corporation and of taking part in the discussions thereat as a member and with the consent of the presiding authority may at any time make a statement or explanation of facts, but he shall not vote upon, or make any proposition at such meetings;

- (t) the Corporation may require any officer of the Corporation to attend any meeting or meetings of the Corporation at which any matter dealt with by such officer in the course of his duties is being discussed. When any officer is thus required to attend any such meeting, he may be called upon to make a statement or explanation of facts or supply such information in his possession relating to any matter dealt with by him as the Corporation may require.

10. Power to order withdrawal of member .-

- (1) The presiding authority shall preserve order and may direct any member whose conduct is in his opinion grossly disorderly to withdraw immediately from the meeting of the Corporation. Any member so ordered to withdraw shall do so forthwith and shall absent himself during the remainder of the day's meeting. If any member is ordered to withdraw a second time within 15 days, the presiding authority may suspend the member from attending the meetings of the Corporation and of any committee for any period not exceeding 15 days and the member so directed shall absent himself accordingly:
Provided that the presiding authority may remit the period of suspension on apology being made to his satisfaction by the member under suspension.
- (2) The presiding authority may, in the case of grave disorder arising in the meeting, suspend the meeting for a period not exceeding three days.

11. Election of Mayor and Deputy Mayor .-

- (1) The elected members referred to in sub-section (1) as well as ex-officio members referred to in sub-section (2) of section 5 of this Act, shall elect one of its elected Members to be its Mayor and another to be its Deputy Mayor at the first meeting of the Corporation after the ordinary elections by show of hands on party basis duly obeying the party whip given by such functionary of the recognized political party, in the manner prescribed. At an election held for that purpose, if the Mayor or Deputy Mayor is not elected, a fresh election shall be held on the next day. The names of the Mayor and the Deputy Mayor so elected shall be published in the prescribed manner. Any casual vacancy in the said offices shall be filled, in the same manner at a casual election and a person elected as Mayor or the Deputy Mayor in any such vacancy shall enter upon office forthwith and hold office only so long as the person in whose place he is elected would have been entitled to hold office, if the vacancy had not occurred: Provided that a member voting under this sub-section in disobedience of the party whip shall cease to hold office in the manner prescribed and the vacancy caused by such cessation shall be filled as a casual vacancy.

- (2) The Mayor or the Deputy Mayor as the case may be, shall be deemed to have assumed office on his being declared as such and shall hold office in accordance with the provisions of this Act and as long as he continues to be an elected member, unless resigned or removed from such office by no-confidence motion or for any other reason in accordance with the provisions of this Act.

12. Resolution of disputes relating to cessation for disobedience of party whip .-

Where a member ceases to hold office for disobedience of the party whip, he may apply to the District Court having jurisdiction over the area in which the head office of Corporation is situated, for a decision.

13. Deputy when to act as Mayor .-

- (1) When the office of the Mayor is vacant his functions shall devolve on the Deputy Mayor until a new Mayor is elected.
- (2) If the Mayor leaves the Corporation area for more than fifteen days or is incapacitated, his functions shall devolve on the Deputy Mayor until the Mayor returns to the Corporation area or recovers from his incapacity, as the case may be.

14. Motion of no confidence in Mayor/Deputy Mayor .-

- (1) A motion expressing want of confidence in the Mayor otherwise than directly elected or Deputy Mayor may be made by giving a written notice of intention to move the motion, signed by not less than one half of the total number of members of the Corporation having right to vote, together with a copy of the proposed motion to the District Collector who has the jurisdiction over the Corporation's Head Office in question in accordance with the procedure prescribed:
Provided that no notice of motion under this section shall be made within four (4) years of the date of assumption of office by the person against whom the motion is sought to be moved:
Provided further that if the motion is not carried by two thirds majority or if the meeting could not be held for want of a quorum, no notice of any subsequent motion expressing want of confidence in the same person shall be made until after the expiration of one year from the date of such first meeting:
Provided also that the membership of a suspended member shall also be taken into consideration for computing the total number of members and he shall also be entitled to vote in a meeting held under this section.
- (2) The District Collector shall then convene a meeting for the consideration of the motion at the office of Municipal Corporation on the date appointed by him which shall not be later than thirty days from the date on which the notice under sub-section (1) was delivered to him. He shall give to the members, Mayor or Deputy Mayor as the case may be and the Ex-officio

members, notice of not less than fifteen clear days excluding the date of the notice and the date of the proposed meeting of such meeting in such form as may be prescribed by the Government and such notice shall be delivered as may be specified.

Explanation:- In computing the period of thirty days specified in this sub-section, the period during which a stay order, if any, issued by a competent court on a petition filed against a notice under sub-section (1) is in force shall be excluded.

- (3) The District Collector or other officer nominated by him (here-in-after referred to as presiding officer) shall preside at such meeting. The quorum for such a meeting shall be two-thirds of the total number of members. If within half an hour after the time appointed for the meeting, there is no quorum for the meeting, the Presiding officer shall adjourn the meeting to some other time on the same date and notify the same in the notice board of the Corporation. If there is no quorum at the adjourned time of the same day, no further meeting shall be convened for consideration of the motion and the meeting shall stand dissolved and the notice given under sub-section (1) shall lapse.
- (4) As soon as the meeting convened under this section commences, the presiding officer shall read only the motion for the consideration of which the meeting has been convened and shall put it to vote without any debate. The voting shall be by show of hands duly obeying the party whip given by such functionary of the recognized political party in the manner prescribed:
Provided that a member voting under this sub-section in disobedience of the party whip shall cease to hold office forthwith and the vacancy caused by such cessation shall be filled as a casual vacancy .
- (5) A copy of the minutes of the meeting together with a copy of the motion and the result of the voting thereon shall be forwarded immediately on the termination of the meeting by the presiding officer to the District Collector. The District Collector shall forward the same along with his remarks to the Government.
- (6) If the motion is carried with the support of two thirds majority of the total number of the members including the Ex-officio members as on the date of the meeting, the Government shall by notification remove the Mayor or the Deputy Mayor as the case may be from office and the resultant vacancy shall be filled in the same manner as a casual vacancy.

Explanation-I:- For the removal of doubts, it is hereby declared that for the purpose of this section, the expression —total number of members means, all the members who are entitled to vote in the election to the office concerned including the ex-officio members.

Explanation-II:- For the purposes of the section, in the determination of two-thirds of the total number of members, any fraction shall be taken as one.

15. Resignations .-

- (1) The Mayor may resign his office by giving notice in writing to the Corporation; the Deputy Mayor may resign his office by giving notice in writing to the Mayor. Such resignation shall take effect in the case of the Mayor from the date on which it is accepted by the Corporation and in the case of the Deputy Mayor, by the Mayor.
- (2) Any member may resign his office at any time by notice in writing to the Mayor and such resignation shall take effect from the date on which it is accepted by the Mayor.

16. Constitution of the Standing Committee.-

- (1) (a) There shall be constituted for the Corporation a Standing Committee consisting of not less than five and not more than fifteen members chosen by the Corporation from among themselves as prescribed to exercise the powers and perform the functions entrusted to it under this Act.

(b) The members of the Standing Committee shall hold office for a period of one year from the date of choosing by the Corporation:
Provided that a member of the Standing Committee shall cease to hold office if he ceases to be a member of the Corporation:
- (2) The Mayor or in his absence, the Deputy Mayor of the Corporation shall be the ex-officio Chairperson of the Standing Committee:
Provided that the Chairperson of the Standing Committee holding office at the commencement of this Act, shall hold office until the expiry of his term of office.

17. Provisions regulating the proceedings of the Standing Committee.-

- (1) The Standing Committee shall meet for the despatch of business in the Chief Office of the Municipal Corporation and may, from time to time, make such regulations with respect to such meetings and with respect to the scrutiny of the municipal accounts as they think fit, subject to the following conditions:-
 - (a) there shall be a meeting of the Standing Committee once a week, and at such other times as shall be found necessary;
 - (b) the first meeting of each Standing Committee shall be held on a day and at a time to be fixed by the Commissioner, and if not held on that day shall be held on some subsequent day to be fixed by the Commissioner; and every subsequent meeting of the Standing

Committee shall be held on such day and at such time as the said Committee may from time to time determine;

- (c) the Chairman of the Standing Committee shall, upon a written requisition signed by the Commissioner, call a special meeting of the said committee within twenty-four hours for the transaction of any business which, in the opinion of the Commissioner, cannot be delayed until the next ordinary meeting of the said Committee;
- (d) no business shall be transacted at a meeting of the Standing Committee unless at least half of the total number of members are present from the beginning to the end of such meeting;
- (e) every meeting of the Standing Committee shall be presided over by the chairman, if the chairman is present at the time appointed for holding the meeting, and, if the chairman is absent, by such one of the members present as may be chosen by the meeting to be the Chairman for the occasion;
- (f) every question shall be decided by a majority of votes of the members of the Standing Committee present and voting on that question, the presiding authority having a second or casting vote when there is an equality of votes;
- (g) subject to any bye-laws made in this behalf the Standing Committee may from time to time, by a specific resolution in this behalf, delegate any of its powers or duties to sub-committees, consisting of such members of the said committee not less in number than three on each sub- committee, as they think fit; and any sub-committee so formed shall conform to any instructions that may from time to time be given to them by the Standing Committee and the said committee may at any time discontinue or alter the constitution of any sub-committee so formed;
- (h) a sub-committee may elect a Chairman of its meeting, and if no such Chairman is elected or if he is not present at the time appointed for holding any meeting, the members of the sub-committee present, shall choose one of their members to be Chairman of such meeting;
- (i) a sub-committee may meet and adjourn as it thinks proper, but the Chairman of the Standing Committee may, whenever he thinks fit, and shall, upon the written request of not less than two members of a sub-committee, call a special meeting of such sub-committee;
- (j) questions at any meeting of a sub-committee shall be decided by a majority of votes of the members present and, in case of an equality of votes, the Chairman of the meeting shall have a second or casting vote, but no business shall be transacted at any such meeting unless at least two-thirds of the members of the sub-committee are present from the beginning to the end thereof;
- (k) minutes shall be kept by the Municipal Secretary of the names of the members present and of the proceedings at each meeting of the Standing Committee and at each sub-committee's meeting in a

- book to be provided for this purpose, which shall be signed at, and by the presiding authority after the completion of the meeting;
- (l) a member of the Standing Committee shall not vote or take part in the discussion before the said committee or before any sub-committee on any matter in which he is directly or indirectly, by himself or by his partner, professionally interested on behalf of a client, principal or other person;
 - (m) the Commissioner shall have the same right of being present at a meeting of the Standing Committee and of taking part in the discussions thereat as a member of the said committee, but he shall not vote upon, or make any proposition at such meeting;
 - (n) the Standing Committee may require any officer of the Corporation to attend any meeting or meetings of the Standing Committee at which any matter dealt with by such officer in the course of his duties is being discussed; when any officer is thus required to attend any such meeting he may be called upon to make a statement or explanation of facts or supply such information as may be in his possession relating to any matter dealt with by him.
- (2) Where a subject is placed before the Standing Committee, the Standing Committee shall take a decision thereon within a period of fifteen days from the date of placing the matter before it, and if a subject is not considered by the Standing Committee within the aforesaid period, the proposal contained in the subject shall be deemed to have been approved by the Standing Committee. Where a proposal is rejected by the Standing Committee, the Commissioner shall place the matter before the Corporation within a period of fifteen days from the date of such rejection for its decision and a meeting for this purpose shall be held in accordance with clause (c) of section 9.

18. Special Committees of the Corporation.-

- (1) The Corporation, may from time to time appoint, out of their own body, Special Committees and may by specific resolution carried by a vote of at least two-thirds of the members of the Corporation present at the meeting, delegate any of their powers and duties to such committees, and may also by a like resolution define the sphere of business of each Special Committee so appointed, and direct that all matters and questions included in any such sphere shall, in the first instance, be placed before the appropriate committee and shall be submitted to the Corporation with such committee's recommendations.

Explanation.- For the removal of doubt, it is hereby declared that the term Corporation shall include the *ex officio* members.

(2) Every Special Committee shall conform to any instructions that may from time to time be given to them by the Corporation.

(3) The Corporation may, at any time, dissolve or subject to any bye-law made by them in this behalf alter the constitution of any Special Committee.

(4) Every Special Committee shall appoint two of their number to be the Chairman and Deputy Chairman:

Provided that no member shall, at the same time, be Chairman of more than one Special Committee.

(5) In the absence of the Chairman or Deputy Chairman, the members of the Special Committee present shall choose one of their members to preside over their meeting.

(6) All the proceedings of every Special Committee shall be subject to confirmation by the Corporation:

Provided that any Special Committee may by a resolution supported by at least one-half of the whole number of members of the committee direct that action be taken in accordance with the decision of such committee without waiting for confirmation of their proceedings by the Corporation, should the committee consider that serious inconvenience would result from delay in taking such action; but if the Corporation do not confirm the proceedings of the Special Committee such steps shall be taken to carry out any orders passed by the Corporation as may still be practicable:

Provided also that if, in delegating any of their powers or duties to a Special Committee under sub-section (1), the Corporation direct that the decision of the Special Committee shall be final, then so much of the proceedings of the Special Committee as relate to such powers or duties shall not be subject to confirmation by the Corporation, if such decision is supported by at least one-half of the whole number of members of the Committee.

(7) The Standing Committee may, from time to time, by a resolution carried by a vote of at least two-thirds of their members present at the meeting, delegate to any Special Committee appointed under sub-section (1) any of their powers and duties in respect of any matter with which such Special Committee is competent to deal, or refer to any such committee any such matter for disposal or report, and every such Special Committee shall conform to any instructions that may from time to time be given to them by the Standing Committee in this behalf:

Provided that every such resolution shall be reported by the Standing Committee to the Corporation as soon as possible, and the Corporation may at any time cancel such resolution.

- (8) Any member of a Special Committee who absents himself during two successive months from the meetings of such Committee, except by reason of temporary illness or other cause to be approved by such Committee, or absents himself from or is unable to attend the meetings of such Committee during four successive months from any cause whatever, whether approved by such Committee or not, shall cease to be a member of such Committee and his seat shall thereupon be vacant.
- (9) The Corporation may make bye-laws for regulating the constitution of Special Committees and the conduct of business at meetings of such committees, and for the keeping of minutes and the submission of reports.

19. Appointment of Ad-hoc Committee.-

- (1) The Corporation may, from time to time, appoint from amongst the members such Ad-hoc Committees consisting of such number of members as it shall think fit, and may refer to such Committees for inquiry and report or for opinion, such special subjects relating to the purposes of this Act as it shall think fit, and direct that the report of any such committee shall be submitted through the Standing Committee or a Special Committee constituted under section 18.
- (2) An Ad-hoc Committee appointed under sub-section (1) may, with the previous sanction of the Corporation co-opt not more than two persons who are not members but who in the opinion of the committee possess special qualifications for serving thereon.

20. Joint transactions with other local authorities.-

- (1) The Corporation, may from time to time, join with a local authority or with a combination of local authorities, authorities,-
 - (a) in appointing a joint committee out of their respective bodies for any purpose in which they are jointly interested, and in appointing a Chairman of such Committee;
 - (b) in delegating to any such committee power to frame terms binding on each such body as to the constitution and future maintenance of joint work and any power which might be exercised by any such bodies; and
 - (c) in framing and modifying bye-laws for regulating the proceedings of any such committee in respect of the purpose for which the Committee is appointed.

- (2) Where the Corporation has requested the concurrence of any other local authority under the provision of sub-section (1) in respect of any matter and such other local authority has refused to concur, the Government may after hearing the objections, if any, of such local authority pass such orders as it deems fit requiring the concurrence of such other local authority, not being a cantonment authority, in the matter aforesaid and such other local authority shall comply with such orders.
- (3) If any difference of opinion arises between the Corporation and any other local authority which has joined the Corporation under this section, the matter shall be referred to Government whose decision, thereupon shall be final and binding:

Provided that, if the local authority concerned is a cantonment authority, any such decision shall not be binding unless it is confirmed by the Central Government.

- (4) The Corporation, may from time to time, with the sanction of Government enter into an agreement with a local authority or with a combination of local authorities for the levy of toll or any other tax by the Corporation on behalf of the bodies so agreeing and in that event the provisions of this Act shall apply in respect of such levy as if the area of the Corporation were extended so as to include the area subject to the control of such local authority or such combination of local authorities.

Provisions regarding validity of proceedings

21. Vacancies in Corporation, etc., not to invalidate its proceedings .-

No act or proceedings of the Corporation or of vacancies in any committee or sub-committee appointed under this Act shall be questioned on account of any vacancy in its body.

22. Proceedings of Corporation etc., not vitiated by disqualification, etc., of members thereof .-

No disqualification of, or defect in the election or appointment of any person acting as a member, as the Mayor or the Deputy Mayor or the Presiding authority of the Corporation or as the Chairman or a member of any committee or sub-committee appointed under this Act shall be deemed to vitiate any act or proceeding of the Corporation or of any such committee or sub-committee, as the case may be, in which such person has taken part provided the majority of the persons who were parties to such act or proceedings were entitled.

23. Proceedings of meeting to be good and valid until contrary is proved. -

Until the contrary is proved, every meeting of the Corporation or of a committee or sub-committee in respect of the proceedings whereof a minute has been made and signed in accordance with this Act, shall be deemed to have been duly convened and held, and all the members of the meeting shall be deemed to have been duly qualified and where the proceedings are proceedings of a committee or a sub-committee, such committee or sub-committee shall be deemed to have been duly constituted and to have had power to deal with the matters referred to in the minute.

The Municipal Commissioner

24. Appointment of Commissioner. -

- (1) Subject to the provisions of sub-section (1), the Commissioner shall from time to time be appointed by the Government.
- (2) The Commissioner appointed under sub-section (1) shall be liable to be removed from his office as such by the Government, if at a meeting of the Corporation not less than two thirds of the total number of members vote for such, removal in cases where the Commissioner persistently-
 - (i) makes default in performing the duties imposed or exceeds the powers conferred on him by or under this Act, or
 - (ii) neglects or refuses to implement the decisions of the Corporation, or Standing Committee or any other Committee of the Corporation, or
 - (iii) acts in a manner prejudicial to the interests of the Corporation;

25. Appointment of Special Commissioner, Additional Commissioner, Zonal Commissioner, Joint Commissioner, Deputy Commissioner and Assistant Commissioner.-

The Government may appoint Special Commissioner, Additional Commissioner, Zonal Commissioner, Joint Commissioner, Deputy Commissioner and Assistant Commissioner to the Corporation. The persons so appointed shall be subject to the same liabilities, restrictions and conditions to which the Commissioner is subject.

26. Functions of a Special Commissioner, Additional Commissioner, Zonal Commissioner, Joint Commissioner, Deputy Commissioner and Assistant Commissioner.-

- (1) A Special Commissioner, Additional Commissioner, Zonal Commissioner, Joint Commissioner, Deputy Commissioner and Assistant Commissioner so appointed shall be subordinate to the Commissioner and shall exercise such of the powers and perform such of the duties as the Commissioner shall from time to time depute to him provided that the

Commissioner informs the Corporation of the powers and duties which he, from time to time, deposes to the Special Commissioner, Additional Commissioner, Zonal Commissioner, Joint Commissioner, Deputy Commissioner and Assistant Commissioner.

- (2) All acts and things performed and done by a Special Commissioner, Additional Commissioner, Zonal Commissioner, Joint Commissioner, Deputy Commissioner and Assistant Commissioner during his tenure of the said office and in virtue thereof, shall for all purposes be deemed to have been performed and done by the Commissioner.

27. Salary of the Commissioner and Special Commissioner, Additional Commissioner, Zonal Commissioner, Joint Commissioner, Deputy Commissioner and Assistant Commissioner.-

The Commissioner and the Special Commissioner, Additional Commissioner, Zonal Commissioner, Joint Commissioner, Deputy Commissioner and Assistant Commissioner shall receive such monthly salary and allowances as Government may, from time to time, determine:

Provided that the salary of the Commissioner and the Special Commissioner, Additional Commissioner, Zonal Commissioner, Joint Commissioner, Deputy Commissioner and Assistant Commissioner shall not be altered to their disadvantage during the period for which their appointment have been made or renewed.

Provided further that where the Commissioner, Special Commissioner, Additional Commissioner, Zonal Commissioner, Joint Commissioner, Deputy Commissioner, and Assistant Commissioner are salaried servants of the Government:

- (i) the manner of payment of the salaries of these officers shall be in accordance with the relevant rules which are currently in force; and
(ii) the source from which the payments are made to the officers mentioned in this proviso shall be such as may be determined by the Government.

28. Grant of leave of absence to the Commissioner or Special Commissioner, Additional Commissioner, Zonal Commissioner, Joint Commissioner, Deputy Commissioner and Assistant Commissioner.-

Leave on absence may be granted to the Commissioner or the Special Commissioner, Additional Commissioner, Zonal Commissioner, Joint Commissioner, Deputy Commissioner and Assistant Commissioner by the competent authority.

29. Allowances whilst absent on leave.-

The allowance to be paid to the Commissioner or to a Special Commissioner, Additional Commissioner, Zonal Commissioner, Joint Commissioner, Deputy Commissioner and Assistant Commissioner for absence on leave as per service rules.

30. Appointment and remuneration of Acting Commissioner or Acting Special Commissioner, Additional Commissioner, Zonal Commissioner, Joint Commissioner, Deputy Commissioner and Assistant Commissioner.

During the absence on leave or other temporary vacancies in the Office of the Commissioner or Special Commissioner, Additional Commissioner, Zonal Commissioner, Joint Commissioner, Deputy Commissioner and Assistant Commissioner the Government may appoint a person to act as a Commissioner or Special Commissioner, Additional Commissioner, Zonal Commissioner, Joint Commissioner, Deputy Commissioner and Assistant Commissioner as the case may be, and every person appointed so to act shall exercise the powers and perform the duties conferred and imposed by this Act or any other law in force on the Commissioner or Special Commissioner, Additional Commissioner, Zonal Commissioner, Joint Commissioner, Deputy Commissioner and Assistant Commissioner and be subject to all the liabilities, restrictions and conditions to which the Commissioner or Special Commissioner, Additional Commissioner, Zonal Commissioner, Joint Commissioner, Deputy Commissioner and Assistant Commissioner is liable and shall receive a monthly salary not exceeding the salary payable to the Commissioner or Special Commissioner, Additional Commissioner, Zonal Commissioner, Joint Commissioner, Deputy Commissioner and Assistant Commissioner as the Government shall determine.

31. Commissioner and Special Commissioner, Additional Commissioner, Zonal Commissioner, Joint Commissioner, Deputy Commissioner and Assistant Commissioner not to be interested in any contract with the Corporation.

- (1) No person shall be qualified to be appointed to be the Commissioner or Special Commissioner, Additional Commissioner, Zonal Commissioner, Joint Commissioner, Deputy Commissioner and Assistant Commissioner who has directly or indirectly by himself or his partner or as a member of Joint Hindu family any share or interest in any contract or employment with, by or on behalf of the Corporation other than as Commissioner or Special Commissioner, Additional Commissioner, Zonal Commissioner, Joint Commissioner, Deputy Commissioner and Assistant Commissioner, as the case may be.
- (2) Any Commissioner or Special Commissioner, Additional Commissioner, Zonal Commissioner, Joint Commissioner, Deputy Commissioner and Assistant Commissioner who shall acquire directly or indirectly by himself

or his partner or as a member of Joint Hindu family any share or interest in any such contract or employment as aforesaid shall cease to be Commissioner or Special Commissioner, Additional Commissioner, Zonal Commissioner, Joint Commissioner, Deputy Commissioner and Assistant Commissioner as the case may be, and his office shall become vacant.

Explanation:- Nothing in this section shall apply to any such share or interest in any contract or employment with, by or on behalf of the Corporation as in clause 18 (1) (h) of Schedule II it is permissible for a Member to have without his being thereby disqualified for being a Member.

Chapter 5

Duties and Powers of the Municipal Authorities

Obligatory and Discretionary duties of the Corporation

32. Duties of the Corporations

Each Corporation must adequately provide for the following matters in its jurisdiction:

- (a) erecting substantial boundary marks, of a description and in positions approved by the Government, to delineate the territorial limits of the Corporation Area;
- (b) watering and cleaning all public streets and places, and the removal of all sweepings from them;
- (c) collecting, removing, treating and disposing of sewage, offensive matter, and rubbish, and preparing compost manure from these materials where possible;
- (d) lighting of public buildings that are vested in the Corporation, public streets, and municipal markets;
- (e) maintenance of a municipal office and all public monuments,
- (f) maintenance of open spaces and other property vested in the Corporation;
- (g) naming or numbering of streets and public places vested in the Corporation, and the numbering of premises;
- (h) regulation of all trades or practices;
- (i) maintaining, changing and regulating places for the disposal of the dead, providing new places for that purpose, and disposing of unclaimed dead bodies;
- (j) constructing or acquiring, and maintaining, public markets and slaughter houses, and regulating all markets and slaughter houses;
- (k) constructing or acquiring, and maintaining, cattle-pounds;
- (l) reclaiming unhealthy localities, removing noxious vegetation, and generally abating nuisances;
- (m) registering births and deaths, where such registration must also be done in accordance with the provisions of the Registration of Births and Deaths Act, 1969 (Act No.18 of 1969);
- (n) constructing, maintaining, altering and improving streets, bridges, subways, culverts, causeways and similar works;
- (o) organising, maintaining, or managing chemical or bacteriological laboratories for the examination or analysis of water, food or drugs, for the detection of disease, or for public health research;
- (p) preventing the spread of infectious diseases as per this Act;
- (q) securing or removing of dangerous buildings and places;
- (r) improving and ensuring ease of living in the Corporation Area;
- (s) providing public parks, gardens, playgrounds and recreation grounds;
- (t) subject to adequate provision for the matters specified above, providing relief to destitute persons in the Corporation Area in times of famine and

- scarcity, and establishing and maintaining relief works in such times.
- (u) urban forestry, environment protection, and ecological sustainability;
 - (v) safeguarding the interests of weaker sections of society, including persons with disabilities and persons with mental illness;
 - (w) promoting cultural and educational objectives;
 - (x) improving and upgrading slum areas;
 - (y) alleviating urban poverty;
 - (z) organising, maintaining or managing transport facilities and public utilities, including the State Road Transport Corporation, for the conveyance of the public or goods,
 - (aa) providing assistance to such entities providing public utility services, in the manner assessed and decided by the Government from time to time; and
 - (bb) fulfilling any obligation imposed by or under this Act or any other law for the time being in force;

33. Powers of the Corporations

Each Corporation may provide for any of the following matters in its jurisdiction:

- (a) organising, maintaining, or managing establishments for the care and education of persons with disabilities, including children with disabilities;
- (b) organising, maintaining, or managing maternity and infant welfare homes or centres;
- (c) providing milk to expecting or nursing mothers, infants, or school children;
- (d) swimming pools, public wash-houses, bathing places, and other institutions for the improvement of public health: Provided that the Corporation may charge a fee as determined from the users of these utilities;
- (e) establishing and maintaining dairies or farms for the supply, distribution, and processing of milk and milk products for the benefit of the Corporation Area's residents: Provided that these dairies or farms may be situated within or outside the Corporation Area;
- (f) constructing and maintaining:
 - (i) drinking fountains for human beings, and
 - (ii) water troughs for animals, in public streets or public places;
- (g) planting and maintaining of trees in the Corporation Area;
- (h) holding exhibitions, athletic events, or games;
- (i) regulating lodging houses, camping grounds, and rest-houses in the Corporation Area;
- (j) maintaining ambulance services;
- (k) constructing, establishing, and maintaining theatres, places of entertainment, rest-houses, and other public buildings;
- (l) organising or maintaining shops for the sales of necessities, during scarcity or logistical or supply chain disruptions;

- (m) building, or purchasing and maintaining, accommodation for municipal officers and servants;
- (n) granting loans to municipal officers and servants for constructing houses, purchasing house sites and purchasing vehicles, subject to prescribed terms and conditions;
- (o) Furthering of educational objectives and providing grants to educational institutions;
- (p) establishing, maintaining or aiding libraries, museums, art galleries, botanical collections and zoological collections, and purchasing or constructing buildings for them.
- (q) contributing to any public fund raised for the relief of human suffering, within or outside the Corporation Area;
- (r) granting rewards for information which may assist with registration of vital statistics;
- (s) acquiring and maintaining grazing grounds, and establishing and maintaining stud farms;
- (t) establishing and maintaining a farm or factory for the disposal of sewage;
- (u) supplying, constructing and maintaining, receptacles, fittings, pipes and other appliances for premises to receive and carry sewage into drains controlled by the Corporation;
Provided that such supply, construction, and maintenance must be in accordance with the general system approved by the Corporation;
- (v) laying out new streets, whether or not the area is already built up, and acquiring land for that purpose, or for the construction of buildings or curtilages abutting those streets;
- (w) building or purchasing, and maintaining, of suitable dwellings for the poor and working classes;
- (x) providing shelter, or any other relief, to destitute or homeless persons
- (y) building or purchasing, and maintaining, sanitary stables or byres for horses, ponies, and cattle, which are used for transport or for milk;
- (z) surveying of buildings or lands;
- (aa) taking measures to address any calamity affecting the public in the Corporation Area;
- (bb) contributing to any public ceremony or entertainment in the Corporation Area;
- (cc) constructing, purchasing, organising, maintaining, extending, and managing transport facilities for the conveyance of the public;
- (dd) purchasing, maintaining, managing, and conducting any undertaking for the supply of electric energy or gas to the public, or the subsidising of any such undertaking;
- (ee) acquiring movable or immovable property for any of the purposes mentioned earlier, including the cost of related investigations, surveys and examinations, and the construction or adaptation of buildings necessary for those purposes;
- (ff) preparing and presenting formal civic honours to distinguished persons;
- (gg) providing parking places, public landing places, and halting places for

- vehicles, and levy fees for the use of these places; and
- (hh) undertaking measures to promote public safety, health, convenience, or education; and
- (ii) maintaining, aiding, and accommodating schools for primary education, subject to building grants by the Government;
- (jj) Issuing directions for the prevention, control, or abatement of pollution;
- (kk) Taking measures for the prevention and mitigation of urban flooding; and
- (ll) Taking measures for the identification, protection, conservation, and regulation of heritage sites in the CURE.

34. Functions of the several Municipal Authorities.

- (1) The respective functions of the several Municipal authorities shall be such as are specifically provided under this Act or the rules or bye-laws made thereunder.
- (2) Except as otherwise expressly provided in this Act, the municipal Government of the Corporation area vests in the Corporation.
- (3) Subject to the approval or sanction of the Corporation or the Standing Committee and subject also to all other restrictions, and conditions and limitations imposed by this Act or by any other law for the time being in force and whenever it is in this Act expressly so directed, the entire executive power for the purpose of carrying out the provisions of this Act and of any other law for the time being in force which imposes any duty, or confers any power on the Corporation vests in the Commissioner who shall also:-
 - (a) perform all the duties and exercise all the powers specifically imposed or conferred upon him by this Act or by any other law for the time being in force;
 - (b) specify the duties of, and exercise supervision and control over the acts and the proceedings of all municipal officers and servants other than the Municipal Secretary and Municipal Examiner of Accounts and the municipal officers and servants subordinate to them;
 - (c) in any emergency take such immediate action for the service or safety of the public or the protection of the property of the Corporation as the emergency shall appear to him to justify or to require, notwithstanding that such action cannot be taken under this Act without the sanction, approval or authority of some other municipal authority or of the Government:

Provided that the Commissioner shall report forthwith to the Standing Committee and to the Corporation the action he has taken, and his reasons for taking the same and the amount of cost, if any, incurred or likely to be incurred in consequence of such action which is not covered by a current budget grant under the provisions of this Act.

35. Commissioner to exercise powers and perform duties of Corporation under other law.-

- (1) Any powers, duties and functions conferred or imposed upon or vested in the Corporation by any other law for the time being in force shall, subject to the provisions of such law and to such restrictions, limitations and conditions as the Corporation may impose, be exercised, performed or discharged by the Commissioner.
- (2) The Commissioner may, with the approval of the Standing Committee by order in writing, empower any municipal officer to exercise, perform or discharge any such power, duty or function under the control of the Commissioner and subject to his revision and to such conditions and limitations, if any, as he may think fit to impose.

36. Municipal Officers may be empowered to exercise certain powers, etc., of the Commissioner.-

Any of the powers, duties or functions conferred or imposed upon or vested in the Commissioner by or under any of the provisions of this Act may be exercised, performed or discharged, under the control of the Commissioner, and subject to his revision and to such conditions, if any, as may be imposed, or as he shall think fit to impose in a manner not inconsistent with the provisions of this Act or rules made thereunder, by any municipal officer whom the Commissioner generally or specially empowers by orders in writing in this behalf; and to the extent to which any municipal officer is so empowered the word Commissioner occurring in any provision in this Act, shall be deemed to include such officer.

37. Corporation may call for extracts from proceedings of the Standing Committee, etc.-

The Corporation may at any time call for any extract from any proceedings of the Standing Committee or of any Committee or sub-committee constituted under this Act, and for any return, statement, account or report concerning or connected with any matter with which the Standing Committee or any such committee or sub-committee is empowered by or under this law to deal; and every such requisition shall be complied with by the Standing Committee or other Committee or sub-Committee, as the case may be, without unreasonable delay.

38. Corporation may require Commissioner to produce documents and furnish returns, reports etc.-

- (1) The Corporation may at any time require the Commissioner:
 - (a) to produce any record, correspondence, plan or other document which is in his possession or under his control as Commissioner, or which is recorded or filed in his office or in the office of any

- municipal officer or servant subordinate to him;
 - (b) to furnish any return, plan estimate, statement, account or statistics concerning or connected with any matter appertaining to the administration of this Act or the municipal Government of the Corporation;
 - (c) to furnish a report by himself or to obtain from any officer subordinate to him and furnish with his own remarks thereon, a report, upon any subject concerning or connected with the administration of this Act or the municipal Government of the Corporation.
- (2) Except as is hereinafter provided, every such requisition shall be complied with by the Commissioner without unreasonable delay; and it shall be incumbent on every municipal officer and servant to obey any order made by the Commissioner in pursuance of any such requisition:

Provided that where on the receipt of the requisition as aforesaid the Commissioner is of the opinion that immediate compliance therewith would be prejudicial to the interests of the Corporation or of the public he shall place the matter before the Mayor and obtain his decision thereon and shall act in accordance with such decision which shall be final.

39. Right to ask questions and make proposals .-

- (1) Subject to any bye-law made in this behalf, a member may question the Commissioner who shall answer any question concerning or connected with the administration of this Act or the municipal Government of the Corporation:

Provided that-

- (a) not less than seven clear days notice in writing specifying the questions has been given to the Municipal Secretary;
- (b) no question shall be asked-
 - (i) which calls for an expression of opinion or for the solution of an abstract legal question or of a hypothetical proposition; or
 - (ii) which concerns or is connected with, either directly or indirectly, any pending suit or proceedings, in any court of law or before any tribunal in any part of the Corporation area; or
 - (iii) which relates to the character or conduct of any municipal officer or servant except in his official or public capacity; or,
 - (iv) which is or by implication may be, defamatory of or which makes or implies, a charge of a personal character against any person or section of any community; or,

- (v) which contravenes any bye-law made in this behalf.
- (2) The Mayor shall disallow any question which is, in his opinion, in contravention of the provisions of sub-section (1).
- (3) If any doubt arises whether any question is or is not within the restrictions imposed by sub-section (1), the Mayor shall decide the point and his decision shall be final.
- (4) The Commissioner shall not be bound to answer a question, if in his opinion, it cannot be answered without detriment to the interests of the Corporation or if it asks for information which has been communicated to him in confidence.
- (5) Any member may call the attention of the Commissioner to any neglect in the execution of the municipal work, to any waste or damage to the municipal property or to the wants of any locality and may suggest in respect thereof any proposal or improvement which he considers desirable.

Explanation:- For the purpose of this section, the expression- member shall include an ex-officio member.

40. Exercise of powers to be subject to sanction by Corporation of the necessary expenditure .-

The exercise by any municipal authority of any power conferred or the performance of any duty imposed by or under this Act which will involve expenditure shall, except in any case specified in clause (4) of Schedule IV, be subject to the conditions that:-

- (a) such expenditure so far as it is to be incurred in the financial year in which such power is exercised or duty performed is provided for under a current budget grant; and
- (b) if the exercise of such power or the performance of such duty involves or is likely to involve expenditure for any period or at any time after the close of the said financial year, the sanction of the Corporation is taken before liability for such expenditure is incurred:

Provided that during any financial year the renewals of previous sanctions or the fresh sanctions for any works, purchases and contractual services, as the case may be, shall not exceed the sum provided in the budget estimates for that financial year.

Contracts

41. Power of the Commissioner to execute contracts on behalf of the Corporation.

With respect to the making of contracts under or for any purpose of this Act, the following provisions shall have effect, namely:—

- (a) every such contract shall be made on behalf of the Corporation by the Commissioner;
- (b) no such contract, for any purpose which in accordance with any provision of this Act, the Commissioner may not carry out without the approval or sanction of some other municipal authority, shall be made by him until or unless such approval or sanction has first of all been duly given;
- (c) It shall be competent for the Commissioner to make a contract, other than a contract relating to the acquisition of immovable property or any interest therein or any right thereto, not involving an expenditure exceeding such amount as may be determined by the Government ;
- (d) The foregoing provisions of this section shall, as far as may be, apply to every contract which the Commissioner shall have occasion to make in the execution of this Act; and the same provisions of this section which apply to an original contract shall be deemed to apply also to any variation or discharge of such contract.

42. Works requiring sanction of the Standing Committee.

It shall be competent for the Standing Committee to sanction works contract involving an expenditure exceeding the amount determined in clause (c) of Section 41 but not exceeding such amount as may be determined by the Government.

43. Mode of executing contracts.

- (1) Every contract entered into by the Commissioner on behalf of the Corporation shall be entered into in such manner and form as would bind the Commissioner if such contract were on his own behalf, and may in the like manner and form be varied or discharged:

Provided that—

- (a) where any such contract, if entered into by the Commissioner, would require to be under seal, the same shall be sealed with the common seal of the Corporation; and
- (b) every contract for the execution of any work or the supply of any materials or goods which will involve an expenditure exceeding rupees five thousand shall be in writing and shall be sealed with the common seal of the Corporation in the manner specified in sub-section (2) and shall specify the work to be done or the materials or goods to be supplied, as the case may be, the price to be paid for such work, materials or goods and, in the case of a contract for work, the time or times within which the same or specified portions

thereof shall be completed.

- (2) The common seal of the Corporation, which shall remain in the custody of the Commissioner, shall be affixed in the presence of the Commissioner or his nominee to every contract or other instrument required to be under seal, and such contract or instrument shall be signed by the Commissioner in token of the same being sealed in his presence. The signature of the Commissioner shall be distinct from the signatures of any witness to the execution of any such contract or instrument.

44. Tenders to be invited for contracts involving expenditure exceeding Rs. 5 lakhs.

- (1) Except as is hereinafter otherwise provided, the Commissioner shall, at least seven days before entering into any contract for the execution of any work or the supply of any materials or goods which will involve an expenditure exceeding rupees five lakhs, give notice by advertisement in the local newspapers, inviting tenders for such contract.
- (2) The Commissioner shall not be bound to accept any tender which may be made in pursuance of such notice, but may accept, subject to the provision of clause (c) of section 41, any of the tenders so made which appears to him, upon a view of all the circumstances, to be the most advantageous:

Provided that the Standing Committee may for reasons which shall be recorded in their proceedings, authorise the Commissioner, to enter into a contract without inviting tenders as herein provided or without accepting any tender which he may receive after having invited them.

45. Security when to be taken for performance of contract.-

The Commissioner shall require sufficient security for the due performance of every contract into which he enters under section 44, and may, in his discretion, require security for the due performance of any other contract into which he enters under this Act.

46. Power of Corporation to determine whether works shall be executed by contract.-

Notwithstanding anything contained in this Act, the Corporation may determine either generally for any class of cases or specially for any particular case whether the Commissioner shall execute works by contract or otherwise.

47. Works requiring sanction of the Corporation or the Government.-

Where a project is framed for the execution of any work the estimated cost of which exceeds such amount as may be determined by the Government -

- (a) the Commissioner shall cause a detailed report to be prepared including

- such estimates and drawings as may be requisite and the Standing Committee shall lay the same before the Corporation;
- (b) the Corporation shall consider the report and may reject the project or approve it either in its entirety or subject to modifications in respect of works contract involving an expenditure exceeding the amount determined in Section 42 but not exceeding such amount as may be determined by the Government;
 - (c) where the Corporation approve the project, the estimated cost of which exceeds such amount as may be determined by the Government, the report, subject to any modifications as aforesaid, shall be submitted to the Government;
 - (d) the Government may, after necessary technical scrutiny, sanction the project, either in its entirety or subject to modification;
 - (e) where the Government sanctions the project subject to modification, it shall be returned to the Corporation for reconsideration;
 - (f) If after reconsideration, the Corporation re-submits the project, the Government may sanction it subject to such modifications as it may deem fit to make and such sanction of the Government shall be final.

48. Maintenance of database.-

The Commissioner will maintain a register of contracts entered into by the relevant Corporation.

Chapter 6
Local Government Service, Municipal Officers and Servants

49. Local Government Service.-

- (1) The officers of the Local Government Service means such officers or servants of the Corporations, holding such posts as may be specified by the Government from time to time.
- (2) The Government shall have the power to make rules to regulate the classification, methods of recruitment, conditions of service, pay and allowances, and discipline and conduct of the Local Government Service.
- (3) The Government may, by notification, constitute a Local Government Service at the Corporation level, for the CURE region, or a Common Municipal Service for the State, as it may deem fit.
- (4) The powers and functions of each officer in the Local Government Service or the Common Municipal Service shall be as determined by the Government.
- (5) Where any local body is brought within the purview of this Act, the Government may, by order, provide for the merger of the cadres and staff of such local body into the Local Government Service or the Common Municipal Service, as the case may be, in such manner, on such terms and subject to such conditions as the Government may determine.

Chapter 7

Municipal Property

50. Property of the Corporation .-

- (1) The following properties shall belong to the Corporation in which they are located, unless specifically owned or controlled by the Government or specifically owned by any other person or entity:-
 - (a) All public parks, play-grounds and open spaces reserved for ventilation, not held or controlled by the Government or specifically owned by any other person or entity; and
 - (b) All public streets, lanes, pathway, bridge, sky-walk, flyover, underpass, subway, public lamps, lamp post apparatus connected with it and appertaining to it, all gates, markets, slaughter houses, manure and refuge depots and public buildings of every description.
- (2) All properties specified under this section and not specifically owned and controlled by the Government or any other person or entity, shall belong to the Corporation and be subject to the direction, management and control of the Corporation.
- (3) The Corporation may accept trust or gift of property of any nature, which shall vest with the Corporation exclusively, on such terms of vesting as it may deem fit.

51. Powers of Corporation as to acquisition of property .-

- (1) The Corporation shall, for the purposes of this Act, have power to acquire and hold movable and immovable property or any interest therein whether within or without the limits of the Corporation area.
- (2) Any immovable property which may be transferred to the Corporation by the Government shall be held by it subject to such conditions as may be imposed by the Government and shall be applied to such purposes as the Government may impose or specify when the transfer is made.
- (3) It shall be competent for the Government to resume any land transferred to the Corporation by the Government with or without a condition for resumption for utilization by the State Government or the Central Government or any authority under their control.

52. Acquisition of immovable property by agreement .-

- (1) Whenever it is provided by this Act that the Commissioner may acquire, or whenever it is necessary or expedient for any purpose of this Act that the Commissioner shall acquire, any immovable property, such property

may be acquired by the Commissioner on behalf of the Corporation by agreement on such terms at such rates or prices or at rates or prices not exceeding such maxima as shall be approved by the Standing Committee, either generally for any class of cases or specially in a particular case.

- (2) And whenever, under any provision of this Act, the Commissioner is authorised to agree to pay the whole or any portion of the expenses of acquiring any immovable property, he shall do so on such terms and at rates or prices or at rates or prices not exceeding such maxima as shall be approved by the Standing Committee as aforesaid.
- (3) Subject to the provisions of this Act, it shall be lawful for the Commissioner on behalf of Corporation to agree with the owner of any land or of any interest in land needed by the Corporation for the purposes of this Act or with the owner of any right which may have been created by legislative enactment over any street forming part of the land so needed, for the purchase of such land or of any interest in such land or for compensating the owner of any such right in respect of any deprivation thereof or interference therewith.
- (4) No acquisition of any immovable property or of any interest therein or any right thereto shall be undertaken unless such acquisition has been approved by the Corporation.
- (5) Every contract or other instrument relating to the acquisition of immovable property or any interest therein or any right thereto shall be executed by the Commissioner, shall have the common seal of the Corporation affixed thereto in the presence of two officers nominated by the Commissioner and shall also have the signature of the said two officers.
- (6) No contract for the acquisition of immovable property or any interest therein or any right thereto not executed as provided in sub-section (4) shall be binding on the Corporation.
- (7) The foregoing provisions of this section which apply to an original contract relating to the acquisition of immovable property, or any interest therein, or any right thereto, shall be deemed to apply also to any variation or discharge of such contract.

53. Procedure when immovable property cannot be acquired by agreement .-

- (1) Whenever the Commissioner is unable to acquire any immovable property under section 52 by agreement, the Government may, in their discretion, upon the application of the Commissioner, made with the approval of the Standing Committee and subject to the other provisions of this Act, order proceedings to be taken for acquiring the same on behalf of the Corporation, in accordance with the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and

Resettlement Act, 2013 (Act No. 30 of 2013) as amended from time to time as if such property were land needed for a public purpose within the meaning of the provisions of the said Act.

- (2) The amount of compensation awarded and all other charges incurred in the acquisition of any such property shall, subject to all other provisions of this Act, be forthwith paid by the Commissioner and thereupon the said property shall vest in the Corporation.

54. Disposal of property and interests therein .-

- (1) Subject to the provisions of Chapter IV, the Commissioner may dispose of by sale or exchange any movable property belonging to the Corporation the value of which does not exceed rupees twenty five thousand in each instance, or grant for any term not exceeding twelve months a lease of any immovable property belonging to the Corporation or lease or concession of any right of fishing or grazing or of gathering and taking fruit and the like:

Provided that every such disposal, lease or concession made or granted by the Commissioner shall be reported to the Standing Committee within fifteen days.

- (2) With the sanction of the Standing Committee, the Commissioner may dispose of by sale or exchange any movable property belonging to the Corporation the value of which exceeds rupees twenty five thousand but does not exceed such sum as may be specified by the Government by notification, from time to time in each instance, or grant for any term not exceeding three years a lease of any immovable property belonging to the Corporation or a lease or concession of any such right as aforesaid.

- (3) In cases not covered by sub-section (1) or sub-section (2), the Commissioner shall not lease, sell or otherwise dispose of any movable or immovable property belonging to the Corporation without the previous sanction of the Corporation and of the Government:

Provided that in no case the lease period of immovable property shall exceed twenty five years.

- (4) The sanction of the Standing Committee under subsection (2) or the previous sanction of the Corporation and of the Government under sub-section (3) may be given either generally or for any class of cases or specially for any particular case.
- (5) The Commissioner may lend or let out on hire any movable property belonging to the Corporation on such conditions and for such periods as may be specified in regulations made by the Standing Committee in that

behalf.

55. Property of the Government managed by the Corporation .-

- (1) The Government may transfer any property belonging to itself to the Corporation for its management, upon such terms and conditions that the Government may determine, from time to time.
- (2) In the event that the Government is of the opinion, after obtaining the views of the Commissioner of the relevant Corporation, that its properties are not being managed satisfactorily by the Corporation, or it has contravened such prescribed terms and conditions of management, the Government may transfer such properties to itself.

56. Power of the Government to manage the Corporation property.-

If the Corporation is unable to manage any immovable property belonging to itself, the Commissioner may, with the approval of the Mayor, request the Government to manage such property.

57. Decision of claims to the property by or against the Corporation.-

- (1) Where any property, whether movable or immovable, is claimed by any person as against the Corporation, such claim shall be made to the Appellate Authority.
- (2) The Appellate Authority shall, after issuing notice and affording a reasonable opportunity of being heard to the parties concerned, conduct such enquiry as it deems fit and pass an order deciding the claim, and such order shall be final.
- (3) Any person shall be deemed to have had due notice of the proceedings under this section if notice has been given in the prescribed manner.

58. Power of the Corporation to manage private property.-

The Corporation may, upon the request of any private persons, companies, trusts, societies or any association maintain such property belonging to them.

Provided that the Corporation shall not remunerate the person making such request in lieu of managing such private property.

59. Maintenance of Property register.-

- (1) The Corporations shall maintain a register of the immovable property of the Corporation.

- (2) The Commissioner shall maintain the property register and update such lists periodically including through use of appropriate software in such electronic form as may be determined by the Commissioner.
- (3) There shall be appointed such Estate Officers for carrying out day-to-day administration, management and such other responsibilities for the efficient management of the immovable properties of the Corporation as deemed necessary.

Chapter 8

Licenses and Fees

60. Granting of Licenses.-

- (1) The Commissioner will have the power to grant license, to be known as trade license, for all businesses or establishments operating within the Corporation Area.
- (2) The Commissioner will have the power to grant licenses to various categories of professionals such as architects, plumbers and surveyors operating within the Corporation Area.
- (3) The manner of procuring license and matters relating to validity and renewal, will be determined by the Corporation.

61. Exemption from procuring license.-

The Government may, by order, exempt such classes of establishments, businesses or professions as it may deem fit from the requirement of obtaining any license or permission under this Chapter for reasons to be recorded in writing.

62. Licenses and written permission to specify conditions on which they are granted .-

Any license or written permission under this Act must specify the period for which, the conditions and the restrictions, subject to which the same is granted, such conditions may include requirements relating to,

- (a) location and use of premises;
- (b) structural modifications, including ventilation, drainage, sanitation and waste management;
- (c) manner of carrying on the activity, including timings of operation;
- (d) measures necessary to prevent nuisance, pollution or risk to public health or safety;
- (e) any other relevant conditions as determined by the Commissioner.

63. Promotion of night economy.-

(1) Without prejudice to the provisions of any other law for the time being in force, the Government may, with a view to promoting economic activity, employment, tourism and the vibrancy of urban areas, by notification, take such measures as it considers necessary for the promotion and regulation of the night economy within the Core Urban Region.

(2) In this section, "night economy" means the carrying on, during such hours of the night as may be specified, of any commercial, retail, hospitality, entertainment, cultural, recreational, tourism or allied activity, whether by way of establishments, markets, events or otherwise.

(3) A notification under sub-section (1) may, in respect of the whole of the Core Urban Region or any area or areas therein —

- (a) declare such area to be a night economy zone;
- (b) specify the categories of establishments or activities to which it applies and the hours during which they may operate;
- (c) relax or extend, in respect of such establishments and activities, the hours of operation otherwise permissible under this Act or any rules, regulations or bye-laws made thereunder;
- (d) grant such incentives as may be specified;
- (e) specify the conditions, restrictions and safeguards subject to which the night economy may be carried on.

64. Fees.-

Every application for a license or permission will be addressed to the Commissioner and be subject to payment of such fees as may be fixed by the Corporation;

Provided that the Corporation may classify businesses, establishments or professionals into such categories or sub-categories, on the basis of such criteria as the Corporation may consider appropriate, and may fix different rates of fees for different classes or categories of licenses or permissions accordingly.

65. Power to revoke license .-

- (1) Licenses under this Chapter will be revoked on the following grounds -
 - (a) non-adherence to the terms and conditions mentioned in the license; or
 - (b) violation of applicable provisions of this Act, rules or bye-laws or orders.
- (2) Prior to revocation of license, the Commissioner will issue a written notice to the person concerned giving him an opportunity to comply within the time provided in the notice.
- (3) The notice under sub-section (2) will mention the date, the violation, the ground on which the license may be revoked and directions for compliance within a timeline determined by the Government.
- (4) Where the person concerned fails to comply with the directions within the timeline specified under sub-section (3), or fails to furnish a written explanation within such period, or furnishes an explanation which the Commissioner does not consider satisfactory, the Commissioner may revoke the license.

66. Entry and Inspection.-

- (1) The Commissioner or any person authorised by him, can enter and inspect any premises of any facility under this Chapter for the purpose of -
 - (a) ensuring compliance with the applicable provisions of this Act, rules, bye-laws or orders,
 - (b) ensuring compliance with the terms and conditions of the licence granted, or
 - (c) to determine if operations on such premises pose a risk to public health or harm to public safety before or after grant of licence.
- (2) Entry or inspection under sub-section (1), will adhere to the following -
 - (a) service of notice prior to inspection,
 - (b) in the presence of the owner or occupier of the facility, or in their absence, an independent witness.
- (3) The requirements under sub-section (2), will not apply if, in the opinion of the Commissioner, the facility or operations on the facility pose a risk to public health or harm to public safety or such other reasons to be recorded in writing.
- (4) If after the inspection, if the Commissioner arrives at the finding that the individual is in violation, he may revoke the license.

67. Consequences of failure to obtain license .-

Where any act is done without obtaining a licence or permission required under this Act or any rule, bye-law, or order made thereunder, the Commissioner may —

- (a) by written notice, require the person responsible to stop such act, seal the trade or activity, or alter, remove, or restore the whole or any part of the property affected, within such period as may be specified in the notice;
 - (b) where such notice is not complied with within the period specified, or where immediate action is necessary, enter any land or building where such act is being carried on and take all steps necessary to prevent the continuance thereof, and recover all expenses incurred in doing so from the person responsible as a public demand; and
 - (c) impose such penalty as may be prescribed under this Act,
- and the Commissioner may exercise any one or more of the above powers simultaneously or in such sequence as the circumstances may require.

Chapter 9

Borrowing

68. Borrowing powers.-

All provisions relating to the borrowing powers of the Corporation shall be as specified in Schedule III to this Act.

Chapter 10

Revenue and Expenditure

69. Revenue and Expenditure.-

All provisions relating to the revenue and expenditure of the Corporation and matters as are incidental to the financial management of the Corporation, shall be as specified in Schedule IV to this Act.

Chapter 11

Taxation, Service Charges, Fees and Fines

70. Taxes to be imposed under the Act. –

- (1) For the purposes of this Act, the Corporation shall impose the following taxes, namely–
 - (a) tax on lands and buildings, including vacant lands, hereinafter referred to as property tax;
 - (b) a tax on transfer of immovable property.
- (2) The taxes in sub-sections (1) shall be assessed, levied and collected in accordance with Section 74 of this Act.
- (3) The Corporation may impose any other taxes subject to the previous sanction of the Government.

71. Charges for civic services.-

- (1) The Corporation may levy service charges for civic services, namely–
 - (a) provision of water supply, drainage, sewerage, solid waste management;
 - (b) parking of different types of vehicles in different areas and for different periods; and
 - (c) any other specific service rendered in pursuance of the provisions of this Act, at such rates as may be prescribed.
- (2) Sums payable as service charges may be recoverable as arrears of tax under this Act.
- (3) The Corporation shall levy service charges on land and buildings which may otherwise be exempt from property tax.
- (4) The levy and collection of service charges under this section shall be in addition to and not in substitution of any property tax levied and collected under this Act or any other charge or tax imposed by any other authority within CURE.

72. Cess .-

The Corporation may, by notification, levy a cess on any tax imposed under this Act at such rate and for such purpose as it may deem fit, and the proceeds of such cess shall be credited to and kept with such authority or fund as the Government may, by order, determine, and shall be applied exclusively for the purpose for which such cess was levied and for no other purpose.

73. Power to levy and collect fees and fines.-

In exercise of the regulatory powers vested in Corporation under this Act or the rules or the regulations made thereunder, the Corporation shall have the power to levy and collect various fees and fines for authorizations of any kind such as licenses, approvals or certificates granted under this Act or any other law for the time being in force.

74. Procedure regarding levy for certain taxes.-

- (1) Where the Corporation resolves, under sub-section (1) of section 70, to levy a tax for the first time or to revise the rate of an existing tax thereunder, the Commissioner shall publish a notice declaring the intention of the Corporation to do so.
- (2) A public notice under sub-section (1) shall include the rate at which, the date from which and the period of levy, if any, for which such tax shall be levied.
- (3) The notice shall be published in:
 - (a) the Telangana Gazette, and
 - (b) one newspaper published in each Telugu, Urdu and English having circulation in the Corporation, and
 - (c) the notice board of the Corporation and its offices, and
 - (d) the website of the Corporation.
- (4) The public notice shall fix a reasonable period of not less than one (1) month for submission of objections and consider the objections, if any, within such period as determined by the Government.
- (5) After considering objections under sub-section (4), the Corporation may determine by resolution to levy the tax.
- (6) Where a Corporation is indebted to the Government, the rates of existing taxes levied shall not be reduced without the prior sanction of the Government.
- (7) The publication of a notice under this section shall be conclusive evidence that the tax has been imposed in accordance with the provisions of this Act and rules made thereunder.

75. Integrated Property Identity Code .-

- (1) The Corporation shall assign a unique identity, to be known as the Integrated Property Identity Code, stored in digital format, QR Code or any other format, to each parcel of land, whether vacant or occupied by a building together with its appurtenant land, within the Corporation area, and shall maintain a digital register of all such codes.
- (2) The Corporation shall take measures to affix the Integrated Property Identity Code to each parcel, and any person who tampers with, removes,

or destroys the Integrated Property Identity Code so affixed shall be liable to a penalty as provided under this Act.

- (3) Where any building comprises multiple dwelling units, floors, or households, the Corporation may, in addition to the Integrated Property Identity Code assigned to the building as a whole, assign a unique sub-code to each individual dwelling unit or household within such building, which shall be read as a suffix to the building Integrated Property Identity Code and shall together constitute the complete identity of such dwelling unit or household for all purposes under this Act.
- (4) The Government may, by order, mandate that any tax, charge, fee, or penalty levied under any law for the time being in force within CURE shall be linked to the Integrated Property Identity Code or sub-code assigned to such land, building, or dwelling unit, in such manner and within such time as the Government may determine.

Tax on land and buildings

76. Rate of property tax for lands and buildings.-

- (1) Property tax shall be levied on every land and building at such percentages of the capital value of lands and buildings as may be fixed by the Corporation.
- (2) The capital value of lands and buildings shall be deemed to be the guideline value fixed by the Stamps and Registration Department for the purpose of Registration:
Provided that the Government may, by order, for the purpose of simplifying assessment, enabling technological integration and ensuring efficient administration, make such modifications to the manner of determining guideline value as it may consider necessary.
- (3) The percentage of property tax fixed under sub-section (1) shall:
 - (a) not be less than 0.10% and not more than 0.50% of the capital value in case of residential buildings, and
 - (b) not be less than 0.20% and not more than 2.00% of the capital value in case of non-residential buildings.
- (4) The Corporation may specify different rates for different areas or for different groups of lands and buildings, having regard to the nature of use, revenue generating potential and such other factors as the Corporation may consider relevant, in such areas.
- (5) Notwithstanding anything contained in this Act, until such time as the Corporation fixes the percentage of property tax in accordance with the procedure prescribed under this chapter, the rate of property tax shall be deemed to be 0.15% of the capital value in respect of residential buildings and 0.75% of the capital value in respect of non-residential buildings, and

such deemed rates shall apply as if they were rates duly fixed by the Corporation under sub-section (1).

- (6) Where a land or building is subject to different rates of tax due to mixed use or otherwise, the respective portions shall be assessed separately, and the land value apportioned in proportion to their floor areas, with the applicable rate applied to each portion.

77. Rate of tax on Vacant Lands.-

- (1) Notwithstanding anything contained in this Act, the property tax on vacant lands shall be levied at 0.50 percent of the estimated guideline value of the land.
- (2) Any vacant land not exceeding three times the plinth area of the building including its site or a vacant land to the extent of one thousand square metres, whichever is less shall be deemed to be adjacent premises occupied as an appurtenant to the building, and assessed to tax in accordance with the provisions of the previous section and the area, if any, in excess of the said limit shall be deemed to be vacant land.
- (3) In the case of vacant lands where garbage is being dumped and unhygienic conditions are prevailing, a penalty of 0.25 percent of the capital value shall be levied till the garbage is lifted and unhygienic conditions ceases.

78. Calculation and fixation of tax during transition. -

- (1) All property tax assessments in force within CURE immediately before the commencement of this Act shall, subject to any correction under the law applicable prior to such commencement, be deemed duly fixed under this Act, hereinafter referred to as the "Base Property Tax", and shall remain binding on the owner or occupier until a fresh assessment is made under this Act.
- (2) Where an error or mistake is found in any assessment under sub-section (1), the Commissioner may, after giving the owner or occupier a reasonable opportunity to be heard, correct and revise such assessment:
Provided that no such correction shall have effect retrospectively beyond three years prior to the date of correction.
- (3) For the purpose of effecting the transition to the uniform capital value system under this Act, the Commissioner shall, in respect of every land and building, determine the property tax payable in accordance with the methodology prescribed under this Act, and such tax shall be referred to as the "Benchmark Property Tax".

(4) During the transition, the property tax shall be calculated in accordance with the following principles:—

(a) Where the Benchmark Property Tax is higher than the Base Property Tax, the increase in tax shall not exceed twenty percent of the tax payable in the preceding year, and such increase shall be applied annually until the Benchmark Property Tax is reached, whereupon the property shall complete transition to the new capital value system from the succeeding financial year;

Provided that where the Revenue (Registration) Department revises capital values during the transition period, the Benchmark Property Tax shall stand revised accordingly from the date of such revision.

Illustration 1: If the Base Property Tax is ₹10,000 and the Benchmark Property Tax is ₹20,000, the tax payable shall be ₹12,000 in Year 1, ₹14,400 in Year 2 and ₹17,280 in Year 3, each being a twenty percent increase on the tax payable in the preceding year; in Year 4 the increase shall be limited so as not to exceed the Benchmark Property Tax, the tax payable being ₹20,000, whereupon the property shall transition to the capital value system from Year 5.

Illustration 2: If the Base Property Tax of a property is ₹10,000 and the Benchmark Property Tax is ₹20,000, the tax payable in Year 1 shall be ₹12,000 being a twenty percent increase on the Base Property Tax; in Year 2 the tax payable shall be ₹14,400 being a twenty percent increase on Year 1, and if the Revenue (Registration) Department revises guidance values in Year 2 resulting in the Benchmark Property Tax being revised upward to ₹24,000, all subsequent increases shall be calculated towards the revised target of ₹24,000; in Year 3 the tax payable shall be ₹17,280 and in Year 4 it shall be ₹20,736, each being a twenty percent increase on the preceding year; in Year 5 the increase shall be limited so as not to exceed the revised Benchmark Property Tax, the tax payable standing at ₹24,000, whereupon the transition shall be deemed complete and the property shall transition to the capital value system from Year 6, with all provisions applicable to properties under the capital value system applying thereto from that date.

(b) Where the Benchmark Property Tax is lower than the Base Property Tax, there shall be no reduction in the tax so payable, and the tax shall continue to be levied as Base Property Tax until such time as a subsequent revision of the guidance value declared by the Revenue (Registration) Department results in a higher capital value

based tax, whereupon the property shall transition to the revised capital value system from the succeeding financial year.

Illustration: If the Base Property Tax of a property is ₹20,000 and the Benchmark Property Tax is ₹15,000, no reduction shall be granted and the property shall continue to be taxed at ₹20,000 per year; if in Year 3 the Revenue (Registration) Department revises guidance values resulting in the capital value based tax being revised upward to ₹22,000, the property shall cease to be taxed at the Base Property Tax of ₹20,000 and shall transition to the capital value system from Year 4, with the tax payable from Year 4 being ₹22,000 and all provisions applicable to properties under the capital value system applying thereto.

- (5) Where, in respect of any land or building, the Base Property Tax reaches the Benchmark Property Tax, the limitations on the increase of tax specified in sub-section (4) shall cease to apply to such land or building, and the property tax thereon shall thereafter be calculated by applying the percentages fixed by the Corporation to its capital value, and shall, on every revision of such capital value, be revised in accordance with Section 79.
- (6) Unassessed properties shall be assessed as new properties in accordance with the methodology prescribed under this Act:
Provided that a property in respect of which no final assessment order has been passed shall be deemed to be an unassessed property.

79. Revision of market values or rate of property tax.-

Notwithstanding anything contained in this Act, property tax shall be revised as and when guideline value of lands and buildings are revised by the Revenue (Registration) Department and such revised rates shall be effective from the 1st April of the succeeding financial year:

Provided that nothing shall affect the power of the Government to direct an earlier revision of property tax.

Illustration 1: A owns a building on which property tax is levied on its capital value, being the guideline value fixed by the Revenue (Registration) Department. As on 1st April 2026 the guideline value is ₹50,00,000 and, at the percentage fixed by the Corporation, the property tax is ₹10,000 per annum. In August 2026 — that is, during the financial year 2026-27 — the Department revises the guideline value to ₹60,00,000, so that the tax on the revised value works out to ₹12,000. Under this section, the revised tax of ₹12,000 takes effect from 1st April 2027, being the 1st April of the financial year succeeding the year in which the guideline value was revised; for the remainder of 2026-27 the tax continues at ₹10,000.

Illustration 2: In the case in Illustration 1, the Government, in exercise of the power under the proviso, directs that the revision shall take effect from 1st January 2027. Accordingly, for the financial year 2026-27 —

(i) for the period from 1st April 2026 to 31st December 2026 (nine months), the property tax is charged at the pre-revision rate of ₹10,000 per annum, amounting to ₹7,500; and

(ii) for the period from 1st January 2027 to 31st March 2027 (three months), the property tax is charged at the revised rate of ₹12,000 per annum, amounting to ₹3,000,

so that the total property tax payable for the financial year 2026-27 is ₹10,500, as against ₹10,000 that would have been payable but for the direction; and the full revised tax of ₹12,000 per annum applies from the financial year 2027-28.

Provisions relating to assessment of property tax

80. Unit of assessment.-

(1) Every building and land shall be assessed as one unit. Provided that where any portion of a building or land is separately owned, independent, and capable of separate enjoyment, it may be assessed separately, even if access to it is through a common passage or staircase.

(2) Where two or more buildings are contiguous or share the same foundation and are owned by the same person or co-owners as undivided property, they shall be assessed as one unit. Provided that where such a building is subdivided into shares that are not independent or capable of separate enjoyment, the Commissioner may, on application by the owner or co-owners, apportion the assessment among them in proportion to their respective shares, while treating the building as one unit.

(3) Each residential unit in a housing society and each apartment in a building, together with their respective proportionate share in the common areas and facilities, shall be assessed separately.

(4) Where ownership of any land or building is subdivided, or where adjoining properties merge under one ownership, the Commissioner may, on application or on his own motion, order their separation or amalgamation, including in respect of assessments made before the commencement of this Act, so as to conform with this section.

(5) The Commissioner shall, on application and on payment of the prescribed fee, furnish to any owner, lessee, sub-lessee, or occupier information on the apportionment of property tax among the occupiers of any land or building, for the current or any preceding period of assessment:

Provided that nothing in this sub-section shall prevent the Corporation from recovering arrears of property tax from any such person, jointly or severally.

81. Primary liability for payment of property taxes.-

(1) Property Tax shall be leviable on the owner of the property:

Provided that if the Corporation is unable to collect the tax from the owner, then tax may be collected from the occupier and such occupier shall be entitled to be reimbursed or deduct such amount from the rent from time to time becoming due from him to such person.

(2) Property taxes shall be leviable primarily from the actual occupier of the premises upon which the said taxes are assessed if such occupier holds the said premises immediately from the Government or from the Corporation.

(3) If any land has been let for any term exceeding one year to a tenant, and such tenant has built upon the land, the property taxes assessed upon the building erected thereon shall be primarily leviable from the said tenant or his legal representative, whether the premises be in the occupation of the said tenant or of his legal representative, or of sub-tenant.

82. Person primarily liable for property taxes how to be designated, if name cannot be ascertained.-

- (1) When the name of the person primarily liable for the payment of property taxes in respect of any premises cannot be ascertained, it shall be sufficient to designate him in the assessment book and in any notice which it may be necessary to serve upon the said person under this Act, 'the holder' of such premises, without further description.
- (2) If, in any such case, any person in occupation of the premises refuses to give such information as may be requisite for determining the person primarily liable, the person in occupation shall herself be liable, until such information is obtained for all property taxes leviable on the premises of which he is in occupation.

83. Payment of property tax.-

- (1) Property tax shall be payable in advance either in half-yearly or quarterly installments as the Corporation may decide.
- (2) In case of -
 - (a) half-yearly instalments, the taxes shall be payable in advance on each first day of April and October;
 - (b) quarterly instalments, the taxes shall be payable on each first day of April and July and each first day of October and January.
- (3) Every owner or occupier who is liable to pay property tax under this Act shall submit a return to the Commissioner, or such other officer authorised by him in this behalf, in such form and manner as may be determined by the Corporation.

- (4) The Corporation shall provide each person who pays property tax under this section an acknowledgement for payment of such tax.

84. Property tax from when to be levied.-

- (1) Property tax shall become leviable from whichever is earlier of the 3 –
- (a) the deemed date of occupation which is 6 months from the date of issue of occupancy certificate, or
 - (b) occupation as determined by electricity bills, water bills or any service bill, whichever is earlier; or
 - (c) occupation as determined based on physical inspection carried out by the Commissioner or any officer authorized

Illustration 1: If the occupancy certificate is issued on 1st January, the deemed date of occupation under clause (a) is 1st July; if the earliest utility bill is an electricity bill dated 1st September, the date under clause (b) is 1st September; and if physical inspection determines occupation on 1st August, the date under clause (c) is 1st August; the earliest of the three being 1st July, property tax shall become leviable from 1st July under clause (a)

Illustration 2 — The proprietor of a villa project comprising 100 residential units obtains the occupancy certificate for the project on 1st January 2026. Under clause (a), the deemed date of occupation in respect of the units is 1st July 2026, being six months from the date of the certificate. The date for occupation under clauses (b) and (c) are later and therefore inapplicable. As on 1st July 2026, the proprietor has sold and transferred 85 of the units to individual purchasers, while the remaining 15 units are unsold and continue to be owned by the proprietor, property tax becomes leviable on all 100 units from 1st July 2026; and, in accordance with Section 81, the tax in respect of each of the 85 sold units is leviable on the respective purchasers, while the tax in respect of the 15 unsold units is leviable on the proprietor.

- (2) Where property tax becomes leviable for the first time on a date falling after the commencement of any half-yearly or quarterly instalment period, the tax payable for that instalment period shall be calculated proportionally on the basis of the number of days remaining in that instalment period from the date on which the tax becomes leviable, and the owner or occupier shall be liable to pay only such proportionate amount for that period, with full instalment amounts becoming payable from the succeeding instalment period.

Illustration : If the annual property tax is ₹12,000 and tax becomes leviable on 1st May in a half-yearly installment regime, the first installment period running from 1st April to 30th September being 183 days, the tax payable

for that period shall be ₹5,016 being ₹6,000 multiplied by 153 days remaining from 1st May to 30th September and divided by 183, and the full half-yearly instalment of ₹6,000 shall be payable from 1st October onwards.

- (3) The principles specified in this section shall also apply for the purposes of determining the date from which any revised property tax shall become leviable consequent upon any addition, removal, change in use, alteration or variation in any building or land.

85. Municipal Assessment Book

(1) The Commissioner shall maintain, and shall revise in each financial year, a book called the “assessment book”, in which shall be entered, in respect of every land and building within the Corporation —

- (a) its description and identifying number;
- (b) its capital value as determined under this Act;
- (c) the name, if ascertained, of the person primarily liable for the property tax thereon;
- (d) where it is not liable to property tax, the reason for such non-liability;
- (e) the amount of each property tax assessed thereon;
- (f) particulars of any special charge; and
- (g) such other details as the Commissioner may direct.

(2) The assessment book shall be maintained as separate ward assessment books, which together shall constitute the assessment book; and the Commissioner may divide any ward assessment book into parts.

(3) Where at any time it appears that any person or property has been omitted from the assessment records, or has been inadequately or incorrectly assessed in respect of any tax, or where any clerical or arithmetical error has occurred in such records, the Commissioner may assess or reassess such person or property, or rectify such error, as the case may be, by verifying the self-assessment furnished under section 86 or by making a suo motu assessment under section 87, and may exercise the powers provided under section 88 for this purpose.

(4) No such assessment shall be passed where it has the effect of an increase in the assessment unless reasonable opportunity to show cause against the proposed action is given to the person affected.

(5) Such assessment or reassessment or correction of records shall not relate to a period earlier than five half years immediately preceding the current half-year.

86. Self-assessment. —

(1) To facilitate and improve citizen services, every person liable to pay property tax in respect of any land or building which is not assessed in the

records of the Corporation, may self-assess such tax, pay and shall submit a self-certification in such online form and manner as may be prescribed.

(2) Every property so self-assessed shall be inspected and verified by the competent authority within twenty-one days of the submission of the self-certification.

(3) Such person shall be responsible for furnishing complete and correct information in the self-assessment.

(4) Where, on inspection, a self-assessment is found to be incorrect, the competent authority may, after giving the person an opportunity of being heard, revise the assessment and recover any tax short-paid; and any person who wilfully furnishes false information shall be liable to the penalty provided under this Act.

87. Suo-motu assessment by the Commissioner.-

(1) Where any land or building is not assessed or is incorrectly assessed in the records of the Corporation, the Commissioner may, of his own motion, assess the property tax payable thereon.

(2) Such assessment shall be made after such inspection, survey, measurement, enquiry or requisition of documents as is necessary.

(3) The Commissioner shall, after considering any objections and after giving the person a reasonable opportunity of being heard, confirm or revise the assessment; and any tax found payable or short-paid shall be recoverable in accordance with this Act, without prejudice to any penalty or other action under this Act.

88. Powers of Commissioner regarding assessment.-

(1) The Commissioner may require the owner or occupier of any land or building to furnish such information as he may specify, and the owner or occupier shall furnish it by a true return made to the best of his knowledge and belief.

(2) The Commissioner, or any person authorised by him, may, after reasonable notice to the owner or occupier, enter, inspect, survey and measure any such land or building.

(3) Any person who, without reasonable cause, fails to furnish information required under sub-section (1), or who obstructs the Commissioner or any person authorised by him in the exercise of any power under sub-section (2), shall be liable to the penalty provided under this Act.

89. Rebate of Property Tax.-

- (1) A rebate of five percent of property tax shall be given in respect of assessments where property tax for the entire current financial year is paid before 30th April of the year notwithstanding the service of bill or demand notice.

- (2) An additional rebate, as may be determined by the Government, shall be allowed in respect of properties that adopt such sustainability measures, environmental performance standards, or resource efficiency initiatives, including measures for achieving Net Zero environmental standards, as may be specified by the Government from time to time.

90. Premises in respect of which property tax is to be levied and exceptions.-

- (1) Property tax shall be levied in respect of all buildings and lands, except—
- (a) buildings and lands solely used for purposes connected with the disposal of the dead;
 - (b) buildings and lands, or portions, solely occupied and used for public worship or for a charitable purpose;
Explanation: “charitable purpose” means those measures that include relief of the poor, education and medical relief free of charge but does not include a purpose which relates exclusively to religious teaching;
 - (c) educational institutions up to 10th class, the buildings of which are donated by charitable institutions or philanthropists, or which are depending on the grant-in-aid by the Government for maintenance and such other educational institutions which are not running purely on commercial lines, but serving the cause of primary education which the Government may consider from time to time;
 - (d) buildings and lands vesting in the Central Government;
 - (e) buildings and lands vesting in the State Government used solely for public purposes and not used or intended to be used for purposes of profit in respect of which the said tax, if levied, would under the provisions hereinafter contained be primarily leviable from the State Government as the case may be;
 - (f) ancient monuments protected under the law relating to preservation of ancient monuments for the time being in force, as are not used as residential quarters or public office; and
 - (g) such private properties, as may be notified by the Corporation, for the purpose of providing shelter to dogs and other animals.
- (2) Where a building is constructed on land exempt from property tax as vacant land, the exemption shall cease, and the land and building shall be assessed to property tax with effect from the date the tax becomes leviable on the building.
- (3) The following buildings and lands or portions thereof shall not be deemed to be solely occupied and used for the public worship or for a charitable or educational purposes within the meaning of clause (b) of sub-section (1), namely—

- (a) buildings or lands or portions thereof in which any trade or business is carried on; and
 - (b) buildings or lands or portions thereof in respect of which rent is derived, whether such rent is or is not applied solely to religious or charitable or educational purposes.
- (4) Where any portion of any building or land is exempt from the property tax by reason of its being solely occupied and used for public worship or for a charitable or educational purpose, such portion shall be deemed to be a separate property for the purpose of municipal taxation.
 - (5) The Commissioner shall maintain a register showing separately the lands and buildings exempt from property tax under sub-section (1) in such form as may be specified by the Commissioner, and such register shall be open to the public for inspection.

91. Exemption of Property Tax in special cases.-

- (1) The Corporation may fix a nominal Property Tax of Rs.101/- per annum uniformly in case of residential building occupied by the Owner, where the plinth area of the building is below 375 sq.ft.
- (2) The Corporation may exempt Owner occupied residential buildings and lands belongs to Ex-Servicemen, widows of Ex-Servicemen and also serving defence personnel from payment of property tax subject to the following conditions: -
 - (a) Self occupation: Houses should be occupied by him or her. In case of serving Defence personnel the house should be occupied by members of his family when he is on duty;
 - (b) One building / site only: Only one house / property whichever alone shall be considered for exemption from property tax.

92. Levy of Service Charges on Central Government properties and taxes on Government companies. -

- (1) The Corporation shall levy service charges on properties of Union of India and its departments at the rate of 75%, 50% or 33 1/3% of property tax leviable, depending on the availability of municipal services at full or partial or nil services respectively and collect accordingly.
- (2) Property owned by a Government company incorporated under the Companies Act, 2013 (Act No. 18 of 2013), or a society formed under the Societies Registration Act, 1860 (Act No. 21 of 1860), functioning under the administrative control of the Central Government or any State Government, or a statutory or autonomous corporation constituted by an act of Parliament or by an act of any State Legislature shall not be deemed to be the property of the Central Government or State Government and shall be subject to levy of property tax in addition to other service charges applicable.

93. Adjustment or refund of excess tax paid.—

- (1) Where any property tax has been paid in excess by any person due to any reason, the Corporation shall not be liable to refund such excess amount in cash but shall adjust the same against the future tax demand of such person in respect of the same property.
- (2) No interest shall be payable on any such amount.
- (3) No adjustment or refund shall be made unless the claim for adjustment is made online or otherwise within 30 days from the date of such excess payment.

94. Levy of penalty by way of property tax on unauthorized construction.-

- (1) Notwithstanding anything contained in this Act and the rules made thereunder, where a building is constructed, or reconstructed, or some structures are raised without authorization, the assessing authority shall be competent to levy property tax on such building or structure with a penalty under this sub-section, till such unauthorized construction is demolished or regularized without prejudice to any proceedings which may be instituted in respect of such unauthorized construction. A separate receipt for the penalty levied and collected shall be issued.
 - (a) up to ten percent violation of permissible setbacks only in respect of floors permitted in a sanctioned plan: twenty five percent of property tax as penalty;
 - (b) more than ten percent violation of permissible setbacks only in respect of floors permitted in a sanctioned plan: fifty percent of property tax as penalty;
 - (c) unauthorized floors over the permitted floors in a sanctioned plan:
 - (i) where first assessment has taken place before the Commencement of this Act : hundred percent of property tax as penalty;
 - (ii) where first assessment has taken place on or after the Commencement of this Act: three hundred percent of property tax as penalty
 - (d) total unauthorized construction:
 - (i) where first assessment has taken place before the Commencement of this Act : hundred percent of property tax as penalty;
 - (ii) where first assessment has taken place on or after the Commencement of this Act: three hundred percent of property tax as penalty
 - (e) violation of usage: 100 percent of property tax as penalty and revised rate based on the new usage thereafter.

- (2) The levy and collection of penalty under sub-section (1) or sub-section (2) shall not be construed as regularization of such unauthorized construction or reconstruction.
- (3) Penalty leviable under sub-section (1) or sub-section (2) shall be determined and collected by such authority and in such manner as may be determined by the Government. The penalty so payable shall be deemed to be the property tax due.
- (4) A person primarily liable for payment of property tax in respect of a building, or structure shall be liable for payment of penalty levied under sub-section (1).

Continuation of liabilities until intimation

95. Liability for payment of property tax to continue in absence of transfer notice.-

- (1) Where a person primarily liable to pay property tax on a land or building transfers his title over such premises, he shall continue to remain liable for the payment of all property taxes in respect of such land or building until notice is given and such transfer is recorded in the Commissioner's book.
- (2) The liability to pay property tax under sub-section (1) shall be in addition to any other liability incurred through such neglect.
- (3) Nothing in this section shall diminish the liability of the transferee for the said property taxes, or to affect the claim of the Commissioner for the recovery of the property taxes due thereupon.

96. Notice to be given to the Commissioner of demolition or removal of a building.-

- (1) When any building or any portion of a building, which is liable to the payment of a property tax, is demolished or removed the person primarily liable for the payment of the said tax shall give notice to the Commissioner intimating the same.
- (2) Until notice under sub-section (1) is given, the person liable to pay property tax shall continue to pay such tax.
- (3) This section shall not apply to a building or any portion of it, which has fallen down or been burnt down.

Tax on transfer of property and mutation

97. Tax on transfer of property.-

- (1) A tax on transfer of property shall be levied—
 - (a) In the form of a surcharge on duty imposed under the Indian Stamp Act, 1899 on every instrument of the description below which relates to immovable property in the CURE; and
 - (b) At such rate fixed by the Government, not exceeding five percent, on the amount specified below against each instrument—
 - (i) Sale of immovable property: the amount or value of the consideration for the sale, as set-forth in the instrument or the market value of such property, whichever is higher;
 - (ii) Exchange of immovable property: the value of the property of the greater value, as set forth in the instrument or the market value of such property, whichever is higher;
 - (iii) Gift of immovable property: the value of the property as set-forth in the instrument or the market value of such property, whichever is higher.
 - (iv) Mortgage of immovable property: the amount secured by the mortgage, as set forth in the instrument.
- (2) All provisions of the Indian Stamp Act, 1899 and rules drafted under it shall apply to the said tax, as they apply in relation to the duty chargeable under that Act.
- (3) No registering authority shall accept any instrument for registration unless the amount of transfer tax is paid.
- (4) Every registering authority shall maintain an account of the transfer tax paid in respect of each instrument registered by him and a separate account showing the amount of the consideration, the market value of the property, or the amount secured by a mortgage as the case may be.
- (5) The transfer tax collected under this Act shall be credited to the Municipal Fund.
- (6) In the absence of an agreement to the contrary the transfer tax shall be paid by the person who is primarily liable for payment of the stamp duty in respect of the instrument executed.

98. Transfer of Title and Mutation.-

- (1) Upon booking of a slot for registration of any instrument of transfer at the office of the Sub-Registrar, the details of such booking shall be shared

digitally and forthwith with the Corporation, including the description and location of the property, the names of the transferor and transferee, and the date of registration, so as to enable the Corporation to verify the assessment status of the property and take such action as may be necessary before the date of registration.

- (2) At the time of transfer of any property by way of sale, gift, mortgage, partition, exchange or succession under a registered document, the Sub-Registrar shall, before effecting registration, obtain a no-due certificate or up-to-date payment receipts of all taxes and charges relating to the property from the transferor.
- (3) Where the property proposed to be transferred is unassessed, the Corporation shall cause the assessment of such property to be completed before the date of registration:

Provided that where the Corporation fails to complete the assessment before the date of registration, the Sub-Registrar shall carry out a provisional assessment of the property on the basis of such information as is available, collect the tax for 3 assessment years due thereon from the transferor, and effect the registration and mutation accordingly, and such provisional assessment shall be subject to revision by the Corporation, and any difference in tax arising from such revision shall be recoverable from the transferee as arrears of property tax.

- (4) Upon registration of the instrument of transfer, the Sub-Registrar shall automatically effect mutation of the property in the records of the Corporation in favour of the transferee, and shall issue a mutation certificate to the transferee, duly collecting such mutation fee, as may be determined by the Corporation.
- (5) Mutation effected under this section shall not confer any right of ownership or title on the transferee and shall be for the purposes of assessment and collection of property taxes only.

99. Mutation other than by transfer of title.-

In respect of mutations other than those effected under section 98 , the Commissioner may, on receipt of a written application from the person concerned, effect mutation in the property tax records of the Corporation upon satisfaction of the following conditions, namely: —

- (a) the applicant has paid the mutation fee as determined by the Corporation; and
- (b) the applicant has furnished such documents, undertakings or other evidence as may be required for establishing the basis for mutation; and
- (c) Reasons have been recorded in writing for effecting such mutation.

Provided that Mutation effected under this section shall not confer any right of ownership or title on the transferee and shall be for the purposes of assessment and collection of property taxes only.

Other taxes and supplementary taxation

100. Entertainment Tax.-

- (1) Entertainment Tax may be levied in accordance with the provisions of this chapter.
- (2) This tax may be levied at such rates, and on such forms of entertainment, as may be determined by the Corporation from time to time.
- (3) For the purposes of this section, 'entertainment' shall include such performances, exhibitions, amusements, games, sporting events, recreational activities, digital or electronic entertainment, and such other forms of entertainment as may be specified by the Government from time to time

101. Supplementary Taxation.-

- (1) If the Corporation determines to have recourse to supplementary taxation in any financial year, they may increase the rate at which any tax is leviable under this Act, for the unexpired portion of the said year.
- (2) Any such increase or addition shall be subject to the conditions on which any such tax is leviable.

Recovery of Service Charges

102. Recovery of service charges.-

Service charges in respect of any land or building shall be payable by the occupier of the premises:

Provided that where the occupier fails to pay the service charges, they shall be payable by the owner.

Provided further that where the service charges remain unpaid, the service provider shall disconnect or discontinue service on the request of the Commissioner.

Presentation of bills and Recovery of dues

103. Presentation of Bills.-

- (1) When any tax under this Act becomes due, the Commissioner may cause to be presented a bill for the amount due, to the person liable for such payment with least practicable delay.
- (2) Every such bill shall specify the particulars of the tax, the period for which the tax is charged, and the manner of raising objections, or filing an appeal, on the decision.
- (3) The liability of any person to pay any tax under this Act shall not be affected by reason of the non-presentation or non-receipt of any bill under this section, and the absence of a bill shall not be a defence to any proceedings for recovery of tax, nor shall it exempt any person from the obligation to pay tax on or before the due date.
- (4) A penal interest of 2% per month shall be levied from the due date on which the tax was supposed to be paid.
- (5) Notwithstanding anything contained in this Chapter, the Government may, by notification, introduce a scheme for settlement of arrears, penalties and interest subject to such terms and conditions as may be specified.

104. Recovery of dues to the Corporation.-

Without prejudice to any other mode of recovery provided under this Act or under any other law for the time being in force, where any sum payable to the Corporation by way of any tax, fee, charge, cess, fine, penalty, interest, or any other amount lawfully recoverable under this Act or the rules or bye-laws made thereunder has become due and remains unpaid beyond the prescribed period, the Commissioner may, subject to the provisions of this Chapter, recover such amount by adopting one or more of the following modes, namely —

- (a) deduction of the amount from any money payable by the Corporation to the defaulter, including security deposits, contractual payments, refunds, or any other dues;
- (b) issuance of a third party direction for attachment; or
- (c) attachment of movable property of the defaulter; or
- (d) attachment of immovable property of the defaulter;

105. Third party direction ordering attachment

(1) The Commissioner may, by a direction to a third party for attachment, attach any money which is due, or may become due, to the defaulter from any person as on the date of service of the direction, and may thereby require such person to hold the money to the extent of the amount specified, not to pay or deliver it to the defaulter, and to hold it at the disposal of the Commissioner; and such person includes —

- (a) any bank or financial institution maintaining an account of the defaulter, in which case the direction shall, without prejudice to any law for the time being in force, operate as an attachment of the account to the extent of the amount specified wherein such attachment may be treated as affecting the creditworthiness of the account holder;

- (b) any tenant, lessee, licensee or occupier liable to make payment to the defaulter;
 - (c) any employer liable to pay salary or wages to the defaulter, subject to the exemptions provided under the Code of Civil Procedure, 1908 (Act No. 5 of 1908) , and any other law for the time being in force.
- (2) Every direction to a third party for attachment shall—
- (a) specify the amount to be attached;
 - (b) be served on the third party and the defaulter;
 - (c) operate only to the extent of the amount due from the third party to the defaulter as on the date of service;
- (3) The direction for attachment shall take effect immediately upon its service on the third party, and the obligation to hold the money and not to pay or deliver it to the defaulter shall operate from that time.

106. Attachment of movable and immovable property

- (1) The Commissioner may, for the recovery of any amount due, attach any movable or immovable property of the defaulter to the extent of the amount due.
- (2) Attachment of movable property shall be effected by seizing it and taking it into custody, or by directing any person in possession of it to hold it at the disposal of the Commissioner and not to part with it; and the officer effecting the attachment shall prepare an inventory of the property and furnish a copy thereof to the defaulter.
- (3) Attachment of immovable property shall be effected by an order prohibiting the defaulter from transferring or charging the property in any manner, prohibiting all persons from taking any benefit under such transfer or charge, and prohibiting any person from entering upon the property except with the permission of the Commissioner; and a copy of the order shall be affixed to the property, served on the defaulter and communicated to the registering authority.
- (4) No property which is exempt from attachment under the Code of Civil Procedure, 1908 (Act No. 5 of 1908) or any other law for the time being in force shall be attached under this section.
- (5) An attachment under this section shall take effect immediately upon the seizure of the movable property, or upon affixing the order to the property in the case of immovable property, as the case may be.

107. Due Process for Recovery Proceedings

No action under Section 104 shall be initiated unless a notice specifying the amount due, the nature of the liability, and the proposed mode or modes of recovery has been served upon the defaulter granting not less than thirty days for payment, and the Commissioner has passed a reasoned order after affording the defaulter a personal hearing.

108. Withdrawal of Recovery Proceedings upon Payment

Where the defaulter pays the entire amount due together with penal interest, the Commissioner shall withdraw all recovery proceedings under Section 104 and release any attached property or direction for attachment forthwith.

109. Recovery of arrears of Revenue.-

The Corporation is empowered to recover any arrears due towards any amount towards Municipal Revenue by following the procedure as contemplated for the recovery of land revenue under the provisions of the Telangana Revenue Recovery Act, 1864.

110. Defaulters may be sued for arrears if necessary.-

Any sum due from a defaulter, or any balance thereof remaining unpaid, may, without prejudice to any other remedy under this Act, be recovered by a suit before a court of competent jurisdiction, whether or not recovery proceedings under this Act have been initiated or have proved wholly or partly unsuccessful.

111. Remittance of amounts due to the Corporation by authorities .-

Any department or authority which collects any amount due to any Corporation by virtue of this Act or any law in force, shall deposit such amount in a separate account and remit such amount to the Corporation;
Provided that at least half of the amount collected by the Revenue (Registration) department shall be remitted to the Corporation within seven days of receipt of the amount.

112. Limitation for recovery of dues.-

- (1) No recovery shall be undertaken, no prosecution shall be commenced, and no suit shall be instituted in respect of any sum due to the Corporation on account of a property tax or any other sum due under this Act after the expiration of the period of:
 - (a) three years from the date on which such recovery might have been undertaken;
 - (b) six years from the date on which prosecution might first have been commenced; or
 - (c) nine years from the date on which a suit might have been first instituted, as the case may be, in respect of such sum.
- (2) It shall be the duty and responsibility of the Commissioner to place before the Standing Committee, a list of arrears due to the Corporation under this Act which, if no action is taken within the period specified in sub-section (1), are likely to be time-barred, at least one year before the expiry of the said period stating the reasons for the delay in the recovery of such amount

and requesting for the instructions or directions of the Standing Committee in regard to the recovery of such arrears.

- (3) The Standing Committee shall not take any action to cause financial loss to the Corporation in this matter.

113. Writing off of irrecoverable taxes.-

The Commissioner may, with the approval of the Corporation up to such limit as may be specified by the Government, write off any sum due on account of any tax or of the costs of recovery of any tax, which is irrecoverable for reasons to be recorded in writing by the Commissioner.

114. Liability for loss, waste, misapplication.-

- (1) An officer of the Local Government Service, the bill collector or other employee of the Corporation, entrusted with the collection of sums due to the Corporation under this Act, shall be liable for the loss, waste or misapplication of any money or other property owned by or vested in the Corporation, directly caused by him neglect or misconduct.
- (2) In such cases of loss, waste or misapplication, a suit for compensation may be instituted against him by the Standing Committee with the previous sanction of the Government or by the Government.
- (3) No such suit shall be instituted after three years after the accrual of the cause of action.

Chapter 12

Streets, Traffic Management and Pedestrian Infrastructure

115. Vesting of public streets in the Corporation.-

All public streets within the Corporation Area, and the pavements, stones and other materials thereof, will vest in the Corporation and be under the control of the Commissioner.

116. Powers of Corporation in relation to public streets.-

The Corporation may-

- (a) maintain, repair, improve, widen, extend or otherwise develop public streets, including ensuring pedestrian safety;
- (b) prevent water logging by undertaking such measures as necessary;
- (c) lay out, construct and develop new public streets;
- (d) prescribe standards for streets, including minimum width and design requirements;
- (e) construct, adopt, maintain or alter subways, bridges and other street-related infrastructure;
- (f) regulate the use of public streets, including restricting or prohibiting certain classes of traffic in the interest of safety or public convenience; and
- (g) permanently close any public street or part thereof, after giving notice and considering objections.

117. Powers of State Government in relation to streets.-

Where the Government is satisfied that the Corporation has failed to maintain any public street, it may issue such directions as it deems fit, and the Corporation shall comply with such directions forthwith

118. Disposal of land forming site of closed street.-

Where a public street, or any part thereof, is permanently closed, the site of such street or part so closed shall vest in the Corporation.

119. Coordination in case streets cross corporation limits.-

Where a public street lies within or extends into the limits of more than one Municipal Corporation or local authority, the Commissioner shall coordinate with such Municipal Corporation, local authority, or other authority as necessary, for

the planning, construction, maintenance and regulation of such street.

120. Power to make street development plans.-

The Corporation may prepare and periodically update street development plans for the planning, design, improvement and management of public and private streets, and may engage such persons or agencies as necessary for the preparation of such plans, including GIS-based mapping, subject to such terms and conditions as may be determined by the Corporation.

121. Streets to be built as per universal design.-

The Corporation will ensure that all public streets are planned, designed, constructed and maintained to be universally accessible, and comply with,-

- (a) standards and requirements for inclusive infrastructure as may be notified from time to time under the Rights of Persons with Disabilities Act, 2016 (Act No. 49 of 2016), and in such manner as may be specified in the bye-laws; and
- (b) any other such standards that may be notified under any other applicable law and specified under the bye-laws.

122. Regular line of street and setback of buildings.-

- (1) The Commissioner may determine and, with the approval of the Standing Committee, modify the regular line of any public street, and all existing street lines will be deemed to continue until so determined. This line for the time being determined will be called the ‘regular line of the street’.
- (2) The Commissioner will maintain a register, with plans, of all public streets where a regular line has been determined, which will be open to inspection.
- (3) No person will construct, reconstruct or alter any building or boundary wall within the regular line of a public street except with the written permission of the Commissioner and subject to such conditions as may be imposed.
- (4) The Commissioner may, while granting permission under sub-section (3), require undertakings, deposits or other safeguards to secure removal of such construction where required for street purposes, with such compensation as may be determined under this Act.
- (5) The manner for the exercise of powers under this section will be determined by the Government.

123. Setback and removal of buildings within the street line .-

- (1) Where any building or part of it abutting a public street lies within the regular line of the street, the Commissioner may, at the time of rebuilding, substantial demolition, reconstruction, structural alteration or addition, require such building to be set back to the regular line.
- (2) Where any building or part of it within the regular line of the street falls down, is burnt down or is otherwise taken down, the Commissioner may take possession of the portion of the land falling within the regular street line.
- (3) If any building is taken down on the order of the Commissioner under subsection (2), compensation will be paid as provided under this Act.
- (4) Where any building or part of it is within the regular line of a public street, and the provisions relating to setback on redevelopment do not apply, the Commissioner may, if satisfied that such setback is necessary, require the owner, by written notice, to show cause why such building or part of it should not be removed.
- (5) After considering the objections, if any, and with the approval of the Standing Committee, the Commissioner may require the owner to remove the portion within the regular line within such period as may be specified in the notice.
- (6) If the owner fails to comply, the Commissioner may cause such removal and recover the costs from the owner.

124. Setting forward of buildings.-

- (1) Where any building abutting a public street lies behind the regular line of such street, the Commissioner may, at the time of rebuilding, substantial alteration or repair involving significant structural change, permit, or with the approval of the Standing Committee, require such building to be set forward to the regular line.
- (2) For the purposes of this section, a boundary wall will be deemed to be a building, and compliance with an order to set forward may be achieved by construction of a wall along the regular line according to approved specifications.

125. Control and Development of Private streets.-

- (1) No person shall lay out a private street or develop, divide, sell, lease or use any land for building purposes unless prior notice with relevant documents, plans and fees has been submitted to the Commissioner and permission has been subsequently granted to commence work.

- (2) The Commissioner may, in relation to private streets within the Corporation Area, require any information, modification of plans, or certification by qualified professionals, prescribe standards for layout, access, drainage, ventilation, lighting, landscaping and related infrastructure, approve, conditionally approve or refuse any proposal and specify conditions for compliance, require owners or beneficiaries to carry out levelling, paving, drainage, lighting or other works
- (3) Where a private street has been levelled, metalled, sewered, drained, channelled, lit and made good to the Commissioner's satisfaction, and all dues to the Corporation in respect of the street as may be determined by the Government have been paid, the Commissioner may, and upon owners' request shall, declare such street a public street by written notice. Upon such declaration, the street shall vest in the Corporation, unless the owner of such street or the greater part thereof objects in writing to the Commissioner within one month of the notice.
- (4) Where any development or layout is carried out in contravention of sub-section (1), the Commissioner may, after notice and hearing, direct alteration, removal, demolition or restoration, and recover costs from the person in default without prejudice to any other action which may be undertaken in this Act.

126. Powers in relation to projections and obstructions:

- (1) No person will erect, place, or maintain any structure, fixture or projection that encroaches upon, obstructs, or interferes with the safe and convenient use of any street or with the functioning, access or maintenance of any drain, channel or public utility.
- (2) The Commissioner may direct the removal, alteration or regulation of any such encroachment, obstruction or projection.
- (3) Any person affected by removal or alteration of a lawfully existing or permitted structure will be entitled to compensation under this Act.
- (4) Where removal or alteration is carried out by an occupier pursuant to a direction, such occupier will be entitled to recover reasonable expenses from the owner, where applicable.

127. Prohibition of depositing of thing in streets.-

- (1) No person will, except with the written permission of the Commissioner, place, deposit, project, attach or suspend any stall, structure, material or other object in or over any street or public place so as to cause obstruction, encroachment or interference with public use or safety.

- (2) Any object placed or maintained in contravention of this section may be removed or seized by the Commissioner immediately.

128. Removal of unauthorised encroachments and obstructions.-

- (1) The Commissioner may require the immediate removal, alteration or regulation of any structure, fixture, object or encroachment in or upon any street or public place made in contravention of this Act.
- (2) Where such encroachment or obstruction is not removed in compliance with the notice, the Commissioner may cause it to be removed and recover the costs from the person in contravention of this section.

129. Commissioner may permit booths, etc., to be erected on streets .-

The Commissioner may grant temporary permission for the erection of any shamiana, pandal, booth, or similar structure in a public place or on any public street on occasions of ceremonies, festivals, or any other events which require a temporary setup, provided that such erection causes minimal disturbance to the safe and free flow of vehicular or pedestrian traffic.

130. Streets when broken up for any municipal purposes to be restored without delay.-

Any street that is broken up by or under the order of the Commissioner or any authorised officer, for execution of any work on behalf of the Corporation, will be restored and filled in as expeditiously as possible and any surplus material or waste produced will be removed without delay.

131. Closure of Streets in case of municipal work.-

- (1) Where any municipal work requires the opening or breaking up of any street, the Commissioner may -
 - (a) close such streets only for the period of time required for completion of work, and
 - (b) erect such barriers and safeguards as necessary for the protection of the public and the proper execution of the work.
- (2) No person shall, without the permission of the Commissioner or without other lawful authority, remove any barrier set up under sub-section (1) such as bar, chain or post so fixed or infringe any order prohibiting traffic so set up.

132. Traffic Management in case of municipal work.-

During the execution of any work in a street on behalf of the Corporation, the Commissioner will, as far as reasonably practicable, make adequate provision for—

- (a) the passage or diversion of traffic;
- (b) securing access to all premises adjoining or approached from such street; and
- (c) the maintenance of drainage, water supply and lighting likely to be interrupted by such work.

133. Precautions to be taken for public safety in case of municipal work.-

- (1) During the execution of any work on a street, the Commissioner will take all reasonable precautions for public safety, including—
 - (a) protecting adjoining buildings;
 - (b) fencing and guarding all excavated or opened areas;
 - (c) providing hoardings and signage for areas during the day,
 - (d) providing and maintaining sufficient lighting during the night to warn the public of any hazard.
- (2) No person shall, without written permission of the Commissioner, remove any signage, protective structure or extinguish any light provided under this section.

134. Streets not to be opened or broken up and building materials not be deposited without permission.-

- (1) No person will, except with the permission of the Commissioner-
 - (a) open, break up, or otherwise interfere with any street;
 - (b) deposit building materials in any street; or
 - (c) erect scaffolding or any temporary structure or enclosure in any street.
- (2) Any permission granted under this section may be revoked by the Commissioner.
- (3) The Commissioner will provide at least twenty-four hours' notice prior to revocation of permission under sub-section (2).
- (4) Where any materials or structures are placed in a street without permission, or are not removed within the permitted period, the Commissioner may remove the same without notice, and recover the costs from the person in contravention.
- (5) Every person to whom permission is granted under this section, at their own expense, ensures that any affected area is adequately fenced, guarded

and, where necessary, properly lighted during the night to prevent danger to the public.

- (6) The Commissioner may require any person executing work under this section to make adequate provision, to the satisfaction of the Commissioner, for—
 - (a) traffic management or diversion;
 - (b) access to adjoining premises; and
 - (c) maintenance of essential services affected by such work.

135. Persons who opens up or breaks up street must reinstate streets, etc.-

- (1) Any person who opens or breaks up a street under permission or other lawful authority will complete the work with all convenient speed and reinstate the street to the satisfaction of the Commissioner without delay.
- (2) In case of failure to do so, the Commissioner may undertake such reinstatement and recover the expenses incurred from such person.

136. Public safety during works affecting streets and adjoining premises.-

- (1) No person will undertake any construction, demolition, repair, or other work adjoining a street, or affecting its use, where such work is likely to obstruct, inconvenience, or endanger the public, without permission from and subject to such conditions as may be imposed by the Commissioner.
- (2) Every person undertaking such work will, prior to its commencement and for the duration thereof—
 - (a) erect and maintain adequate hoardings, fences, or barriers, and where necessary, provide a safe and convenient passage for pedestrians;
 - (b) install protective screens or other measures sufficient to prevent the escape of dust, debris, or materials and to avoid injury or damage to persons or property;
 - (c) ensure that all excavations, openings, or hazardous areas are securely enclosed, guarded, and, where necessary, adequately lighted during the night; and
 - (d) take all reasonable measures to protect adjoining buildings and premises.
- (3) Where any place or work is, in the opinion of the Commissioner, dangerous to persons using a street or having lawful access to the adjoining area, the Commissioner may, by written notice, require the owner or occupier to—
 - (a) repair, secure, protect, or enclose such place or work; or

- (b) take such other measures as may be necessary to prevent danger and ensure public safety or convenience.
- (4) The Commissioner may, in cases of urgency or pending compliance with any notice under sub-section (3), take such temporary or immediate measures as may be necessary to prevent danger or ensure public safety, and recover the costs from the person responsible under sub-section (3).
- (5) Where any work is undertaken in contravention of this section or any direction issued thereunder, the Commissioner may order the immediate stoppage of such work and take such further measures as may be necessary to secure compliance, including removal of persons from the site.
- (6) The Commissioner may prescribe standards, specifications, and guidelines for compliance with this section, including requirements relating to hoardings, pedestrian access, dust control, safety barriers, and lighting.

137. Naming of streets, and numbering of houses.-

- (1) The Commissioner may, with the sanction of the Corporation—
 - (a) determine the name of any street;
 - (b) cause such name to be displayed at conspicuous locations at or near the ends, corners, or entrances of the street;
 - (c) determine the number to be assigned to any premises; and
 - (d) by written notice, require the owner or occupier of any premises to display such number in the manner and position specified, or to intimate that such numbering be carried out by the Corporation.
- (2) No person will, without the written permission of the Commissioner -
 - (a) remove, alter, deface, or damage any street name or premises number displayed under this section; or
 - (b) display any name or number other than that assigned by the Commissioner.
- (3) Where any numbering is carried out by or under the authority of the Commissioner, the costs will be recoverable from the owner of the premises, subject to such rates as may be fixed with the sanction of the Standing Committee.
- (4) Notwithstanding anything contained in sub-section (1), the Government may, by order, direct that any street be named or renamed as it deems fit, and upon the issuance of such order, the Commissioner shall cause the name so directed to be displayed in accordance with the provisions of sub-section (1)(b), and such name shall supersede any name previously determined or displayed under this section.

138. Buildings at corners of streets.-

- (1) The Commissioner may, with the approval of the Standing Committee, by written order require that the corner of any building situated at the junction of two or more streets, whether existing, under construction, or proposed to be altered or repaired, be rounded or splayed off to such height and in such manner as may be specified, in the interest of public safety or convenience.
- (2) The Commissioner may, in such order, impose conditions relating to boundary structures, including compound walls, fences, hedges, or the planting, retention, or removal of trees within the premises.
- (3) Compensation will be payable for any loss or damage caused as a direct result of an order issued under this section as per this Act.

139. Public streets to be lighted.-

- (1) The Commissioner will make adequate provision for the lighting of public streets, municipal gardens, open spaces, markets, public places and buildings vested in the Corporation, including—
 - (a) installation and maintenance of lamps, lamp-posts, and associated infrastructure; and
 - (b) ensuring illumination by such means, including electricity or other sources, as may be determined.
- (2) For the purposes of such lighting, the Commissioner may install and maintain wires, poles, posts, brackets, and other supporting infrastructure in, over, or upon any immovable property, subject to the condition that such placement causes the least practicable inconvenience or nuisance.

140. Prohibition of damage to municipal property etc.-

No person will, without lawful authority—

- (a) damage any municipal property situated in a street or public place; or
- (b) remove, damage, or interfere with any lighting fixtures, or associated infrastructure installed for public lighting;
- (c) damage or interfere with any electric wire or supporting structure used for such lighting;

141. Persons accidentally breaking lamps to repair the damage .-

Any person who, whether by negligence or accident, causes damage to any municipal property in a street or public place including lighting will be liable to

pay the cost of repair or restoration in addition to any penalty which may be imposed under this act or any action which may be taken under any other law for the time being in force.

142. Measures for watering streets.-

The Commissioner may take measures for the watering and maintenance of public streets, including—

- (a) determining the timing, manner, and frequency of such watering; and
- (b) procuring and maintaining such equipment, vehicles, or other resources as may be necessary for the purpose.

143. Rights of way for underground utilities.-

Subject to the provisions of the Indian Telegraph Act, 1885 (Act No. 13 of 1885), the Electricity Act, 2003 (Act No. 36 of 2003) and such other laws as may be notified by the State Government for the purposes of this section, the State Government may, by rules, provide for the form and manner of obtaining following, namely -

- (a) the sanction by the Corporation of specific rights of way in the sub-soil of public and private streets in any municipal area for different public utilities including electric supply, telephone or other telecommunication facilities, gas pipes, water-supply, drainage and sewerage, and underground rail system, pedestrian sub-ways, shopping plazas, warehousing facilities and apparatus and appurtenances related thereto, provided by the State Government, or any statutory body or any licensee under any of the above mentioned Acts or other applicable laws;
- (b) the levy of any fee or charges under any of the laws for the time being in force or as may be determined by the Government or the Corporation;
- (c) the furnishing to the Corporation of maps, drawings and statements which will enable it to compile and maintain precise records of the placement of the underground utilities in the municipal area;
- (d) the fixing of time limit for execution of work and imposing of such conditions in this respect as the Corporation may consider appropriate;
- (e) the imposing of penalty in case of delay in the completion of work; and
- (f) the repairing and rendering in original condition, at the cost of the concerned department or body, any municipal street or any other municipal property damaged while exercising aforesaid rights.

144. Maps of underground utilities.-

The Commissioner will maintain complete survey maps, drawings and descriptions of all underground utilities in the municipal areas, and sewerage man-holes in such form and in such manner, as may be determined by the Government.

145. Traffic Management Schemes.-

- (1) Every Corporation may, in consultation with the Traffic Police and such other agency or authority as may be determined by the Government, prepare and implement traffic management schemes for streets and public places under its control.
- (2) Such schemes may provide for-
 - (a) regulation and control of vehicular and non-vehicular traffic;
 - (b) measures to ensure public safety, convenience, and smooth flow of traffic;
 - (c) integration of traffic management with urban planning and street design; and
 - (d) such other matters as may be determined by the Government.

146. Regulation of vehicular traffic on public streets.-

- (1) The Commissioner may, with the sanction of the Corporation, in the interest of public safety, convenience, or to prevent obstruction or damage to public streets-
 - (a) prohibit or restrict vehicular traffic on any part or whole of the public street under the control of the Corporation, including by installing physical barriers or otherwise to regulate access;
 - (b) prohibit or regulate the movement, on all or any public streets, of vehicles of such type, construction, size, weight, or carrying such loads which may,-
 - (i) cause damage to the roadway or any structure on it; or
 - (ii) endanger or obstruct other vehicles or pedestrians.
- (2) The Commissioner may permit the movement of such vehicles subject to such conditions as may be specified, including conditions relating to
 - (a) timing of movement;
 - (b) manner of movement or traction;
 - (c) use of protective measures for the roadway;
 - (d) provision of lights;
 - (e) safety precautions; and
 - (f) payment of such charges as may be prescribed.

- (3) Before issuing any regulation or restriction under this section which is likely to materially affect access, movement, or use of any street or public place, the Corporation will, by public notice, publish in such manner as may be prescribed by bye-laws, giving a reasonable opportunity to persons likely to be affected to submit suggestions or objections within a period of seven days from the date of such publication, and will consider all such suggestions or objections before finalizing the regulation.
- (4) Where the Commissioner is satisfied that immediate action is necessary in the interest of public safety or traffic management, the commissioner may dispense with the requirements under sub-section (3), for reasons to be recorded in writing.

147. Parking Regulation.-

- (1) The Corporation may, in consultation with the Traffic Police or such other authority as the Government may determine-
 - (a) designate parking and no-parking zones on streets and in public places;
 - (b) regulate on-street and off-street parking;
- (2) The Corporation will prescribe fees, charges, or user levies for parking in areas designated under sub-section (1).
- (3) The Corporation may make arrangements for the development, operation, and maintenance of parking facilities, including through public-private partnerships and provision of such incentives as it may determine.

148. Enforcement of Traffic Management Measures.-

- (1) The enforcement of traffic management measures under this chapter will be undertaken in coordination with the Traffic Police or such other authority as the Government.
- (2) The Corporation will provide necessary infrastructure, signage, markings, and technological support for effective enforcement.

Pedestrian Infrastructure

149. Provision and Maintenance of Pedestrian Infrastructure.-

- (1) Each Corporation will provide, maintain, and improve pedestrian infrastructure on streets and public places within its jurisdiction.
- (2) The Corporation will install and maintain the following to ensure public

safety and convenience, and expeditious movement of traffic including pedestrian traffic and safe crossing of roads-

- (a) sidewalks and footpaths;
- (b) pedestrian crossings, including grade-level and grade-separated crossings;
- (c) kerb ramps, tactile pathways, and universal accessibility features;
- (d) street furniture, including benches, lighting, and signage;
- (e) Traffic lights and traffic signs;
- (f) Street markings and median strips;
- (g) guardrails, bollards, and safety barriers; and
- (h) bus stops and associated pedestrian access facilities.

150. Shared and Non-Motorised Transport Infrastructure.-

- (1) The Corporation may designate certain paths or corridors for shared use by pedestrians and non-motorised transport, including bicycles, subject to safety considerations.
- (2) The Corporation will promote non-motorised transport and ensure safe integration of such infrastructure within the street network.

151. Accessibility and Universal Design.-

- (1) Every Corporation shall ensure that all pedestrian infrastructure is designed, constructed, and maintained in accordance with
 - (a) standards and requirements for inclusive infrastructure as may be notified from time to time under the Rights of Persons with Disabilities Act, 2016 (Act No. 49 of 2016) and the rules made under it, and
 - (b) any other such standards that may be notified under any other applicable law and specified under the bye-laws.
- (2) The Corporation will take into account the needs of children, women, elderly persons, and persons with disabilities in the planning and implementation of pedestrian infrastructure.

152. Prohibition of Obstruction and Damage.-

No person will-

- (a) obstruct or interfere with traffic management measures or pedestrian movement;
- (b) encroach upon, damage, or misuse any street, footpath, crossing, or pedestrian infrastructure; or
- (c) place or cause to be placed any object or structure that impedes safe movement of traffic or pedestrians.

153. Duty to follow directions.-

- (1) No person shall contravene the provisions of this Chapter or any scheme, regulation, or direction issued thereunder.
- (2) Where the contravention results in damage to public infrastructure, the cost of repair or replacement will be recoverable from the person responsible.
- (3) The removal of any obstruction or restoration of damaged infrastructure may be undertaken by the Corporation and the costs incurred be recovered from the person.
- (4) The provisions of this section will not affect any action that may be taken under any other applicable law.

154. Miscellaneous.-

- (1) The Commissioner may, either suo-moto or upon the request of the Ward Committee, cause all public streets vested in the Corporation to be widened, extended or improved for the safety of pedestrians.
- (2) Where the Commissioner is satisfied that any road or public street including footpath belonging to the Corporation or vested in it or otherwise is encroached upon by any person in any form, either temporarily or permanently so as to cause obstruction or hindrance or inconvenience to traffic, pedestrian movements and users of the street, the Commissioner may summarily evict such encroachments without prejudice to any action which may be taken for non-compliance of such direction.

Chapter 13 **Building Regulations**

Development Permissions

155. Harmonization with Metropolitan Development Plan.-

Notwithstanding anything contained elsewhere in this Act, all permissions, approvals, and regulations relating to building activity under this Chapter shall be consistent with -

- (a) the Master Plans, zoning regulations, and development control norms notified under section 19, 20 and other relevant provisions of the Hyderabad Metropolitan Development Authority Act, 2008 (Act No.8 of 2008), and
- (b) common building and layout rules notified by the Government from time to time.

156. Digital platform for building permissions.-

All applications, permissions, approvals, sanctions, notices and communications under this Chapter shall be submitted, processed, issued and maintained through such electronic platforms as may be notified by the Government;

Provided that physical submission or processing may be permitted for such period, in such cases, and in such manner as may be specified by the Corporation or prescribed by the Government.

157. Notice and grant of approval for building permissions.-

- (1) Every person intending to erect a building, or to undertake any layout or development, shall give notice of such intention to the Commissioner, in digital or such other form as may be prescribed, specifying the particulars required for processing of the application.
- (2) On receipt of the notice, the Commissioner shall examine the application and, where it conforms to this Act and the rules and bye-laws made thereunder, intimate to the applicant the charges including sewerage infrastructure charges, utility development charges, infrastructure betterment charges and security for carrying out construction in conformity with permission under sub-section (3), and the conditions, if any, subject to which the permission may be granted.
- (3) The Government may, by order, require any person to whom approval has been granted under this section to furnish such security as the Government may deem fit for ensuring that the construction is carried out in conformity with the approval granted, and such security may take the form of a mortgage of such portion of the building or land as the Government may specify, an insurance instrument, a bank guarantee, a performance bond,

or any other instrument or combination thereof, as the Government may direct.

- (4) On payment by the applicant of the charges and security so intimated, the Commissioner shall issue the building permission.
- (5) A building permission issued under this section shall be construed as the order authorising commencement of the work.
- (6) No person shall commence any work referred to in sub-section (1) without having obtained the building permission.

158. Vesting of common areas.-

All roads, open spaces and utility areas earmarked in a layout or development shall vest in the Corporation upon the occurrence of whichever of the following is the earliest—

- (a) the creation of any third-party right over any part of the layout or development;
- (b) the conveyance of such roads, open spaces and utility areas to the Corporation by a registered gift deed.

159. Deemed approval.-

- (1) The powers and functions relating to the scrutiny, processing and grant of building permissions, layout approvals or development permissions under this chapter may, subject to the approval of the Standing Committee, be delegated by the Commissioner for such classes of permissions to such subordinate officers as may be determined.
- (2) Where no decision is taken by the officer concerned within the time prescribed for such processing, the application shall automatically stand escalated to the next higher officer.
- (3) Where, even after such escalation, no decision is communicated within such further period as may be prescribed by the Government, the provisions relating to claiming deemed approval by applicant shall become applicable wherein the applicant shall issue a notice to the Commissioner claiming for deemed approval.
- (4) On receipt of such notice, the Commissioner shall communicate the reasons for the delay and dispose of the application within 7 days.
- (5) If the Commissioner fails to communicate within the prescribed time, then the application will be deemed to have been approved, and an auto fee letter will be generated and communicated to the applicant. On payment of necessary fees and charges, a deemed approval letter will be auto generated and sent to the applicant.
- (6) The deemed approval is subject to condition that the construction shall be as per Building Rules/Bye laws, layout rules, zoning regulation, provisions of Master Plan and not in contravention of any of the provisions of this Act or any bye-laws made there under.

- (7) The provisions of deemed approval shall not apply to buildings situated in the buffer zone of water bodies, high-rise buildings, buildings requiring a No Objection Certificate from the Fire Services Department, Airport Authority and such other categories of buildings, areas or developments as may be specified by the Government from time to time.

160. Regulation and penalisation of construction of buildings in deviation of sanctioned plan.-

Notwithstanding anything contained in this Act, the Commissioner may regulate and penalise the constructions of buildings, made by the owner, or by an individual as the case may be, unauthorised or in deviation of the sanctioned plan as on 28/10/2015 as a one time measure, as per the procedure and by levying such penal amount as may be prescribed and upon payment of such amount all pending or contemplated proceedings and action of enforcement will be deemed to have been withdrawn, and the competent authority will issue necessary Occupancy Certificate to the owner or the individual as the case may be.

Provided that any application made under this section after the commencement of this Act shall be accompanied by an affidavit duly sworn by the applicant before a competent authority declaring that the subject building or construction has been completed on or before 28/10/2015 and in case of a false affidavit Commissioner shall initiate criminal proceedings as per law in force.

161. Cancellation of permission or approval.-

(1) Where the Commissioner is satisfied that any permission or approval granted under this Chapter has been—

(a) obtained by material misrepresentation, suppression of material facts, or any false, forged or fraudulent statement, document or information furnished by the applicant or any person acting on his behalf; or

(b) acted upon in violation of the conditions subject to which it was granted, he may, for reasons to be recorded in writing and after giving the person concerned a reasonable opportunity of being heard, cancel the permission or approval and shall initiate appropriate legal proceedings.

(2) Upon such cancellation, any building or work carried out under the permission or approval shall be deemed to have been undertaken without lawful permission under this Act, without prejudice to the levy of penalty, demolition or sealing, recovery of charges, or any criminal or other proceedings in accordance with law.

162. Supervision and inspection of buildings and works.-

- (1) Every person intending to erect a building, carry out any alteration or addition, or execute any related development or construction work under this Act shall undertake such work in accordance with the provisions of

this Act, the rules, bye-laws and sanctioned plans, and subject to such conditions, supervision and certification requirements as may be determined by the Government.

- (2) For the purposes of supervision, scrutiny, certification, inspection or such other functions as may be prescribed, the Commissioner may empanel qualified architects, engineers including structural engineers, town planners, supervisors or such other technical professionals in such manner and subject to such qualifications, duties, responsibilities and conditions as may be specified under the building bye-laws or building and layout rules
- (3) The Commissioner may suspend or cancel the empanelment of any such professional, after giving a reasonable opportunity of being heard, where such person—
 - (a) is found guilty of misconduct, negligence, misrepresentation or professional malpractice; or
 - (b) has issued any false or improper certificate, report or declaration; or
 - (c) has aided or facilitated any unauthorized or illegal construction
- (4) The Commissioner or any officer authorized by him may, at any time during the erection of a building or execution of any work, with or without prior notice, inspect the premises and the work being carried out for the purpose of verifying compliance with the provisions of this Act, the rules, bye-laws, sanctioned plans and conditions of approval.

Occupancy certificate

163. Use and occupancy of buildings as per original permissions and purpose.-

- (1) Every person granted permission under this Chapter shall obtain an occupancy certificate from the Commissioner before the building is occupied.
- (2) No person shall -
 - (a) use or permit the use of any building or part thereof for a purpose other than that for which it was constructed or authorised; or
 - (b) carry out or permit any alteration to a building without authorization.

Enforcement

164. Stop-work and demolition of unauthorized construction. -

- (1) Where the Commissioner is satisfied that any building or work has been commenced, is being carried out, or has been completed in contravention of this Act or the bye-laws, he may pass a provisional order—
 - (a) where the work is in progress, directing the person concerned to stop the work forthwith; and
 - (b) requiring him to show cause why the building or part thereof should not be demolished.

- (2) The provisional order shall be served in such manner and shall contain such particulars, including the nature of the contravention, the provisions contravened and the action proposed, as may be prescribed.
- (3) On service of the provisional order, the person concerned shall stop the work forthwith and may submit his reply.
- (4) If the work is not stopped as directed, the Commissioner may take such steps as are necessary to prevent its continuance, including preventing entry to the site, seizing the materials thereat, and instituting proceedings for disobedience of a lawful order, in accordance with law.
- (5) After considering the reply, if any, and giving the person concerned an opportunity of being heard, the Commissioner may, by a reasoned order in writing, confirm, modify or withdraw the provisional order;
Provided that where an order of demolition is confirmed or modified, the person concerned shall himself carry out the demolition within fifteen days of the order.
- (6) Where the person concerned fails to comply with an order of demolition within the period specified in the proviso to sub-section (5), the Commissioner shall cause the building or the relevant part thereof to be demolished.
- (7) The costs of any action taken under this section may be recovered from the person concerned as an arrear of property tax.

165. Powers to seal unauthorized construction and development .-

- (1) The Commissioner may, at any time, either before or after making the provisional order under the preceding section, and where he is satisfied that there is unauthorized construction and a likelihood of continuation, completion, occupation or furtherance of any unauthorized construction, by order direct the sealing of such premises, building, development or property for the purpose of securing compliance with the provisions of this Act.
- (2) No premises, building, development or property shall be sealed under sub-section (1) unless a notice of not less than twenty-four hours has been served on the person concerned:
Provided that where immediate action is required in the interest of public safety, the Commissioner may, for reasons to be recorded in writing, order the sealing without such notice.
- (3) No person shall remove, tamper with or cause to be removed any seal affixed under this section except under a written order of the Commissioner and any contravention thereof shall constitute an offence under Bharatiya Nyaya Sanhita, 2023 (Act No. 45 of 2023) .

166. Power of Commissioner to cause any building to be vacated in certain circumstances.-

- (1) The Commissioner may, by written notice specifying the reasons for requiring such building or portion of it to be vacated, order any building or any portion of it to be vacated within the time specified in such notice,

- (a) if such building or portion of it has been unlawfully occupied;
 - (b) if a notice has been issued in respect of such building or part of it requiring the alteration or re-construction of any existing staircase, lobby, passage, or landing and the works specified in such notice have not yet been commenced or completed; or
 - (c) if the building or part of it is in a ruinous or dangerous condition.
- (2) The affixing of such written notice on any part of such premises will be deemed a sufficient notice to the occupiers of such a building or portion of it.
- (3) On the issue of a notice under sub-section (1) every person in occupation of the building or portion to which the notice relates will vacate such building or portion as directed in the notice and no person will, till the notice is withdrawn, enter the building or portion except for the purpose of carrying out any work which he may lawfully carry out.
- (4) The Commissioner may direct that any person who acts in contravention of sub-section (3) will be removed from such building or part by any police officer or such authority as may be requisitioned under this Act.
- (5) The Commissioner will, on the application of any person who has vacated any premises in pursuance of a notice under sub-section (1), reinstate such person in the premises on the withdrawal of such notice, unless it is, in his opinion impracticable to restore substantially the same terms of occupation by reason of any structural alterations or demolition.

167. Restriction on Grant of Utility Connections without Occupancy Certificate

(1) From the date of commencement of this Act, no service provider shall establish or extend any service connection, including a connection for electricity, water supply or sewerage, to any building or part thereof, unless the owner or occupier produces the occupancy certificate issued by the competent authority in respect of that building:

Provided that where any part of a building has been constructed or used in contravention of this Act, the rules or the bye-laws, no service connection shall be established or extended to any part of that building, notwithstanding that any other part of it conforms to the permission or the sanctioned plan.

(2) Where a service connection is established or extended in contravention of sub-section (1)-

(a) the officer of the service provider responsible for sanctioning or executing such connection may be liable to disciplinary action under the service rules applicable to such officer, which may extend to removal from service; and

(b) the service connection so established or extended in contravention shall be liable to be disconnected forthwith by the service provider upon discovery of such contravention.

(3) Nothing in this section shall prevent the initiation of prosecution under any other law for the time being in force in respect of the same act or omission.

168. Prohibition on Transfer of Property with Unauthorized Construction.-

(1) No person shall transfer, or acquire by purchase, gift, lease, mortgage, exchange or otherwise, any property on which an unauthorized construction has been made.

(2) Any transfer or acquisition made in contravention of sub-section (1) shall be void.

(3) Where it appears to the Commissioner that an unauthorized construction has been made on any property, the Commissioner, or any person authorised by him, shall serve a show-cause notice on the owner specifying the unauthorized construction alleged and stating that it is proposed to take action for the inclusion of the property in the prohibited list under section 22-A of the Registration Act, 1908 (Act No. 16 of 1908), and calling upon the owner to show cause, within fifteen days of the receipt of the notice, why such action should not be taken; and the Commissioner shall, after considering the objections, if any, and after giving the owner a reasonable opportunity of being heard, pass a speaking order either confirming the proposed action or deciding not to proceed with it.

(4) Where the action is confirmed, the Commissioner shall, after the expiry of fifteen days from the speaking order, refer the matter to the District Collector, who shall forthwith forward it to the Government with a recommendation for inclusion of the property in the prohibited list under section 22-A of the Registration Act, 1908 (Act No. 16 Of 1908); whereupon the Government shall, by notification in the Telangana State Gazette, prohibit the registration of any document relating to such property.

(5) Where the unauthorized construction has been rectified, the owner or any person having an interest in the property may apply to the Commissioner, who shall cause the property to be inspected and pass a speaking order within fifteen days of the application; and if satisfied that the construction has been duly rectified, the Commissioner shall refer the matter to the District Collector, who shall forthwith forward it to the Government with a recommendation for exclusion of the property from the prohibited list under section 22-A of the Registration Act, 1908 (Act No. 16 Of 1908), whereupon the Government shall, by notification in the Telangana State Gazette, revoke the earlier prohibition.

(6) This section shall apply to every unauthorized construction commenced, continued, or completed on or after the commencement of this Act, including an unauthorized construction begun before, but not completed by, that date, and any unauthorized addition or further construction made on or after that date whether or not the building concerned existed before that date; and where any part of an unauthorized construction is carried out on or after that commencement, the whole of it shall, for the purposes of this section, be deemed to have been made on or after that commencement

(7) For the purpose of this section, "unauthorized construction" means the construction of additional floors beyond building permission or construction of a building without permission, and does not include any construction on a plot having an area of less than one hundred square yards.

169. Provision to prepare Local Area plan.-

- (1) The Commissioner may, by public notice, declare his intention, subject to objections to be received within a period of 1 month from the date of publication, to regulate construction in any specified street, portion of a street, or locality, by preparing Local Area Plan, including:
 - (a) prescribing architectural features of buildings suitable to the locality;
 - (b) restricting construction to detached or semi-detached buildings, or both, and prescribing minimum appurtenant land area;
 - (c) prescribing minimum plot sizes;
 - (d) restricting the number of buildings or dwelling units per unit area; and
 - (e) regulating or restricting specified uses, including shops, warehouses, factories, huts, or buildings of particular classes, except with special permission granted in accordance with applicable regulations and subject to such conditions.
- (2) The Commissioner will consider all objections received within the said period of 1 month and submit the notice, together with a statement of objections and its recommendations, to the Corporation.
- (3) No objection received after the expiry of the said period of 1 month will be considered.
- (4) In the event of no objections received under sub-section (2), the Corporation will, within a period of 1 month, submit the proposal, together with its recommendation, to the Government.
- (5) The Government may pass such orders on the proposal under sub-section (4) as it may deem fit.
- (6) Such a proposal will not be made applicable to any area not specified in the notice issued under sub-section (1).
- (7) The proposal, as confirmed or modified by the Government, will be published in the Telangana Gazette and will take effect from the date of such publication.
- (8) No person will erect or re-erect any building in contravention of such publication.

170. Sustainability measures.-

- (1) Buildings above such threshold as may be specified in the bye-laws or by the Government shall provide for:
 - (a) rainwater harvesting structures,
 - (b) green building measures,
 - (c) climate-resilient design features,

- (d) Safety Measures with regard to the dust and Noise control at Construction, and
 - (e) such other measures as may be determined.
- (2) In case of certain categories of buildings as specified by the Corporation or the Government, the Commissioner may require for certain studies such as:
 - (a) traffic impact study
 - (b) environmental impact survey
 - (c) storm water management
 - (d) wind study, or
 - (e) seismic analysis.
- (3) The Commissioner may provide incentives for net-zero or green buildings or low carbon emission buildings and such other green initiatives in accordance with bye-laws or rules made by the Government in this behalf.

171. Mandatory observance of accessibility norms for building approval.-

All proposed buildings must be planned, designed, constructed and maintained as per the accessibility standards notified under the Rights of Persons with Disabilities Act, 2016 (Act No. 49 of 2016) or as may be specified in the bye-laws or rules.

172. General building standards for construction and materials used -

- (1) Every building proposed to be erected will comply with such requirements relating to site conditions, layout, access, structural safety, height, bulk, materials, ventilation, sanitation, and other building standards as may be specified in the bye-laws or rules.
- (2) The Commissioner may prescribe special requirements for particular classes of buildings, including those of temporary construction or of a specified use, in such manner as may be specified in the bye-laws or rules.

Dangerous structures

173. Powers in relation to dangerous structures.-

- (1) If at any time the Commissioner is satisfied that any structure, building, or part thereof is:
 - (a) in a ruinous condition or is likely to fall; or
 - (b) is otherwise dangerous to persons occupying, using, or passing by such structure or any neighbouring premises, the Commissioner may, by written notice, require the owner or occupier to take such measures as may be necessary, including pulling down, securing,

removing, or repairing the structure, so as to prevent any danger arising therefrom.

- (2) The Commissioner may, by the same notice, require the owner or occupier, either immediately or prior to undertaking such work, to erect and maintain suitable hoardings, fencing, and other protective measures, including where feasible a temporary platform and handrail, to safeguard passers-by and ensure safe pedestrian movement.
- (3) If the Commissioner, on the basis of such inspection or technical assessment is satisfied that a structure in a ruinous or dangerous condition poses an imminent risk to life or property, he may, without prior notice or before the expiry of any notice period, take or cause to be taken such immediate measures as are necessary, including fencing off, securing, repairing, or removing the dangerous portion of structure, to prevent or mitigate the danger.
- (4) Any costs incurred by the Commissioner under sub-section (3) will be paid by the owner or occupier of the structure.

174. Entry into adjoining premises for carrying out necessary works for dangerous structures.-

- (1) Where the Commissioner is satisfied, on the basis of such inspection or technical assessment, whether on application or otherwise, that the only or most convenient means of carrying out any work in respect of a dangerous structure requires entry into adjoining premises, he may, after giving the owner or occupier of such premises a reasonable opportunity of being heard, and where no objection is raised, or the objection is found to be invalid or insufficient, by reasoned written order, authorise such entry.
- (2) Such order will authorise the person in whose favour it is made, or any person acting on his behalf, after giving reasonable written notice, to enter the adjoining premises, with necessary assistance and workmen, between sunrise and sunset, for carrying out the required work.
- (3) In carrying out such work, as little damage as possible will be caused, and the person for whose benefit the work is undertaken will ensure that the work is completed with the least practicable delay and will pay compensation for any damage caused.

Chapter 14

Sanitation and Solid Waste Management

175. Duty to comply with Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013.-

The Corporation shall comply with the provisions of the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013 (Act No. 25 of 2013).

176. Duties of Corporation .-

The Corporation has a duty to -

- (a) keep all public streets clean and organize regular cleaning and sweeping of streets,
- (b) provide places for disposal of waste or rubbish and ensure such places of disposal provide for segregation,
- (c) provide places for disposal and disinfection of sewage,
- (d) keep all public lands and water bodies clean,
- (e) provide guidelines for keeping private lands, buildings, water-bodies, streets and all premises clean,
- (f) ensure hedges, shrubs and trees are maintained and ensure trimming or cutting of them, when necessary,
- (g) provide places for public bathing if required and ensure they are maintained,
- (h) provide public toilets including toilets for transgender persons and ensure they are maintained to be clean and sanitary,
- (i) implement schemes for rehabilitation of manual scavengers,
- (j) carry out functions and duties as prescribed under the Environment (Protection) Act, 1986 (Act No. 29 of 1986) and rules framed under it, and
- (k) carry out any other functions necessary for ensuring the Corporation Area is clean and sanitary.

177. Powers of Corporation .-

The Corporation has the following powers -

- (a) issue directions to owners and occupiers to keep private buildings, streets and premises clean,
- (b) issue directions for removal of debris and waste from public streets and public places,
- (c) order cleaning of unsanitary water sources including directions to prevent breeding of vectors and filling up such water sources,
- (d) inspect any building, land or premises to ascertain its sanitary condition,
- (e) undertake measures or issue directions to repair and disinfect buildings deemed unfit for human habitation and if restoring such building is not possible, prohibit habitation in such building,

- (f) issue directions to godowns and places of storage to carry out sanitary measures and vermin control,
- (g) contract with the owner or occupier of any building or premises to remove waste and rubbish on such terms and at a rate of fees determined by the Corporation,
- (h) powers prescribed under the Environment (Protection) Act, 1986 (Act No. 29 of 1986) and rules under it, including charging a user fee for solid waste management services and prescribing a penalty for littering,
- (i) call for a statement from the owner or occupier about the building or premises and its occupancy, to determine its fitness or sanitary condition, and
- (j) issue any other direction for the purpose of ensuring the Corporation Area is clean.

178. Duties of Owners and Occupiers .-

- (1) All owners and occupiers of buildings and premises shall -
 - (a) keep them clean and in a sanitary condition,
 - (b) ensure waste is segregated at source into wet waste, dry waste, sanitary waste, and special care waste or such other categories or subcategories as may be determined by the Commissioner
 - (c) provide for common bin for all households in the building
 - (d) ensure all waste or rubbish is disposed at places provided or to such authorized persons as designed by the Corporation or in such a manner as is decided by the corporation including in-situ processing and disposal,
 - (e) comply with directions issued by the Commissioner in relation to cleaning, sanitation and disinfection.
- (2) All persons shall comply with their duties as prescribed under the Environment (Protection) Act, 1986 (Act No. 29 of 1986) and rules under it.

179. Duties of Residential Associations .-

In addition to the duties mentioned in the preceding section, it shall be the duty and responsibility of Resident Welfare Associations and the associations managing gated communities, apartments, other residential, and non-residential building complexes, to -

- (a) serve as the nodal point of contact between residents and the Corporation for all matters relating to cleanliness, sanitation, and solid waste management within the premises,
- (b) conduct periodic awareness programmes among residents on waste segregation, sanitation norms, and directions issued by the Commissioner in this behalf

- (c) ensure that common areas within the premises are maintained in a clean and sanitary condition at all times and report cases of persistent non-compliance by residents to the Commissioner
- (d) Fulfill all duties of bulk generators, as may be applicable to them
- (e) comply with directions issued by the Commissioner in relation to cleaning, sanitation and disinfection

180. Duties in relation to Construction and Demolition Waste .-

- (1) The Government or the Corporation may, by order or notification, require the owner or occupier of buildings of such classes as may be specified, to submit a construction and demolition waste disposal plan prior to the commencement of construction or demolition activity, as the case may be, containing such particulars and provisions for the safe segregation, storage, transportation, and disposal of construction and demolition waste as may be prescribed.
- (2) Every owner or occupier undertaking construction or demolition activity shall ensure that —
 - (a) construction and demolition waste generated at the site is not mixed with municipal solid waste or any other category of waste at any stage of generation, storage, or transportation; and
 - (b) such waste is handed over only to such agencies authorized by the Commissioner, or deposited only at such sites or facilities as may be notified by the Commissioner in this behalf, from time to time
- (3) The Government or the Corporation may prescribe such conditions, procedures, and enforcement and verification mechanisms as it deems necessary for the effective implementation of this section .

181. Prohibition of Unauthorized Transport or Dumping of Construction and Demolition Waste.-

- (1) No person or entity shall transport construction and demolition waste within CURE without due authorization or in violation of prescribed routes, timings or conditions which may be made by the Commissioner of a Corporation within CURE or such other authority as the government may determine in this regard.
- (2) No person or entity shall dump, deposit or discard construction and demolition waste at any place other than a facility or site designated or authorized by the Commissioner or such other authority.
- (3) Any person or entity who violates sub-section (1) shall be liable to a penalty of rupees one lakh.
- (4) Any person or entity who violates sub-section (2) shall be liable to a penalty of rupees two lakh:

Provided that where the unauthorized dumping occurs in or near a storm water drain (nala), lake, water body, or on a public footpath, the penalty shall be doubled.

- (5) The vehicle which is involved in the contraventions mentioned in sub-section (3) or (4) shall be seized until the penalty is paid.
- (6) If the contraventions mentioned in sub-section (3) or (4) are repeated the seized vehicle shall be confiscated permanently and disposed of in a manner as determined by the Commissioner or such other authority.
- (7) The provisions of this section shall not be in derogation of any other fine, penalty or action that may be prescribed under any other law or rules for the time being in force.

182. Waste Processing and Disposal facility.-

- (1) Notwithstanding anything contained in this Act or in any other law in force, the Government may, by order, authorize any Corporation or local body, or any two or more Corporations or local bodies jointly, or any combination thereof, to establish, operate, or maintain Waste Processing and Disposal facilities at such locations, within or outside the limits of the respective Corporation or local body which may be outside CURE, as may be specified, and for this purpose may cause to be created such special purpose vehicles or other special instruments, including companies, trusts, or other legal entities, as the Government may deem fit:
Provided that such facilities may receive, process or dispose of waste generated from any area, whether within or outside the Corporation or local body or CURE, as may be specified by the Government
- (2) Any such authorization may be issued either prospectively or retrospectively, as the Government may deem it necessary.

Chapter 15

Public Health

General Duty

183. Duty of Corporations with respect to public health.-

- (1) The Corporation shall initiate, support and manage public health planning for its Corporation Area, and assist in implementing State and Central public health schemes, programmes and policies in the Corporation Area.
- (2) The Commissioner shall appoint one or more Health Officers to perform functions in relation to public health in the Corporation Area.
- (3) The Health Officer shall carry out functions as directed by the Corporation and duties as provided under this Chapter.

Public Health Emergency

184. Duty of Corporation in case of public health emergencies.-

- (1) In the event of a public health emergency, the Commissioner shall undertake the following measures -
 - (a) carry out inspections of any public or private place or conveyance, if he has reason to believe that such place poses the risk of spread of disease;
 - (b) upon confirmation of risk under sub-clause (a)-
 - (i) issue directions to the owner or occupants of such a place to undertake appropriate measures including sanitation, disinfection or closure of such place within the period specified; or
 - (ii) issue directions to the person in charge of any public or private conveyance to undertake disinfection of such conveyance, where it is used or is likely to be used for carrying any person or article capable of spreading disease;
 - (c) undertake measures to sanitise and disinfect places and articles;
 - (d) carry out awareness campaigns regarding preventive measures, testing, vaccination and medical treatment; and
 - (e) provide testing kits and carry out vaccination drives.
- (2) In the event that a person does not comply with directions issued under sub-section (1) sub-clause (b), the Corporation may undertake measures to sanitise, disinfect or close such a place and recover the costs from such person.
- (3) Any person who wilfully obstructs any authorised officer of the Corporation from discharging functions under this section shall be liable for appropriate action under the relevant provisions of the Bharatiya Nyaya Sanhita, 2023(Act No. 45 of 2023) and any other law for the time being in

force.

185. Power of Commissioner to issue general directions for regulation of places of public resort or entertainment.-

- (1) The Commissioner may, by general order, issue directions applicable to all buildings, premises, or places of a specified class or description used for public resort, assembly, or entertainment, within the local area of the Corporation or any portion thereof, for their regulation in the interest of public health.
- (2) Such directions may include requirements relating to sanitation, disinfection, ventilation, limitation of occupancy, hours of operation, or such other measures as the Commissioner may consider necessary in the circumstances.
- (3) A general order under sub-section (1) shall take effect from the date of its issuance or such later date as may be specified therein, and shall be binding on all owners, occupants, and persons having control or management over any building, premises, or place falling within the class or description specified in the order, without the requirement of individual notice to each such person.
- (4) The Commissioner may, by a subsequent order, modify, suspend, or revoke any order issued under this section.
- (5) Any person who fails to comply with or contravenes any direction issued under this section shall be liable for appropriate action under the relevant provisions of the Bharatiya Nyaya Sanhita, 2023 (Act No. 45 of 2023) or any other law for the time being in force.

186. Duty of Medical Practitioners and Establishments .-

- (1) Every medical practitioner who examines or treats a person suffering from, or suspected to be suffering from, a notifiable disease or a disease under a public health emergency shall forthwith report such case to the Corporation in such form and manner as the Commissioner may prescribe.
- (2) Every person in charge of a clinical establishment shall maintain records of all such cases, submit periodic reports to the Corporation, and immediately report any unusual surge or outbreak without waiting for the expiry of any periodic interval.
- (3) Every medical practitioner shall inform the patient, or where the patient is a minor or is incapacitated, the person responsible for his care, of the nature of the disease, its mode of transmission, and the precautions and isolation measures necessary to prevent further spread.
- (4) Every medical practitioner and person in charge of a clinical establishment shall cooperate with any authorised officer of the Corporation, provide access to all relevant records, and render such other assistance as the Commissioner may, by general order, require from time to time in the interest of public health. Any information so obtained shall be used only for public health purposes and shall not be disclosed in a manner

- identifying any individual patient, except as required by law.
- (5) Any person who fails to comply with any duty under this section shall be liable for penalty under this Act in addition to any appropriate action under any other law for the time being in force, and such non-compliance shall be reported to the concerned regulatory or licensing authority.
 - (6) Nothing in this section shall derogate from any obligation imposed under any other law for the time being in force

187. Duty of Health Officers .-

- (1) In the event of a public health emergency, the Health Officer shall take all such measures as may be necessary for the protection of public health within his jurisdiction, including the facilitating the provision of diagnostic facilities, dissemination of information relating to treatment protocols and preventive measures, organization of preventive medical intervention drives, and such other steps as the Commissioner may, by general order, direct from time to time.
- (2) The Health Officer will have the power to issue directions, with intimation to the Commissioner, that are necessary to mitigate the spread of the disease.
- (3) Any person who fails to comply with or contravenes any direction issued under this section shall be liable for appropriate action under the relevant provisions of the Bharatiya Nyaya Sanhita, 2023 (Act No. 45 of 2023) or any other law for the time being in force.

Sanitation and Health

188. Power to inspect buildings and premises .-

- (1) The Commissioner, or any officer authorized in this behalf, has the power to inspect any building or premises for the purpose of ascertaining its sanitary condition.
- (2) No inspection will be carried out under sub-section (1) without issuing a notice to the owner or occupier of such building or premises.
- (3) The requirement of notice under sub-section (1) is not mandatory if there is reason to believe that such building or premises pose a substantial risk to public health and such reasons will be recorded in writing.

189. Power to sanitise and issue directions to sanitise building or premises .-

- (1) The Commissioner may issue directions to the owner or occupier of any building or premises to -

- (a) Undertake measures to clean, sanitise and disinfect any building or premises or part of it if the same is necessary for sanitary reasons;
 - (b) prohibit the use of any building, premises or part of such building or premises if in his opinion it poses a substantial risk to the health of the people living in or occupying it; or
 - (c) direct the filling up any well, pool, pond, ditch, pit, cistern or reservoir of water that can pose a risk to public health.
- (2) If the directions issued under sub-section (1) are not followed within the time frame provided, the Commissioner may undertake such measures necessary to sanitise or disinfect the building or premises and recover costs from the owner or occupier.
- (3) The Commissioner may exempt the owner or occupier from paying costs under sub-section (2) if he is of the opinion that they did not have the economic capacity to sanitise or disinfect the building or premises properly.
- (4) If in the opinion of the Commissioner there is an urgent need to sanitise or disinfect any building or premises on account of a public health emergency then the Commissioner may undertake necessary measures to do so directly or through an authorised person.

190. Place of Disinfection .-

The Commissioner may -

- (a) provide a proper place with necessary attendants and apparatus for disinfection of conveyance or any article that has been exposed to infection;
- (b) cause conveyances or articles which have been exposed to infection to be disinfected at the appropriate place free of charge or subject to such charges as approved by the Standing Committee; and
- (c) if an article cannot be effectively disinfected the Commissioner may direct that such article be destroyed and the Commissioner may in his discretion pay compensation for the same.

191. Prohibition of use of water likely to spread infection .-

If the Health Officer certifies that the water in any well, tank or other place within the Corporation Area is likely, if used for drinking, to cause the spread of any disease or risk the health of a person, the Commissioner may by public notice, prohibit the removal or use of such water for drinking and domestic purposes.

192. Duty of Corporation to eradicate vectors and prevent breeding .-

- (1) The Corporation will take adequate measures to -
 - (a) to control and destroy vector growth;

- (b) to formulate and implement schemes to prevent vector breeding; and
 - (c) to clear places where vectors are breeding or are likely to breed.
- (2) Natural presence of vector larvae in any standing or flowing water will be the evidence that vectors are breeding in such water.

193. Duty of owner or occupier in relation to vector control .-

- (1) Every owner or occupier of a building or premises will take measures to prevent the breeding of vectors, and if directed by the Commissioner carry out measures mentioned in such directions in relation to vector control.
- (2) No person will cause or permit any collection of still water or flowing water in which vectors breed or are likely to breed unless such collection has been treated to effectively prevent such breeding.

194. Sealing of premises operating without a license .-

- (1) The Commissioner, or a person authorised by him, has the power to inspect a food business to determine if such business is being operated with a license as required under section 31 of Food Safety and Standards Act, 2006 (Act No. 34 of 2006).
- (2) If upon inspection, a food business is found to operate without a license, the Commissioner or any person authorised by him, may seal the premises wherein such business is operating.
- (3) The order for sealing must -
 - (a) be served on the owner or occupier of the premises,
 - (b) affixed in a conspicuous place on such premises, and
 - (c) conveyed to the food business operator.
- (4) Such order will prohibit the use of the sealed premises, or the relevant part of the premises, from carrying on such food business, until the requisite license is obtained or the food business operator submits an undertaking that such food business will be discontinued.
- (5) The Commissioner must send a copy of such order to the Commissioner of Food Safety for the State appointed under the Food Safety and Standards Act, 2006 (Act No. 34 of 2006).
- (6) Nothing in this section affects the application of the Food Safety and Standards Act, 2006 (Act No. 34 of 2006) or any rules or regulations under it.

Places of Cremation and Burial

195. Registration for Places of Cremation or Burial .-

- (1) No person will operate any place or cremation, burial or otherwise used for disposal of the dead without registering with the Commissioner.
- (2) The application for registration under sub-section (1) will contain the following details -
 - (a) name of the owner, community or person maintaining it,
 - (b) the plan of such place, bearing the signature of a licensed surveyor affirming it has been prepared under his supervision,
 - (c) the location, boundaries and extent of such place,
 - (d) the manner in which such place will be managed and maintained, and
 - (e) any other particulars as required by the Commissioner.
- (3) The manner of maintaining a place of cremation, burial or otherwise disposal of dead persons will be determined by the Corporation and must be adhered to.
- (4) If the Commissioner is satisfied with the application, he will register such place in the appropriate register. If he is not satisfied, he will reject the application or postpone registration until his objections are addressed.
- (5) Where the Commissioner, upon inspection or on information furnished by any authorized person, is of the opinion that any registered place is injurious or likely to become injurious to health, or is otherwise no longer suitable for such use, he may, after recording reasons in writing, direct the closure of such place, and where he is subsequently satisfied that such place is no longer injurious to health and may be reopened without risk, he may direct the reopening thereof, and every such direction shall be recorded in the register maintained under this section;

Provided that no direction for closure shall be issued under this sub-section unless the owner or person in charge of such place has been given a reasonable opportunity of being heard and of showing cause against the proposed closure, and the Commissioner has considered any objections or representations made by such person before passing the direction;

Provided further that any person who continues to operate such place in contravention of such direction shall be liable for appropriate action under the relevant provisions of the Bharatiya Nyaya Sanhita, 2023 (Act No. 45 of 2023) without prejudice to any penalty which may be imposed under this Act.

196. Provision of Places for Cremation or Burial .-

If the Commissioner is of the opinion that the existing places for cremation or burial of dead persons are insufficient, the Commissioner may, with sanction of the Corporation, provide for other fit and convenient places for such purpose.

197. Inspection of Places for Cremation or Burial .-

The Commissioner, or any person authorized by him, has the power to inspect any place of cremation or burial or otherwise used for disposal of dead persons to ensure they are compliant with the requirements under this Act.

198. Burials within places of worship and exhumation not to be made without permission of Commissioner .-

- (1) No person shall, without the written permission of the Commissioner -
 - (a) make any vault or grave or interment within any wall, or underneath any passage, porch, portico, plinth or verandah of any place of worship,
 - (b) make any interment or otherwise dispose any corpse in any place which is closed for the disposal of the dead;
 - (c) build, dig, or cause to be built or dug any grave, or vault, or in any way dispose or permit to be disposed of any corpse at any place which is not registered.
 - (d) exhume any body, except under the provisions of the Bharatiya Nagarik Suraksha Sanhita, 2023 (Act No. 46 of 2023) or any law in force, from any place for the disposal of the dead.
- (2) The Commissioner may in special cases grant permission for any of the purposes aforesaid subject to such general or special orders as the Government may, from time to time, make in this behalf.
- (3) An offence against this section shall be deemed to be a cognizable offence within the meaning of sections 168,169 and 170 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

199. Prohibited Acts .-

No person will -

- (a) retain a corpse on any premises, without cremating, burying or otherwise lawfully disposing of the same, for so long a time after death as to create a nuisance;
- (b) carry a corpse or part of a corpse along any street without keeping the same decently covered or without taking such precautions to prevent risk of infection or injury to the public health as the Commissioner may, by public notice, from time to time, think fit to require;

- (c) except when no other route is available, carry a corpse or part of a corpse along any street which is prohibited for carrying corpses by a public notice issued by the Commissioner;
- (d) remove a corpse or part of a corpse, which has been kept or used for purposes of dissection, otherwise than in a closed receptacle or vehicle;
- (e) while conveying a corpse or part of a corpse place or leave the same on or near any street, without urgent necessity;
- (f) bury or cause to be buried any corpse or part of a corpse in a grave or vault or otherwise in such manner that the surface of the coffin or, when no coffin is used, of the corpse or part of the corpse shall be at a less depth than six feet from the surface of the ground;
- (g) build or dig, or cause to be built or dug, any grave or vault in any burial ground in any line not marked out for this purpose by or under the order of the Commissioner;
- (h) build or dig, or cause to be built or dug, any grave or vault in any burial ground at a less distance than two feet from the margin of any other grave or vault;
- (i) without the written permission of the Commissioner, reopen for the interment of a corpse or of any part of a corpse, a grave or vault already occupied;
- (j) after bringing or causing to be brought to a crematorium any corpse or part of a corpse fail to cremate or cause the same to be cremated within six hours from the time of the arrival at such ground;
- (k) when cremating or causing to be cremated any corpse or part of a corpse, permit the same or any portion of it to remain without being completely reduced to ashes or permit any cloth or other article used for the conveyance or cremating of such corpse or part of a corpse to be removed or to remain on or near the place of cremation without its being completely reduced to ashes.

Chapter 16

Parks and Urban Biodiversity

200. Duties of Corporation, Green Budget and Green Action Plan.-

(1) Every Corporation shall, within its jurisdiction, endeavour to protect, enhance, and restore urban biodiversity and green spaces as an integral component of sustainable urban development.

(2) Without prejudice to the generality of sub-section (1), every Corporation shall

—
(a) prepare and maintain an inventory of all parks, urban green spaces, trees, water bodies, and biodiversity assets within its jurisdiction, and update the same periodically;

(b) ensure that such minimum area in each locality within its jurisdiction as is feasible and as the Corporation may, having regard to the density of population, availability of land, and existing green cover, determine, is maintained as green cover including parks, urban forests, green buffers, and natural water bodies, and shall endeavour to progressively increase such green cover over time;

(c) integrate urban biodiversity and green space planning into all master plans, development plans, and infrastructure projects undertaken within its jurisdiction;

(d) protect existing trees, urban forests, and natural habitats within its jurisdiction from encroachment, unauthorised felling, and degradation, and undertake programmes for the restoration of degraded green spaces and water bodies;

(e) promote the use of native plant species in all Corporation-maintained parks, green spaces, and street plantations, so as to support local biodiversity, reduce water consumption, and enhance ecological resilience;

(f) ensure equitable distribution of parks and green spaces across all wards, with priority to areas that are deficient in green cover, densely populated, or inhabited by vulnerable communities; and

(g) publish an urban biodiversity and green space report, with such frequency as may be determined by the Corporation, covering the state of green cover, biodiversity assets, new plantations, losses, and restoration activities within its jurisdiction.

(3) Every Corporation shall, in the discharge of its duties under this section, have regard to the principles of ecological sustainability, climate resilience, intergenerational equity, and the right of every resident to access clean, safe, and inclusive green spaces within reasonable distance of their place of residence.

(4) The Corporation shall allocate 10% of the Annual Budget as the "Green Budget" to meet the requirements of plantations and nursery and shall prepare and implement a Green Action Plan for plantation, nursery development and other greening measures in such manner as may be prescribed.

(6) The Commissioner shall designate officers for implementation and monitoring of the Green Action Plan, and shall ensure a minimum plant survival rate of eighty-five per cent, failing which necessary action may be taken against the responsible persons.

201. Accessibility, Inclusivity, and Spatial Standards for Parks and Urban Green Spaces .-

- (1) Every Corporation shall ensure all parks and urban green spaces are universally, accessible, inclusive and usable by all persons.
- (2) 'Accessible and inclusive' for the purposes of this Chapter means and includes compliance with "standards for accessibility" notified under Section 40 of the Rights of Persons with Disabilities Act, 2016 (Act No. 49 of 2016), as amended from time to time; and any additional standards prescribed by the Corporation.

202. Minimum Standards for Design, Maintenance, and Regulation of Parks .-

- (1) Every Corporation shall, by bye-law, prescribe minimum design and development standards for parks within its jurisdiction, both public and private, including —
 - (a) lighting;
 - (b) sanitation facilities;
 - (c) accessible pathways;
 - (d) seating;
 - (e) safety measures;
 - (f) signage; and
 - (g) such other design and development standards as may be prescribed
- (2) Every Corporation shall, by general or special order, regulate the use, management, and maintenance of parks within its jurisdiction, both public and private, including —
 - (a) regular upkeep and maintenance arrangements;
 - (b) opening and closing hours;
 - (c) permitted and prohibited activities within parks;
 - (d) conditions for use of parks; and
 - (e) such other regulatory conditions as may be prescribed.

203. Community Participation.-

Every Corporation shall endeavour to facilitate community participation in urban governance and service delivery through-

- (a) engagement and collaboration with resident welfare associations, women self-help groups, community-based organizations, civil society organizations, and other stakeholder groups; and
- (b) participatory mechanisms for planning, implementation, monitoring, and evaluation of schemes and projects concerning public parks and urban green spaces within the CURE.

Chapter 17
Management and control of Animals

204. Management and control of animals .-

The management and control of animals shall be governed by the provisions specified in Schedule V to this Act.

Chapter 18

Nuisance

205. General duty not to create nuisance.-

(1) No person shall, by any act, omission, or neglect, create, cause, or contribute to any nuisance within the jurisdiction of the Corporation, whether on public or private land, and every person shall take such reasonable care and precautions in the conduct of their activities, use of their property, and discharge of their responsibilities as may be necessary to prevent the creation of a nuisance or the likelihood thereof.

(2) Without prejudice to the generality of sub-section (1), no person shall —

(a) deposit, throw, or cause to be deposited or thrown any waste, refuse, or offensive matter in any public place, street, drain, water body, or open space;

(b) carry on any trade, occupation, or activity in a manner that causes or is likely to cause noise, smell, smoke, dust, vibration, or any other form of nuisance to any person in the neighbourhood;

(c) allow any premises, land, or structure under their ownership or occupation to fall into such a state of disrepair, filth, or disorder as to constitute a nuisance; or

(d) do or omit to do any act that causes or is likely to cause obstruction, inconvenience, or danger to any person using any public street, footpath, or public place.

(3) Every person shall, in the use and enjoyment of their property and in the conduct of their activities, have regard to the rights and reasonable expectations of others in the neighbourhood, and shall take all such steps as may be reasonably practicable to mitigate any nuisance arising from their property or activities.

206. Procedure for filing a complaint.-

Any person may file a complaint regarding the existence of a nuisance to the Corporation, in such form and manner as may be determined by the Commissioner.

207. Procedure on filing of complaint.-

(1) Upon receipt of a complaint, the Commissioner shall, in such manner as may be determined by the Government, cause an inquiry to be made into the existence of the alleged nuisance.

(2) Where, upon such inquiry, the Commissioner is satisfied that a nuisance exists or is likely to occur, the Commissioner shall issue a notice to the person responsible for such nuisance-

(a) specifying the nature of the nuisance;

(b) requiring such person to show cause, within such time as may be specified in the notice, as to why penalty should not be imposed; and

- (c) indicating the measures required to abate, remove, or prevent such nuisance.
- (3) The person to whom notice is issued shall be given a reasonable opportunity of being heard, either in person or through a representative, within the time specified.
- (4) After considering the response, if any, and upon being satisfied that a nuisance exists, the Commissioner may, by order in writing, issue such directions as may be necessary to-
 - (a) abate, remove, or remedy the nuisance; or
 - (b) prevent the occurrence or recurrence of such nuisance.
- (5) Every direction issued under sub-section (4) shall-
 - (a) be reasoned and in writing; and
 - (b) specify the time within which compliance is required.

208. Preventive action by the Commissioner .-

- (1) Where the Commissioner, based on recorded reasons, is satisfied that-
 - (a) the nuisance poses an imminent risk to human life, public health, safety, or the environment; or
 - (b) the time required to follow the ordinary procedure would defeat the purpose of preventing or stopping the continuation of the nuisance.

the Commissioner may take such immediate action as is necessary to prevent, mitigate, or remove such nuisance.
- (2) Any action taken under this section shall-
 - (a) be limited to what is necessary to address the identified risk;
 - (b) be proportionate to the nature and severity of the threat; and
 - (c) cease once the imminent risk has been adequately addressed.
- (3) The Commissioner shall, in exercising powers under this section-
 - (a) record reasons in writing, including the nature of the risk and the grounds for invoking this section;
 - (b) where prior notice is not practicable, serve a post-facto notice within such time as may be determined by the Government, informing the affected person of the action taken and the reasons for them, and
 - (c) provide the affected person an opportunity to make representations within such time as may be determined by the Government.

209. Delegation of powers .-

The Commissioner may, with the prior approval of the Government, delegate all or any of the powers conferred under this Chapter to the Commissioner of Police or any police officer of such rank as may be specified, to the extent necessary for the effective enforcement of the provisions of this Chapter, and any action taken by such police officer in exercise of the delegated powers shall be deemed to be an action taken by the Commissioner under this Chapter.

Chapter 19

Vital Statistics

210. Registration of births and deaths and their reporting.

(1) All Births and deaths registration in the municipality, subject to the provisions of the Registration of Births and Deaths Act, 1969 (Act No. 18 of 1969), is compulsory and it shall be the responsibility of the Authority to ensure cent percent registration in the manner prescribed. The information will be captured, documented and be reported to the Government in the manner prescribed.

(2) The Municipal Commissioner or any other officer authorized shall be the Chief Registrar of Births and Deaths occurring in the Municipal area.

(3) The Municipal Commissioner shall appoint such number of persons to be Registrars of Births and Deaths as he deems necessary and shall define the respective areas which shall be under the charge of such Registrars.

(4) Details of all births and deaths shall be available in public domain and required certificate can be obtained in the manner prescribed.

211. Registration of name of child or of alteration of name.

When the birth of any child has been registered without a name, and when a name is given to it, or, the name, if any, by which it was registered, is to be altered, the parent or the guardian of such child or other person giving the name or proposing to alter the name may, within the time frame and in the manner as prescribed enter the name mentioned as having been given to the child or altered.

212. Correction of errors in registers of births or deaths.

(1) Any clerical error, which may, at any time, be discovered in a register of births or register of deaths, may be corrected by any person authorized in this behalf by the Municipal Commissioner.

(2) An error of fact or substance in any such register if occurred due to typing or clerical mistake, may be corrected by any person authorized as aforesaid by entry in the margin, without any alteration of the original entry, upon request by the concerned without insisting on any declaration by the Municipal Commissioner or the person requiring such error to be corrected.

(3) Correction or change of details, if any, from original application shall require a declaration (setting forth the nature of the error and the fact of the case) on oath made before a Magistrate, by the person required by this Act to give information concerning the birth or death with reference to which the error has been made or, in default of such person, by a person having knowledge of the case.

(4) Except as provided in sub-section (2), no alteration shall be made in any such register.

213. Information of births

It shall be the duty of the father or the mother of every child born in the municipal area and, in default of the father or the mother, of any relative, of the child living in the same premises and, in default of such relative, of the person having charge of the child, to give, to the best of his or her knowledge and belief, to the Registrar of the area concerned within eight days after such birth, information containing such particulars as may be prescribed in this behalf.

214. Information regarding deaths

It shall be the duty of the nearest relative present at the time of the death or in attendance during the last illness of any person dying in the municipal area and, in default of such relative, of any person present or in attendance at the time of the death and of the occupier of the premises in which, to his knowledge, the death took place and, in default of the person as aforesaid, of each inmate of such premises and of the caretaker or other person causing the corpse of the deceased person to be disposed of, to give, to the best of his knowledge and belief, to the Registrar of the area within which the death took place information containing such particulars as may be prescribed within twenty-four hours of such death:

Provided that,—

- (a) if the cause of death is known to be a dangerous disease, the information as aforesaid shall be given within twelve hours of its occurrence, and
- (b) if the death of any person occurs in a hospital or a nursing home or a maternity home, it shall be the duty of none but the medical officer or other officer-in-charge thereof to forward forthwith a report of such death in such form as the Chief Registrar may, from time to time, specify.

215. Duties of police in regard to unclaimed corpses.

It shall be the duty of the police to convey every unclaimed corpse to a registered burial or burning ground or other place for disposal of the dead or to a duly appointed mortuary and, thereafter, to inform the Registrar within whose jurisdiction such corpse was found.

Chapter 20

Delegated Legislation

216. Power of Government to make rules.-

- (1) The Government may, by notification without prejudice to the generality of the foregoing power, make rules for carrying out any or all of the purposes of this Act.
- (2) Every rule made under the Act shall immediately after it is made, be laid before each House of the Legislature of the State if it is in session, and if it is not in session, in the session immediately following for a total period of fourteen days which may be comprised in one session or in two successive sessions and if before the expiration of the session in which it is so laid or the session immediately following, the Legislature agrees in making any modification in the rule or in the annulment of the rule, the rule shall, from the date on which the modification or annulment is notified, have effect only in such modified form or shall stand annulled, as the case may be, so however that any such modification or annulment shall be without prejudice to the validity or anything previously done under the rule.

217. Power of the Corporation to Make Bye-laws.-

- (1) The Corporation may make bye-laws, not inconsistent with this Act, or with any other law for the time being in force, to provide for all matters, expressly required or allowed by this Act, to be provided for by bye-law.
- (2) The Corporation shall, before making or altering bye-laws, publish a draft of the proposed bye-laws and alterations, together with a notice specifying a date at or after which such draft will be taken into consideration, and shall, before making the bye-laws or alterations, receive and consider any objection or suggestion, which may be made in respect of such draft by any person interested therein, before the date so specified.

Chapter 21

Penalties

218. Penalties for Contravention of Duties and Directions.

(1) Where any person fails to perform any duty or responsibility imposed upon him by or under this Act, or fails to comply with any direction issued to him by any Corporation, authority, or department under this Act, such person shall, unless a specific penalty is provided for such contravention under any other provision of this Act or any other law, be liable to a penalty —

- (a) in the case of a natural person, of rupees ten thousand; and
- (b) in the case of a juristic person including a company, firm, trust, society, or body corporate, of rupees fifty thousand.

(2) Where a person commits a subsequent contravention of the same or any other duty, responsibility, or direction under this Act after having been subject to a penalty under sub-section (1), the penalty shall be —

- (a) in the case of a natural person of rupees twenty thousand; and
- (b) in the case of a juristic person, not less than rupees one lakh.

(3) Where a contravention is of a continuing nature and persists after service of a notice requiring compliance, a further penalty shall be levied for every day the contravention continues after the date of service of such notice —

- (a) in the case of a natural person, of rupees two thousand per day; and
 - (b) in the case of a juristic person, of rupees ten thousand per day,
- in addition to the penalty imposed under sub-section (1) or sub-section (2) as the case may be.

219. Relationship with other Penalties.

(1) Where any provision of this Act specifically provides for a penalty or punishment in respect of any particular contravention, such specific penalty or punishment shall apply to that contravention to the exclusion of the civil penalty under this Chapter, irrespective of whether such specific penalty is higher or lower than the civil penalty that would otherwise be applicable.

(2) The imposition of a penalty under this Chapter shall not bar or prevent any criminal prosecution that may be initiated against such person under this Act or any other law for the time being in force, and both proceedings may be pursued simultaneously and independently.

220. Due Process for Imposition of Civil Penalty.

(1) No penalty shall be imposed under this Chapter unless —

- (a) a show cause notice specifying the nature of the contravention, the evidence relied upon, and the penalty proposed has been served upon the person, allowing not less than seven days to submit a written reply;

(b) the Commissioner has passed a reasoned order in writing after considering the reply and submissions, recording findings on each ground raised and specifying the basis for the quantum of penalty determined with reference to the principles under the preceding section.

(2) The order imposing a civil penalty shall specify the period within which such penalty shall be paid, which shall not be less than thirty days from the date of the order.

(3) Where any other provision of this Act expressly prescribes a specific procedure for the imposition of a penalty in respect of any particular contravention, such specific procedure shall apply to that contravention to the exclusion of the procedure prescribed under this section, and the procedure under this section shall not be applicable to such contravention.

221. Recovery of Civil Penalties.

All civil penalties imposed under this Chapter shall be recoverable as arrears of tax under this Act, and where any penalty remains unpaid after the period specified in the order imposing it, simple interest at the rate of twelve percent per annum shall accrue on the outstanding amount from the date of the order until the date of payment.

222. Compounding of Civil Penalties

(1) The Commissioner may, on an application made by the person liable to pay a civil penalty under this Chapter, compound the contravention upon —

(a) payment of fifty percent of the minimum penalty applicable to such contravention; and

(b) furnishing an undertaking in the prescribed form to cease the contravention forthwith and not to repeat the same, and upon such compounding, no further civil penalty proceedings shall be initiated in respect of the same contravention.

(2) Compounding shall not be available —

(a) to a person who has previously compounded the same contravention; or

(b) in respect of any contravention that has resulted in death, grievous hurt, or serious damage to public property.

223. Appeal

Any person aggrieved by an order imposing a civil penalty under this Chapter may prefer an appeal to the CURE Appellate Authority within thirty days of receipt of such order:

Provided that no appeal shall be entertained unless the appellant has deposited fifty percent of the penalty imposed with the Corporation prior to filing such appeal, and upon such deposit the recovery of the remaining fifty percent shall stand stayed pending disposal of the appeal;

Provided further that upon disposal of the appeal, the amount deposited shall be adjusted against the penalty as finally determined, and any excess deposited shall be refunded to the appellant without interest within thirty days of the order of the CURE Appellate Authority.

Chapter 22
Notice, Inspection and Recovery of Expenses

224. Notice, Inspection and Recoveries.-

The manner of service of notices, conduct of inspections, and recoveries shall be as specified in Schedule VI.

Chapter 23

Compensation

225. Compensation.-

The manner of determination, quantum, and payment of compensation under this Act shall be as specified in Schedule VII.

Chapter 24

Appeals to Courts

226. Election Petitions .-

- (1) No election under this Act shall be called in question except by an election petition presented for adjudication to the City Civil Court having jurisdiction, within thirty days from the date of the publication of the result of election under clause 65 of Schedule I.
- (2) Chapters II and III of Part VI of the Representation of the People Act, 1951 (Act No. 43 of 1951) will apply *mutatis mutandis* for trials of election petitions under this Act and all references to the High Court will be deemed to be references to the City Civil Court.

227. Proceedings before Magistrate .-

- (1) All offences under this Act will be tried by the Metropolitan Magistrate.
- (2) The Bharatiya Nagarik Suraksha Sanhita, 2023 (Act No. 46 of 2023) will apply to proceedings under this section.

228. Proceedings before City Civil Court .-

- (1) All appeals from orders of the Commissioner can be filed before the City Civil Court having jurisdiction, within thirty days from the date of such order.
- (2) The Code of Civil Procedure, 1908 (Act No. 5 of 1908) will apply to proceedings under this section.

229. Appeals .-

- (1) All appeals from the orders of the City Civil Court will lie before the High Court and such appeals must be filed within thirty days from the date of order.
- (2) All appeals from the orders of the Metropolitan Magistrate will lie before the Sessions Court.

PART III
INTEGRATED GOVERNANCE ARCHITECTURE FOR CURE

Chapter 25
Jurisdiction of Authorities

230. Jurisdiction of Authorities:-

(1) All bodies and authorities constituted under this Part shall exercise their powers and discharge their functions throughout the Core Urban Region

(2) Without prejudice to any law for the time being in force, the Government may, by general or special order, authorize any body or authority under this Part to exercise its powers outside Core Urban Region.

Chapter 26
Coordination

231. Constitution and Composition of the CURE Apex Governance Council.-

There shall be constituted, for the governance of the Core Urban Region, a council to be called the CURE Apex Governance Council, which shall consist of the following members, namely:—

- (a) the Chief Minister, who shall be the Chairperson;
- (b) the Minister in charge of Municipal Administration and Urban Development;
- (c) the Principal Secretary, Municipal Administration and Urban Development who shall be the Convenor;
- (d) any other Minister whose portfolio has a bearing on the subject matter before the Council, as may be invited by the Chairperson, as Special Member; and
- (e) such other persons as the Chairperson may invite as Special Invitees.

232. Powers and Functions of the Apex CURE Governance Council.-
The CURE Apex Governance Council shall-

- (a) set the overall agenda, vision, policy direction and strategic priorities for the CURE;
- (b) approve frameworks, plans, and programmes for coordinated urban governance within the CURE;
- (c) ensure convergence of policies, schemes, and investments across sectors and departments;
- (d) perform such other functions as may be necessary to achieve integrated and effective governance of the CURE.

233. Constitution and Composition of the CURE Executive Committee.-

- (1) There shall be a CURE Executive Committee to assist the CURE Apex Governance Council in the discharge of its functions, which shall consist of the following members, namely:—

- (a) the Principal Secretary, Municipal Administration and Urban Development Department, who shall be the Chairperson ;
 - (b) the Metropolitan-Commissioner, Hyderabad Metropolitan Development Authority (HMDA), who shall be the Convenor;
 - (c) the Commissioners of all Corporations within the CURE;
 - (d) the Commissioners of Police having jurisdiction within the CURE;
 - (e) the District Collectors having jurisdiction within the CURE;
 - (f) the Chairman and Managing Director, Telangana State Southern Power Distribution Company Limited (TGSPDCL);
 - (g) the Managing Director, Hyderabad Metropolitan Water Supply and Sewerage Board (HMWSSB);
 - (h) the Managing Director, Hyderabad Metro Rail Limited (HMRL);
 - (i) the Managing Director, Telangana State Road Transport Corporation (TGSRTC);
 - (j) the Commissioner, Hyderabad Disaster Response and Asset Protection Agency (HYDRAA); and
 - (k) such other persons may be invited by the Chairperson as Special Invitees.
- (2) The CURE Executive Committee shall meet at least once every three months.

234. Powers and Functions of the CURE Executive Committee

The CURE Executive Committee shall-

- (a) implement and give effect to the decisions and directions of the CURE Apex Governance Council;
- (b) identify issues requiring policy consideration or inter-departmental resolution and place them before the CURE Apex Governance Council;
- (c) ensure coordination and convergence among departments, authorities and corporations within the CURE;
- (d) monitor the implementation of projects, schemes, and directives issued under this Act; and
- (e) perform such other functions as may be assigned by the CURE Apex Governance Council or the Government.

Chapter 27

Water Supply and Sewerage

235. Application and Authority -

- (1) Notwithstanding anything to the contrary in the Hyderabad Metropolitan Water Supply and Sewerage Act, 1989 (Telangana Act No. 15 of 1989), this chapter will apply in relation to water supply and sewerage services in the CURE.
- (2) The Hyderabad Metropolitan Water Supply and Sewerage Board (HMWSSB) is the authority responsible for water supply and sewerage services in the CURE.

236. Sewerage charges .-

- (1) Water supply and sewerage services within CURE shall be independent of each other.
- (2) The sewerage charges shall be fixed without any relation to the water supply service or any charge imposed in relation to water supply.
- (3) Every occupier of domestic or non-domestic premises within CURE shall pay to the HMWSSB a sewerage charge at such rate as the Government may, by order, notify from time to time.
- (4) The sewerage charge levied under sub-section (3) shall be treated as a charge towards the integrated sewerage infrastructure of CURE and shall be payable upon occupation of any premises within CURE. Such charge shall be assessed with reference to the overall sewerage system and not by reference to the sewerage facilities available or operational in any particular locality at any point in time.

237. Revision of Charges.-

The charges fixed for water supply and sewerage services shall be increased by five percent at the commencement of each financial year:
Provided that nothing in this section shall prevent a comprehensive review of charges for water supply or sewerage services at any time.

238. Capital Development Charge .-

- (1) A capital development charge for the purpose of development and augmentation of water supply and sewerage infrastructure, as notified by Government, shall be collected at the time of granting building or layout permissions in the CURE by the department, authority or corporation competent to grant such permission and shall be kept in an escrow account to be remitted to HMWSSB.

- (2) The sums credited under sub-section (1) shall be kept separately in an account and used only for capital works for the development and augmentation of water supply and sewerage infrastructure.

Explanation — For the purposes of this section, "escrow account" means a separate account maintained by a designated authority into which the infrastructure development charges collected under sub-section (1) are deposited and held pending remittance to the HMWSSB.

239. Recovery .-

Where any amount due to the Board under this Act remains unpaid, the Managing Director of the Board may, by written requisition to the Commissioner, require the Commissioner to effect recovery of such amount, and the Commissioner shall, upon receipt of such requisition, recover the same as if it were an arrear of property tax under this Act and remit the amount so recovered to the Board.

240. Exemption from water supply charges .-

The Government may, by order for reasons to be recorded in writing, exempt any premises or category of premises from, or reduce, the water supply charges payable to the HMWSSB, and such power shall vest exclusively in the Government.

Chapter 28

Hyderabad Disaster Response And Asset Protection Agency (HYDRAA)

241. Establishment and Functions.-

(1) The Government shall, by order, establish an agency to be called the Hyderabad Disaster Response and Asset Protection Agency, (hereinafter referred to as “HYDRAA”) for the purposes of disaster response and protection of public assets within CURE, headed by a Commissioner and consisting of such other officers and staff, having such powers and functions as the Government may, from time to time, determine.

(2) HYDRAA shall have power to take such action as may be necessary for the protection of the following from encroachment, unauthorised construction, pollution, unauthorised dumping of waste, fouling by any means, or any other interference affecting their integrity —

- (a) drains, lakes, and water bodies;
- (b) open spaces within authorised layouts;
- (c) public parks; and
- (d) any road or open space vested in the Corporation;

including removal of any such encroachment or unauthorised construction, clearance of dumped waste.

(3) The power to act under sub-section (2) shall include the power to register a criminal case in respect of offences specified in Schedule VIII of this Act at a dedicated police station which may be established by the Government for this purpose.

(4) On the direction of the Government, by general or special order, HYDRAA shall assist any authority, department, or body in the removal of encroachments, protection, or restoration of any public asset under their control, or render such other assistance as may be necessary in public interest, and the costs incurred by HYDRAA in rendering such assistance shall be borne by the requesting authority unless the Government otherwise directs:

Provided that while rendering such assistance, HYDRAA shall have and may exercise all powers conferred under sub-section (2).

242. Specific Powers and Designations.-

(1) HYDRAA shall be —

(a) The authorised authority for undertaking inspection for fire safety under Section 262 of this Act;

(b) The authorised authority for enforcement of provisions relating to unauthorised transport and dumping of construction and demolition waste under Section 181 of this Act;

(2) Commissioner, HYDRAA shall be -

(a) The Chairperson of the Lake Protection Committee constituted under section 255 of this Act;

(b) The Convenor of the CURE Disaster Management Authority constituted under section 256 of this Act.

(3) The Government may, by order, assign to HYDRAA such other powers and functions under this Act or any other Act, rules, or regulations for the time being in force, as it may deem necessary from time to time.

Chapter 29

Environmental Sustainability, Climate Action and Net Zero

Environment

243. Functions in relation to the Environment .-

- (1) All departments, authorities and corporations in the CURE will, subject to the provisions of the Air (Prevention and Control) of Pollution Act, 1981 (Act No. 14 of 1981), the Water (Prevention and Control) of Pollution Act, 1974 (Act No. 6 of 1974), and any other applicable law in force, perform such functions as may be necessary for environmental protection, sustainability, and climate resilience within the Corporation area.
- (2) The Corporation will perform the following functions-
 - (a) implement policies, schemes, and measures of the Government relating to environmental protection and climate action;
 - (b) implement action plans, directions, and advisories issued by the Government, the Telangana State Pollution Control Board, and other competent authorities in relation to environmental protection;
 - (c) coordinate with the Telangana State Pollution Control Board and other competent authorities to monitor and report on matters relating to air, water, and land pollution;
 - (d) work in coordination with the Lake Protection Committee or any authority constituted by the Government for the protection, restoration, and management of lakes and water bodies;
 - (e) undertake measures for the protection, rejuvenation, and sustainable management of water bodies, urban forests, and biodiversity within the Corporation area;
 - (f) undertake construction and maintenance of parks, open spaces, gardens, and playgrounds and promote urban greening;
 - (g) undertake planting of trees in wards, open spaces and on the sides of roads;
 - (h) reclaim, restore, and improve wastelands and degraded areas to enable environmentally sustainable use.
 - (i) establish, maintain, and regulate nurseries;
 - (j) organise, promote, and support public campaigns and community participation initiatives for environmental awareness;
 - (k) provide logistical, administrative, and technical support for plantation drives and afforestation programmes within the Corporation area;
 - (l) promote the use of renewable sources of energy and energy efficiency, including through incentives, facilitation measures, and integration into municipal infrastructure and services;
 - (m) perform such other functions as may be delegated under the Telangana Water, Land and Trees Act, 2002 (Telangana Act No. 10 of 2002) or any applicable law.

- (n) promote the adoption of electric vehicles within the CURE, including through facilitation measures, incentives, and support for enabling infrastructure, in such manner as may be prescribed or as directed by the Government; and
 - (o) facilitate and support the development of electric vehicle charging infrastructure, including through integration into public infrastructure, municipal assets, and urban planning frameworks.
- (3) The Corporation will, in the discharge of its functions under this section, act in coordination with State-level and district-level authorities and shall not exercise any powers that conflict with those vested in statutory authorities under applicable environmental laws.
 - (4) The Corporation shall integrate environmental and climate considerations, including electric mobility infrastructure, into urban planning, land use regulation, and building permissions.

244. Climate Action Cell .-

- (1) The Government shall, by notification, establish a Climate Action Cell for the purpose of planning, coordinating, and implementing climate change mitigation and adaptation measures within the CURE.
- (2) The composition, qualifications of members, manner of appointment, and terms and conditions of service of the Cell shall be determined by the Government, including manner of engagement with external experts, research institutions, and civil society organizations.

245. Powers and Functions of the Climate Action Cell .-

- (1) The Climate Action Cell shall-
 - (a) prepare, periodically update, and facilitate the implementation of a Climate Action Plan, including sectoral strategies for mitigation and adaptation;
 - (b) carry out a climate risk assessment survey of the CURE before preparation of a Climate Action Plan.
 - (c) identify climate risks and vulnerabilities within the CURE including risks related to heat, flooding, air quality, water stress, and infrastructure resilience;
 - (d) identify and maintain a list of vulnerable communities who are most likely to be affected by adverse climatic events.
 - (e) develop and promote measures for reduction of greenhouse gas emissions, including in sectors such as transport, including transition to electric mobility, solid waste management, energy use,

- and buildings;
 - (f) design and support climate adaptation and resilience initiatives, including nature-based solutions, urban greening, and protection of water bodies;
 - (g) facilitate data collection, monitoring, reporting, and disclosure of climate-related indicators and actions;
 - (h) mobilise finance, including through government schemes, climate funds, and partnerships, for implementation of climate-related projects;
 - (i) undertake capacity-building, public awareness, and stakeholder engagement on climate action; and
 - (j) perform such other functions as may be assigned by the Corporations or the Government in furtherance of climate action objectives.
- (2) The Climate Action Cell will coordinate with departments, authorities and corporations to mainstream climate considerations into urban planning, service delivery, and infrastructure development.

246. Net Zero and Climate Action Framework for the CURE .-

- (1) The Government shall endeavour to achieve net zero within CURE, encompassing the elimination or offset of greenhouse gas emissions, transition to a circular economy, elimination of waste to landfill, maximisation of resource recovery and reuse, decarbonisation of energy, transport, and industry, restoration of natural ecosystems including urban forests, lakes, and wetlands, and attainment of water neutrality, within such time frame as may be notified, consistent with national commitments and evolving scientific consensus, with the goal of positioning CURE as a globally recognised model of sustainable urban development.
- (2) The Government may for CURE, by notification, prescribe-
- (a) sector-wise or region-wide greenhouse gas emission reduction targets covering energy, transport, construction, waste, water, and industry, including interim targets and a carbon budgeting and accounting framework incorporating embodied carbon in construction and infrastructure;
 - (b) circular economy targets including waste diversion rates, recycled content mandates, near-complete resource recovery through biomethanation, composting, and waste-to-energy, extended producer responsibility frameworks, and prohibition or phase-out of specified classes of plastics and single use materials;
 - (c) clean mobility targets including timelines for transition of public and private transport to electric or hydrogen-based propulsion, minimum electric vehicle charging infrastructure, and targets for

- expansion of public transit networks;
 - (d) water circularity targets including wastewater treatment and reuse, sludge-to-energy, protection and restoration of lakes and water bodies, and reduction of per capita water consumption;
 - (e) green cover and ecosystem restoration targets including urban forest cover, protection and redevelopment of lakes, wetlands, and nalas, and biodiversity conservation within CURE; and
 - (f) climate resilience measures including urban heat island mitigation, flood and drought resilience, and green and blue infrastructure standards for new developments within CURE.
- (3) The Government may, by notification, establish a Green Energy and Carbon Transition Fund for CURE, through which resources accruing from carbon credits, green bonds, transition levies, and multilateral climate finance shall be channelled into clean energy, industrial decarbonization, ecosystem restoration, and citizen incentives, and the Government or the Corporation may access green bonds, climate finance, and multilateral funding mechanisms for this purpose.
 - (4) Every Corporation, authority, and department within CURE shall align its plans, programmes, budgets, and expenditures with the net zero and circular economy framework as may be notified under this section
 - (5) The Government may, by notification, provide for incentives for Corporations, businesses, industries, and residents within CURE that demonstrate measurable progress towards net zero and circular economy targets, including green ratings, fiscal incentives, preferential access to green financing, expedited regulatory approvals for sustainable projects, and public recognition under such schemes as the Government may establish.

247. Climate Proofing of Infrastructure.-

- (1) Every department, authority and corporation shall, in such manner as may be determined by the Government, take measures for climate proofing of municipal infrastructure, public buildings, public spaces, roads, drains, water supply systems, sewerage systems, storm water management systems, solid waste management facilities, transport facilities, water bodies, open spaces and such other urban infrastructure as may be specified.

Explanation: For the purposes of this section, “climate proofing” shall mean the adoption of such planning, design, construction, maintenance, retrofitting, renewal and management measures as may be necessary to reduce the vulnerability of urban infrastructure to climate-related risks including but not limited to heat waves, urban heat island effect, flooding, waterlogging, extreme rainfall, drought, water scarcity, air pollution and such other risks as may be prescribed.

- (2) Every department, authority and corporation shall, while undertaking or approving any new infrastructure project, have due regard to climate resilience, environmental sustainability, disaster risk reduction, energy efficiency, water conservation, preservation of natural drainage, enhancement of green cover and such other considerations as may be determined by the Government.
- (3) Every department, authority and corporation may, in such a manner as may be determined by the Government, require, undertake, facilitate or incentivise climate proofing measures.
- (4) Every department, authority and corporation shall endeavour to identify and progressively retrofit existing municipal infrastructure, public buildings, public spaces and urban infrastructure vulnerable to climate-related risks, with priority to critical infrastructure, flood-prone areas, heat-vulnerable areas, low-lying areas, areas having inadequate drainage, areas having low green cover, informal settlements and such other areas as may be prescribed.
- (5) Every department, authority and corporation shall give priority in the implementation of this section to vulnerable persons, vulnerable communities and vulnerable areas including but not limited to informal settlements, low-income neighbourhoods, flood-prone localities, heat-stressed localities, areas with high impervious surface cover, areas with inadequate access to open spaces and areas deficient in tree cover or basic urban services.
- (6) The Government may make rules, regulations, guidelines or standards for carrying out the purposes of this section.

248. Mandatory use of recycled construction and demolition waste in government works.—

- (1) The Government may, by order, direct that, in the execution of any Government work or any class or category of Government works, not less than such extent or percentage of the construction materials used, as may be specified in the order, shall consist of materials or products derived from the recycling of construction and demolition waste.
- (2) For the purpose of this section “government work” means any work of construction, reconstruction, repair, maintenance or development executed within Core Urban Region by or on behalf of the Government, a Corporation, or any local authority, board, company or other body owned or controlled by the Government, or financed wholly or in part out of public funds.
- (3) An order under sub-section (1) may include, inter alia, —
 - (a) different extents or percentages for different materials, different classes of works, different areas or different stages of execution;
 - (b) provisions for the phased implementation of the requirement;

(c) requirements that such recycled materials conform to the specified specifications and standards

(d) the manner in which compliance is to be ensured, recorded and reported.

(4) Where the use of recycled materials to the extent specified is not technically feasible, or such materials are not available in adequate quantity or of the requisite quality for a particular work, the authority executing the work may, for reasons to be recorded in writing, relax the requirement to such extent as may be necessary.

249. Mandatory treatment and reuse of grey water.—

(1) The Government may, by order, require such persons or classes of persons within the Core Urban Region, as may be specified in the order, to mandatorily use the grey water generated in or from their premises or supplied to them from any approved grey water treatment or recycling system, to such extent, proportion or quantity, and for such purposes, as may be specified.

(2) For the purpose of this section, "grey water" means wastewater generated from activities such as bathing, washing of clothes or utensils, kitchen use and other similar domestic or non-industrial uses, but does not include sewage or wastewater discharged from water closets and toilets.

(3) An order under sub-section (1) may, inter alia, —

(a) specify the persons or classes of persons to whom it applies, whether by reference to the category, use, plot area, built-up area or number of dwelling units of any building or establishment, the quantum of water consumed, or otherwise;

(b) specify the non-potable purposes for which grey water shall be used, such as flushing, gardening, horticulture, landscaping, cooling, cleaning or construction ;

(c) require the installation, operation and maintenance of grey water treatment, storage and dual-plumbing or recycling systems;

(d) require that the treatment and reuse conform to the standards laid down by competent authority;

(e) provide for phased implementation and for its application to new buildings, existing buildings, or both; and

(f) specify the manner in which compliance is to be ensured, recorded, reported and inspected.

250. Provision of Electric Vehicle Charging Infrastructure .-

(1) The Government may, by notification, require the provision of electric vehicle charging infrastructure in such classes of buildings, public places, or categories of infrastructure, whether public or private, as may be determined by the Government.

(2) Without prejudice to the generality of sub-section (1), such requirements may include-

- (a) minimum charging infrastructure in new constructions;
 - (b) retrofitting requirements for existing buildings;
 - (c) integration of charging infrastructure in parking facilities, transport hubs, and public utilities.
- (3) The Corporation shall ensure implementation and compliance with such requirements in accordance with applicable building regulations, development control norms, and guidelines issued by the Government.
- (4) The Government may, by notification, provide for such incentives as it deems fit to promote the adoption of electric vehicles and the provision of electric vehicle charging infrastructure within CURE as may be considered necessary to accelerate the transition to electric mobility.

251. Shade Facilities in Public Places.-

- (1) Every department, authority and corporation shall endeavour to provide shade facilities in public places, including but not limited to roads, streets, footpaths, markets, public squares, parks, playgrounds, transport nodes, bus stands, halting places, work sites, vending zones, traffic junctions and such other places to which the public have a right of access.
- (2) For the purposes of this section, shade facilities shall include such cooling facilities and drinking water facilities as may be prescribed, including but not limited to shade, seating, free drinking water, water storage, cool roofs, fans, ventilation, first-aid facilities, heat-health information, lighting, accessibility measures, waste bins and such other amenities as may be necessary, particularly during heat alert periods, summer months and such other periods as may be notified by the Government.
- (3) Every department, authority and corporation may, subject to such terms and conditions as may be determined by the Government, enter into an agreement with any person, agency, non-governmental organisation, civil society organisation, resident welfare association, market association, corporate body or other institution for the establishment, improvement, operation or maintenance of any shade facility.

Provided that no privately owned place shall be notified or used for the purposes of this section except with the previous consent in writing of the owner or person holding lawful possession thereof.

- (4) The Corporation may issue directions for the proper conduct, use, maintenance and management of any facility provided or designated under this section.

252. Prohibition and Regulation for Maintenance of Clean Air .-

- (1) Notwithstanding anything contained in this Act or any other law for the time being in force, the Government may, by notification, prohibit or regulate any activity, operation, process, or class thereof within CURE, or any part thereof, that causes or is likely to cause air pollution, in the interest of maintaining clean and healthy air quality for the public, and such notification may be —
 - (a) general, taking effect from the date of publication and applying continuously without reference to any condition or threshold; or
 - (b) conditional, specifying that the prohibition or regulation shall become operative only upon the worsening of air quality below such thresholds as may be specified in the notification, and shall cease to operate upon the air quality returning to within the prescribed threshold.
- (2) Any person who contravenes any prohibition or regulation notified under sub-section (1) shall be liable to a penalty of rupees fifty thousand for the first contravention, and rupees three lakhs for every subsequent contravention.
- (3) The Commissioner or such other authority as the government may determine, may, in addition to recovery of the penalty under sub-section (2) direct any or all of the following—
 - (a) sealing of the premises from which such activity is carried on;
 - (b) seizure of any equipment or machinery causing or likely to cause air pollution,and such sealing, suspension, or seizure shall remain in force until the prohibited activity has ceased and the penalty has been paid in full.
- (4) No order under sub-section (3) shall be passed unless —
 - (a) a show cause notice has been served on the person responsible allowing twenty-four hours to submit a reply; and
 - (b) the Commissioner or such other authority has considered the reply, if any, and passed a speaking order establishing contravention of sub-section (1) and directing cessation of the prohibited activity and payment of the penalty within forty-eight hours of such order, non-compliance with which shall entitle the Commissioner to proceed under sub-section (3):
Provided that where no reply is submitted within forty-eight hours of the show cause notice, the Commissioner or such other authority may, after recording satisfaction of contravention in writing, proceed to pass the speaking order forthwith.
- (5) Nothing in this section shall be construed to derogate from any fine, penalty, or action that may be imposed or taken under any other law for the time being in force.

253. Prohibition or Regulation of Single Use Plastics and Other Specified Plastic Items .-

- (1) Notwithstanding anything contained in this Act or any other law for the time being in force, the Government may, by notification, prohibit or

regulate the manufacture, stocking, distribution, sale, or use of single use plastic items, or any specified class or classes of plastic items, within the CURE, or any part of it, in the interest of public health, sanitation, or environmental protection.

- (2) Any contravention of the provisions of sub-section (1) shall be punishable as follows, namely:—
 - (a) where such contravention is committed by an individual, for personal use of the prohibited items, such individual shall be liable to a penalty which may extend to rupees one thousand;
 - (b) where such contravention is committed by a manufacturer, distributor, commercial establishment, or vendor, such person or entity shall for the first offence, be liable to a penalty of rupees fifty thousand and for the second and every subsequent offence, be liable to a penalty of rupees three lakh.
- (3) The Commissioner or such other authority as the government may determine may, in addition to recovery of the penalty under sub-section (2)
 - (b) direct any or all of the following—
 - (a) sealing of the premises from which such activity is carried on;
 - (b) seizure of any equipment or machinery causing or likely to cause air pollution,and such sealing, suspension, or seizure shall remain in force until the prohibited activity has ceased and the penalty has been paid in full.
- (4) No order under sub-section (3) shall be passed unless —
 - (a) a show cause notice has been served on the person responsible allowing twenty-four hours to submit a reply; and
 - (b) the Commissioner or such other authority, has considered the reply, if any, and passed a speaking order establishing contravention of sub-section (1) and directing cessation of the prohibited activity and payment of the penalty within forty-eight hours of such order, non-compliance with which shall entitle the Commissioner or such other authority to proceed under sub-section (3):
Provided that where no reply is submitted within forty-eight hours of the show cause notice, the Commissioner or such other authority may, after recording satisfaction of contravention in writing, proceed to pass the speaking order forthwith.
- (5) Where the manufacturer, distributor, commercial establishment, or vendor responsible for the sale, supply, or distribution of any prohibited item within the Corporation is situated —
 - (a) within CURE but outside the territorial limits of the Corporation, the Commissioner or such other authority shall refer the matter to the Commissioner of the Corporation within whose jurisdiction such person is situated, who shall take enforcement action accordingly; or

- (b) outside the territorial limits of CURE, the Commissioner or such other authority shall cause enforcement action to be carried out through the District Collector having jurisdiction over the premises of such person
- (6) Nothing in this section shall be construed to derogate from any fine, penalty, or action that may be imposed or taken under any other law for the time being in force.

254. Prohibition of disposal into water bodies .-

No person shall dispose, discharge, or cause or permit the disposal or discharge of sewage, trade effluent, or any other polluting substance into any stream, water channel, river, nala, lake, well, tank, or other water body within CURE.

255. Lake Protection Committee.-

- (1) The Government may, by notification, constitute a Lake Protection Committee.
- (2) The composition, powers, functions, and manner of operation of the Committee shall be such as may be determined by the Government.
- (3) The Committee shall undertake such measures as may be necessary for the protection, conservation, restoration, and disaster-risk mitigation of lakes and associated water bodies within the CURE.

Chapter 30

Disaster Management

256. CURE Disaster Management Authority.-

- (1) Without prejudice to the Disaster Management Act, 2005 (Act No. 53 of 2005), the Government may, by notification, constitute an authority to be known as the CURE Disaster Management Authority for the purposes of disaster prevention, preparedness, mitigation, response, and recovery within CURE.
- (2) The composition of the Authority shall be such as may be determined by the Government.
- (3) The Authority shall be the apex body for overall supervision, coordination, and implementation of disaster management within the CURE.
- (4) The Authority shall coordinate with the National Disaster Management Authority, State Disaster Management Authority, and District Disaster Management Authority.
- (5) Without prejudice to the provisions of the Disaster Management Act, 2005 (Act No. 53 of 2005), the Authority may-
 - (a) issue such directions to any department, authority or corporation as may be necessary for disaster prevention, mitigation, preparedness, response, recovery, and rehabilitation;
 - (b) ensure alignment of all disaster management measures within the CURE with national and state policies and plans;
 - (c) undertake measures to promote public awareness and community preparedness for disasters;
 - (d) conduct awareness campaigns, training programmes, and mock drills in schools and other public spaces.
 - (e) perform such other functions as may be necessary to carry out the purposes of this Chapter.
- (6) The Authority may exercise such powers and perform such functions as may be assigned to it by the Government.

257. CURE Disaster Management Plan.-

- (1) The CURE Disaster Management Authority shall prepare and periodically update a Disaster Management Plan for the entire CURE.
- (2) Such Plan shall-
 - (a) provide a framework for risk assessment, mitigation, preparedness,

- response, and recovery within the CURE;
- (b) define institutional roles, command structures, and coordination mechanisms for all local authorities;
- (c) include resource mapping, inter-department and inter-authority protocols, and emergency response systems in the CURE.

258. Functions of the authorities within CURE in relation to disasters .-

Every Corporation, authority or department within CURE shall-

- (a) provide support to the Central Government, State Government, and relevant departments and authorities in disaster prevention, mitigation, and management, including planning, data collection, and information sharing;
- (b) assist in the implementation of disaster risk reduction strategies and resilience-building initiatives;
- (c) integrate disaster risk considerations into urban planning, infrastructure development, and service delivery.
- (d) prepare and implement annual fire safety plans in coordination with relevant authorities and
- (e) conduct safety audits of public buildings, infrastructure, and high-risk areas.

Chapter 31

Traffic Management

259. CURE Traffic Management and Road Safety Authority.-

- (1) The Government may, by notification, establish an authority to be known as the CURE Traffic Management and Road Safety Authority for the purposes of integrated traffic planning, regulation, and management within the CURE.
- (2) The composition, powers, functions and staff of the Authority, including the manner of appointment, shall be such as may be determined by the Government.
- (3) The Authority shall exercise such powers and perform such functions as may be assigned to it by or under this Act, including-
 - (a) regulation of traffic flow, including measures for congestion mitigation, safety, and enforcement support;
 - (b) preparation and implementation of integrated traffic management plans;
 - (c) coordination among all departments and authorities responsible for roads, transport, policing, and public utilities;
 - (d) integration of street design with mobility planning, including pedestrian, non-motorized, and public transport infrastructure;
 - (e) maintenance and operation of traffic management systems, including intelligent transport systems, where applicable; and
 - (f) such other functions as may be prescribed for the purpose of traffic management within CURE.

260. CURE Utility Coordination Committee.-

- (1) The Government shall constitute a CURE Utility Coordination Committee to support coordinated planning and execution of street and utility-related works within the CURE.
- (2) The composition, powers and functions of the Committee shall be such as may be determined by the Government.
- (3) Without prejudice to the generality of the foregoing, the Committee shall-
 - (a) prescribe and periodically update norms and standards for road cutting and restoration;
 - (b) ensuring timely processing of road cutting permissions;
 - (c) facilitate mandatory sharing of information relating to underground and overground utilities among all relevant departments, authorities and corporations;
 - (d) ensure coordination and sequencing of works relating to roads and utilities to minimise disruption;
 - (e) support integrated planning of streets, including alignment with traffic management plans; and

- (f) perform such other functions as may be necessary for effective inter-agency coordination or as may be determined by the Government.
- (4) All agencies undertaking works relating to streets or utilities within the CURE shall comply with the norms and coordination mechanisms established by the Committee.

Chapter 32

Fire Safety and Management

261. Empanelment of Experts for Fire Safety Audits –

- (1) Without prejudice to the Telangana Fire Services Act, 1999 (Telangana Act No. 15 of 1999), the Government may empanel third party agencies, possessing such qualifications and on such terms and conditions as may be determined, to carry out fire safety inspections of specified classes of buildings within CURE.
- (2) The Government may require the owner or occupier of such buildings to obtain and submit a fire audit compliance certificate issued by an empaneled agency referred to in sub-section (1).
- (3) The procedure for submission of the compliance certificate under sub-section (2), the frequency of such submission, the fees payable, and all matters incidental or ancillary thereto, shall be as determined by the Government.

262. Powers of inspections and enforcement.-

- (1) Without prejudice to any law for the time being in force, such authority as the Government may by order authorize shall be empowered to undertake risk-based inspections of buildings for the purpose of verifying compliance certificates submitted under this Act or for investigating cases of non-submission thereof.
- (2) Where, upon such inspection, it is found that —
 - (a) a compliance certificate has been furnished by an empanelled agency without due diligence; or
 - (b) the owner or occupier has failed to submit the compliance certificate as required,the authorized authority shall refer such cases to the Fire Department for such further steps as it may deem fit, and may recommend cancellation of the empanelment of the agency to the Government wherever applicable.
- (3) Where the authorized authority upon inspection is satisfied that there exists an immediate risk to life or property, it may direct the owner or occupier to undertake such remedial measures as it considers necessary forthwith;

Provided that where the authorized authority is of the opinion, for reasons to be recorded in writing, that the risk to life or property is of such nature as to warrant immediate cessation of use, it may, in addition to or in lieu of any other direction under this sub-section, direct the sealing of the building or such part thereof, forthwith, and such sealing shall continue until the owner or occupier has rectified the deficiencies to the satisfaction of the Fire Department.

- (4) Where the owner or occupier fails to comply with a direction issued under sub-section (3) within the time specified, the authorized authority may impose such penalty and initiate such further action against the owner or occupier as may be provided under this Act or any other law for the time being in force.

Chapter 33

Food Safety and Nutrition

263. Food Safety and Nutrition Committee.-

- (1) Without prejudice to the Food Safety And Standards Act, 2006 (Act No. 34 of 2006), there shall be a Food Safety and Nutrition Committee for CURE chaired by the Principal Secretary, Municipal Administration and Urban Development, with the Commissioner of Food Safety for the State, as appointed under section 30 of Food Safety And Standards Act, 2006 (Act No. 34 of 2006), as the Convenor, Commissioners of Corporations within CURE and such others members as the government may by order determine.
- (2) The Food and Nutrition Committee will carry out the following functions -
 - (a) review and monitor the implementation of food safety and nutrition standards within the CURE, and coordinate between the Corporation and the Commissioner of Food Safety to ensure effective enforcement thereof;
 - (b) identify gaps in food safety infrastructure, laboratory facilities, and enforcement capacity within Corporation areas and recommend measures to address the same to the State Government;
 - (c) formulate and oversee programmes for the promotion of nutrition, food hygiene, and public awareness relating to safe food practices among residents of Corporation areas;
 - (d) review cases of food-borne illness, disease outbreaks, or contamination events within Corporation areas, and recommend corrective measures and preventive protocols to the concerned authorities; and
 - (e) advise the State Government and the Corporations on matters relating to food safety and nutrition policy, and perform such other functions as the State Government may, by order, assign to it from time to time

Chapter 34

Heritage Conservation

264. Constitution of the CURE Heritage Committee .-

- (1) The Government shall, by notification, constitute a committee to be known as the CURE Heritage Committee for the purposes of preservation, conservation, and regulation of heritage structures, precincts, and areas within CURE.
- (2) The composition, qualifications of members, manner of appointment, and terms and conditions of service of the members of the Committee shall be such as the Government may, by notification, determine.
- (3) All departments, authorities, and Corporations within CURE shall, in the discharge of their functions under this Act, give due consideration to the recommendations of the CURE Heritage Committee on matters relating to heritage protection, and where any such recommendation is not accepted, the reasons for non-acceptance shall be recorded in writing.

265. Functions and Powers of the Committee .-

- (1) The Committee shall be responsible for ensuring coordinated action among relevant departments, authorities, and Corporations in matters relating to heritage conservation under this Act.
- (2) Without prejudice to the generality of sub-section (1), the Committee shall:
 - (a) review and consolidate lists of heritage assets within CURE;
 - (b) provide guidance on development and redevelopment within heritage precincts;
 - (c) undertake or mandate heritage impact assessments for proposed developments affecting heritage assets;
 - (d) engage with local communities, experts, and civil society organizations to promote participatory conservation and management of heritage assets; and
 - (e) perform such other functions as may be necessary for the preservation, conservation, and regulation of heritage assets within CURE;
- (3) Every department, authority, and Corporation shall furnish such information, records, documents, maps, or other particulars as the Committee may require for the discharge of its functions, within such time and in such manner as the Committee may specify, and the Committee may call for such information suo-motu or upon a reference made to it.

266. Regulation of Development in Heritage precincts.-

- (1) No conservation, demolition, site development, civil works, additions, alterations, repairs, renovations, including painting, replacement of architectural or heritage features, plastering, or the demolition of any part of a listed heritage asset shall be undertaken except with the prior written permission of the CURE Heritage Committee.
- (2) The Corporation of the concerned jurisdiction shall ensure that any such work as is mentioned in sub-section (1) is carried out in accordance with the permission given.

267. Incentives and Financial Mechanisms .-

- (1) The CURE Heritage Committee may facilitate partnerships for the conservation and long-term maintenance of heritage sites by approving proposals, projects, arrangements, or partnerships undertaken by the concerned department, authority or corporation, subject to such conditions as may be necessary to ensure that the sites are preserved and maintained in an appropriate state of conservation.
- (2) In furtherance of this, the Committee may, inter alia:
 - (a) formulate and promote proposals for new initiatives, including Corporate Social Responsibility (CSR) projects, “Adopt a Heritage” programmes;
 - (b) facilitate and promote public-private partnerships to leverage private funding, technical expertise, and management capacities for heritage conservation;
 - (c) enable and guide adaptive reuse of heritage sites, where appropriate, to ensure their sustainable maintenance and upkeep;
 - (d) undertake capacity-building measures, including the creation and maintenance of a pool of qualified heritage and conservation experts; and
 - (e) perform such other functions as may be approved or assigned by the Government.

Provided that nothing in this section shall confer any rights or long term.
- (3) The Government may establish a dedicated Heritage and Culture Fund for the promotion, conservation, operation, and sustainable management of heritage assets.
- (4) The Government may, on a case-by-case basis, provide incentives, including rebates or subsidies on taxes, fees, or charges, for activities relating to conservation or adaptive reuse of heritage assets.

268. Limitations on powers of the Committee.-

Nothing in this Chapter shall be construed to confer upon the CURE Heritage Committee, or any person acting under its authority, any power to sell, transfer, assign, lease, license, mortgage, hypothecate, or otherwise alienate or encumber any heritage asset or any right, title, or interest therein, whether in whole or in part, or to enter into any arrangement that has the effect of conferring any proprietary or long-term right in any heritage asset upon any third party.

Chapter 35

Digital Governance

269. Digital Governance Framework for CURE.-

(1) The Government shall endeavour to establish a unified digital governance framework for CURE with the objective of minimising human interface across all services, enhancing transparency, reducing discretion, and improving efficiency in the delivery of civic services to residents and businesses within CURE.

(2) Notwithstanding anything contained in this Act or any other law for the time being in force, every Corporation, authority, and department within CURE shall share data, records, and information with such other Corporations, authorities, and departments within CURE as may be specified by the Government, through interoperable systems and protocols, and shall undertake such process re-engineering, systems integration, and organisational restructuring as may be necessary to eliminate duplication, reduce redundancy, and achieve a whole-of-government approach to service delivery within CURE, so that all Corporations, authorities, and departments function as a single integrated governance system from the perspective of the resident or business availing any service within CURE.

(3) The Government shall, by notification, establish a single integrated portal to serve as the sole window for the delivery of all services, permissions, licences, approvals, and other functions of the Corporations, authorities, and departments of the Government within CURE and may levy such user fee for access to or use of such portal as may be specified.

(4) The integration of services, permissions, licences, and approvals of all Corporations, authorities, and departments into such portal may be carried out in a phased manner as the Government may, by order, determine from time to time, provided that the Government shall endeavour to achieve full integration.

(5) All digital systems, platforms, and databases established under this section shall be operated in strict compliance with laws relating to data privacy and protection for the time being in force.

270. Common Billing and Payment System for CURE. –

Notwithstanding anything contained in this Act or any other law for the time being in force, the Government may, by notification, provide for a common billing and payment system within CURE integrating bills and dues relating to water charges, sewerage charges, property tax, sanitation charges, and such other charges and dues as may be determined, into a single consolidated bill or payment interface, and such notification may provide for —

- (a) merger, integration, and interoperability of databases, records, and systems belonging to different Corporations, authorities, and departments, including property databases, consumer databases, ownership and occupancy records, and payment histories, to the extent necessary for the purposes of common billing and payment;
- (b) such other measures as may be necessary to facilitate the establishment and operation of the common billing and payment system under this section,

and all Corporations, authorities, and departments within CURE shall extend full cooperation and provide access to their databases, records, and systems as may be required for the purposes of this section.

271. Digital Notices and proof of service.-

(1) The Government may, by notification, specify the classes of notices, orders, or communications that shall be served exclusively or in addition to physical service through digital means within CURE.

(2) Upon such notification, physical service of such notices, orders, or communications shall not be required where digital service is specified as exclusive.

(3) Such notification shall also specify the means by which proof of digital service shall be established, including acknowledgement of receipt, delivery confirmation, read receipts, or such other electronic record and such proof of service shall be admissible as evidence of due service for all purposes within CURE.

Chapter 36

CURE Smart Governance Centre (SGC)

272. Establishment of the CURE Smart Governance Centre.-

(1) The Government may, by notification, establish a centre to be known as the CURE Smart Governance Centre, (hereinafter referred to as the “CURE SGC”) for the purposes of real-time monitoring and coordinated response across all Corporations, authorities, and departments within CURE.

(2) The CURE SGC shall be headed by an officer appointed by the Government, and shall have such staff, infrastructure, and technical systems as may be specified by the Government from time to time.

273. Functions.-

(1) The CURE SGC shall —

(a) monitor in real time the operations, services, infrastructure, and emergency situations across all Corporations, authorities, and departments within CURE through such technological systems, sensors, dashboards, and data feeds as may be integrated into the CURE SGC;

(b) facilitate coordinated response to emergencies, disasters, service failures, and other events requiring multi-agency action within CURE;

(c) support the Government, Corporations, and authorities within CURE through data analysis on specific request; and

(d) perform such other functions as the Government may, by order, assign to it from time to time.

(2) Every Corporation, authority, and department within CURE shall integrate its systems, operations, and data feeds with the CURE SGC in such format, manner, and within such time as the Government may specify, and shall extend full cooperation to the CURE SGC in the discharge of its functions.

Chapter 37

Advertisements

274. Constitution of Advertisements Regulatory Committee.-

- (1) Notwithstanding anything contained in this Act or any other law for the time being in force, there shall be constituted an Advertisements Regulatory Committee for the purposes of regulating all advertisements within CURE, which shall be the single nodal agency for the grant of permissions, authorizations, and approvals in respect of all advertisements and signages within CURE.
- (2) No department, authority, or agency of the Government or Corporation within CURE shall grant any permission or authorization for the erection, exhibition, fixing, or retention of any advertisement or signage independently of or in derogation of the powers of the Advertisements Regulatory Committee, and all powers vested in any such department, authority, or agency in relation to advertisements and signages within CURE shall, upon the constitution of the Advertisements Regulatory Committee, stand transferred to and vest in the Committee.
- (3) The composition of the Committee shall be such as the Government may, by notification, determine.

275. Permission for advertisements

No person shall, without permission of the Advertisements Regulatory Committee granted in such a manner and on such terms and conditions as decide, erect, exhibit, fix or retain any advertisement or signage whether in existence or not, upon any land, building, wall, hoarding, structure or premises:

Provided that any advertisement or signage in violation of the terms and conditions shall be deemed to be irregular and void,

Provided further that the Government may exempt specific categories of advertisements or signages from such permissions.

276. Enforcement against unauthorized advertisements

(1) Where any advertisement or signage is erected, exhibited, fixed, or retained in contravention of any provision of this Chapter or in violation of any term or condition of permission granted thereunder, the Commissioner may after recording reasons for such conclusion cause its removal forthwith without prior notice.

(2) Whoever, being —

- (a) the advertising agency responsible for the erection, exhibition, fixing or retention of an unauthorised advertisement; or
- (b) the owner of the premises on or over which such advertisement is erected, exhibited, fixed or retained, not being an advertisement on or over a public street,

shall, on conviction, be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to one lakh rupees, or with both.

(3) A first-time offender may compound the offence with the approval of the Advertisements Regulatory Committee upon -

- a) payment of a penalty equal to three times the permission fee that would have been payable, subject to a minimum of rupees twenty thousand; and
- b) upon furnishing a sworn undertaking wherein such person -
 - i. undertakes not to commit any violation under this Chapter in future; and
 - ii. consents that in the event of any subsequent violation, all contracts held by such person with any Corporation, authority, or agency within CURE in respect of advertisements shall stand cancelled and prosecution shall be initiated against such person without any further opportunity of compounding.

(4) Where a person is found to have violated the undertaking furnished under subsection (3), all contracts held by such person with any Corporation, authority, or agency within CURE in respect of advertisements shall stand cancelled by order of the Advertisements Regulatory Committee.

(5) No action under this section shall be undertaken without serving a show cause notice allowing fifteen days to respond and passing a reasoned order duly following principles of natural justice.

(6) For the purposes of this section "advertising agency" means any person, firm, or body corporate engaged in the business of designing, erecting, displaying, or maintaining advertisements or signages for consideration, and includes any contractor or sub-contractor engaged for such purpose.

Chapter 38

Gender Inclusion

277. Constitution of Gender Inclusion Cell .-

The Government shall, by notification, establish a Gender Inclusion Cell for CURE, consisting of such members as the Government may, by order, appoint, whose manner of appointment and terms and conditions of service shall be determined by the Government, and the Cell may co-opt such expert members as it considers necessary for the discharge of its functions.

278. Functions of Gender Inclusion Cell .-

The Gender Inclusion Cell shall have the following functions -

- (a) collect data and carry out research to inform an evidence-based approach towards identifying the manner in which the CURE can be made more inclusive and safer for women and transgender persons,
- (b) carry out gender audits to evaluate how gender equality is being addressed across laws, policies, programmes, schemes, budgets and the culture of departments, authorities and corporations functioning in the CURE,
- (c) based on gender audits, advise departments, authorities and corporations functioning in the CURE to ensure gender inclusion,
- (d) advise and coordinate amongst departments, authorities and corporations functioning in the CURE to enhance inclusion, participation, and safety of women and transgender persons, and identify pathways for effective delivery of services to them,
- (e) carry out public consultations or engage with stakeholders to identify challenges being faced by women and transgender persons in the CURE and identify pathways to address them,
- (f) carry out regular trainings and sensitisation for all departments, authorities and corporations functioning in the CURE including on rights of women and gender and sexual minorities including transgender persons,
- (g) guide and work alongside departments, authorities and corporations to implement infrastructure and development projects from a gender sensitive perspective, and
- (h) any other function it deems necessary to ensure gender inclusion in the CURE.

279. Gender Inclusive CURE.-

All departments, authorities, and Corporations shall actively work towards making CURE inclusive of, safe for, and accessible to women and transgender persons, and towards this end shall —

- (a) ensure that all public places including streets, footpaths, public parks, bus stops, and transit hubs are well lit with adequate and functioning streetlights;

(b) ensure that adequate public toilets, including separate and functional facilities for women, are provided and maintained in clean and safe condition across CURE;

(c) ensure that all public infrastructure including footpaths, public buildings, parks, and transit facilities are designed and maintained to be universally accessible to women, transgender persons, and persons with disabilities;

(d) ensure that all public spaces, markets, vending zones, and transit areas are covered by adequate surveillance systems including closed circuit television cameras, and that such systems are operational and monitored;

(e) ensure that all construction and infrastructure projects within CURE incorporate gender-sensitive design principles including safe waiting areas, adequate lighting, and accessible sanitation facilities at work sites; and

(f) ensure equitable access for women and transgender persons to livelihood opportunities, vending spaces, and market facilities within CURE, including by reserving such proportion of vending zones and market spaces as may be prescribed.

Chapter 39

Labour Welfare

280. Application and Non-Derogation .-

- (1) The provisions of this Chapter shall be implemented in accordance with all applicable laws relating to gig workers, platform workers, street vendors, and unorganised workers.
- (2) Nothing contained in this Chapter shall be construed to limit or override any rights, entitlements, or protections available under any other law for the time being in force.

281. CURE Urban Livelihoods Coordination Cell .-

- (1) The Government may, by notification, establish a CURE Urban Livelihoods Coordination Cell to facilitate coordination, implementation, and monitoring of measures relating to labour welfare, social security, skill development, and protection of the rights and interests of workers in the CURE.
- (2) The composition, qualifications of members, manner of appointment, and terms and conditions of service of the Cell shall be determined by the Government.
- (3) Without prejudice to the generality of its coordinating role, the Cell shall-
 - (a) facilitate convergence and coordination among departments, authorities and corporations in relation to schemes, programmes, and welfare measures concerning urban livelihoods;
 - (b) support information-sharing, planning alignment, and inter-agency collaboration to ensure effective implementation of such schemes and measures;
 - (c) undertake or facilitate capacity-building and orientation programmes for officials and personnel engaged in implementation and coordination of urban livelihood initiatives;
 - (d) undertake programmes to promote awareness of the rights and obligations of urban livelihood workers, including street vendors; and
 - (e) perform such other functions as may be assigned by the Government.

282. Measures for Gig and Platform Workers .-

- (1) The Cell may, in coordination with other departments, authorities and corporations, take measures to facilitate-
 - (a) provision of resting spaces, sanitation facilities, and safe waiting areas;

- (b) access to public infrastructure, including designated parking and, where feasible, charging facilities; and
 - (c) access to information, grievance redress mechanisms, and digital services.
- (2) The Cell may issue advisories or guidelines, consistent with applicable law, relating to worker welfare, safety, and emergency response.

283. Protection of livelihoods of Street Vendors and other informal workers .-

- (1) The Government shall ensure effective implementation of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (Act No. 7 of 2014) and the rules and schemes made thereunder, and shall take measures for the protection and promotion of the livelihoods of street vendors and other informal workers in the CURE.
- (2) The Town Vending Committees constituted under the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (Act No. 7 of 2014) may, consistent with the provisions of that Act and the rules and schemes made thereunder,
 - (a) assist local authorities in the preparation, revision, and implementation of vending plans;
 - (b) facilitate the provision of basic civic services, including water, sanitation, lighting, and waste management in vending zones;
 - (c) promote the development of resilient, safe, and inclusive vending infrastructure; and
 - (d) coordinate with planning authorities for the integration of street vending into master plans, street design, and mobility planning.
- (3) All departments, authorities, and corporations within the CURE shall act in aid of, and provide necessary assistance for, the implementation of the provisions referred to in sub-section (1).

Chapter 40

Education

284. Objectives of Education in the CURE .-

- (1) The Government shall endeavour to further the objectives of the Right of Children to Free and Compulsory Education Act, 2009 (Act No. 35 of 2009) by-
 - (a) improving learning outcomes, with particular emphasis on foundational literacy and numeracy;
 - (b) ensuring equitable access to safe, inclusive and student-centric education across all stages;
 - (c) strengthening public education institutions and enhance public confidence therein;
 - (d) promoting future-ready skills, vocational exposure and employability; and
 - (e) establishing an integrated governance, monitoring and accountability framework for education in the CURE.
- (2) The provisions of this Chapter shall be in addition to, and not in derogation of, the provisions of the Right of Children to Free and Compulsory Education Act, 2009 (Act No. 35 of 2009).

285. Student Safety, Inclusion and Well-being.-

- (1) The Government shall take measures to ensure that every student in the CURE has access to a safe, inclusive and non-discriminatory educational environment.
- (2) Without prejudice to any other law, the Government may provide for-
 - (a) A grievance redressal mechanism;
 - (b) access to counselling, mental health and psychosocial support;
 - (c) measures for prevention of discrimination on any grounds including caste, gender, religion, disability, language, sexual orientation or socio-economic status;
 - (d) sanitary napkins and other menstrual hygiene products, and
 - (e) identification, enrolment and mainstreaming of out-of-school children in accordance with applicable laws.

Explanation: For the purposes of this Chapter, ‘students’ shall include learners across all stages of education, and nothing herein shall dilute the specific entitlements guaranteed under the Right of

286. Promotion of Public Libraries as Community Learning Spaces .-

- (1) The Government may promote public libraries in the CURE as inclusive community spaces for knowledge, learning and civic engagement.
- (2) Without prejudice to any law governing public libraries, such measures may include-
 - (a) expansion of access to digital resources, technology and internet-enabled services;
 - (b) use of library spaces for educational, cultural and community activities;
 - (c) support for reading, lifelong learning and skill development initiatives; and
 - (d) support to school education, including foundational literacy and numeracy.

287. Integration of Public Libraries with Education and Community Systems .-

- (1) The Government may enable linkages between public libraries and educational institutions, local authorities and community organisations.
- (2) Such linkages may include-
 - (a) support to school and student learning;
 - (b) shared use of infrastructure and learning resources;
 - (c) outreach to vulnerable populations; and
 - (d) promotion of reading and knowledge-based engagement within communities.

288. Modernisation and Innovation of Public Libraries .-

- (1) The Government may undertake measures for the modernisation and transformation of public libraries in the CURE.
- (2) Such measures may include-
 - (a) digital cataloguing and access systems;
 - (b) development of library networks and resource-sharing platforms;
 - (c) partnerships with public, private or non-profit entities; and adoption of new models of service delivery, including mobile or community-based libraries.

Chapter 41

CURE Appellate Authority

289. Establishment of CURE Appellate Authority.-

- (1) There shall be established a CURE Appellate Authority for the purposes of this Act, and appeals against any order passed by the Commissioner and by such other authorities as the Government may, by order, specify regarding exercise of powers under this Act or the rules or bye-laws made thereunder shall lie to the CURE Appellate Authority.
- (2) The Appellate Authority shall consist of a Chairperson and not less than two and not more than four full-time Members, appointed by the Government.
- (3) The Government shall appoint the Chairperson and the members to the Appellate Authority upon the recommendation of a selection committee consisting of the Chief Justice of the High Court of Telangana or his nominee, Law Secretary and Secretary of the department dealing with Municipal Administration and Urban Development.

290. Composition of Authority.-

The Authority shall consist of a Chairperson and not less than two whole time Members to be appointed by the appropriate Government.

291. Qualifications of Chairperson and Members of Authority.-

The Chairperson and other Members of the Authority shall be appointed by the Government on the recommendations of a Selection Committee consisting of the Chief Justice of the High Court or his nominee, the Secretary of the Department dealing with Urban Development and Municipal Administration and the Law Secretary, in such manner as may be prescribed, from amongst persons having adequate knowledge of and professional experience of at-least twenty years in case of the Chairperson and fifteen years in the case of the Members in municipal administration and urban development:

Provided that a person who is, or has been, in the service of the State Government shall not be appointed as a Chairperson unless such person has held the post of Additional Secretary to the Central Government or any equivalent post in the Central Government or State Government:

Provided further that a person who is, or has been, in the service of the State Government shall not be appointed as a member unless such person has held the

post of Secretary to the State Government or any equivalent post in the State Government or Central Government.

292. Term of office of Chairperson and Members .-

(1) The Chairperson and Members shall hold office for a term of three years from the date on which they enter upon their office, or until they attain the age of sixty-five years, whichever is earlier and shall not be eligible for re-appointment.

(2) Before appointing any person as a Chairperson or Member, the appropriate Government shall satisfy itself that the person does not have any such financial or other interest as is likely to prejudicially affect his functions as such Member.

293. Salary and allowances payable to Chairperson and Members .-

(1) The salary and allowances payable to, and the other terms and conditions of service of, the Chairperson and other members shall be such as may be prescribed and shall not be varied to their disadvantage during their tenure.

(2) The Chairperson or a member, as the case may be, may,—

- (a) relinquish his office by giving in writing, to the Government, notice of not less than three months; or
- (b) be removed from his office in accordance with the provisions of this Chapter.

(3) Any vacancy caused to the office of the Chairperson or any other member shall be filled-up within a period of three months from the date on which such vacancy occurs.

294. Administrative powers of the Chairperson.-

The Chairperson shall have powers of general superintendence and directions in the conduct of the affairs of the Appellate Authority and he shall exercise such administrative powers and functions of the Authority as may be prescribed.

295. Removal of Chairperson and Members .-

(1) The Government may, in accordance with the procedure notified, remove from office the Chairperson or other Members, if the Chairperson or such other Member, as the case may be, has been -

- (a) adjudged as an insolvent; or
- (b) convicted of an offence, involving moral turpitude; or
- (c) has become physically or mentally incapable of acting as a member; or

- (d) has acquired such financial or other interest as is likely to prejudicially affect his functions; or
 - (e) has so abused his position as to render his continuance in office prejudicial to the public interest.
- (2) The Chairperson or member shall not be removed from his office on the ground specified under clause (d) or clause (e) of sub-section (1) except by an order of the Government, after an independent inquiry carried out by the Chief Justice of the High Court of Telangana or a High Court Judge nominated by him, and such Chairperson or member has been informed of the allegations against him and has been given a reasonable opportunity of being heard in respect of such allegations.

296. Restrictions on Chairperson or Members on employment after cessation of office.-

- (1) The Chairperson or a Member, ceasing to hold office as such, shall not—
- (a) accept any employment in, or connected with, the management or administration of, any person or organisation which has been associated with any work under this Act, from the date on which he ceases to hold office:
Provided that nothing contained in this clause shall apply to any employment under the appropriate Government or a local authority or in any statutory authority or any corporation established by or under any Central, State Act or a Government Company, as defined under sub-section (45) of section 2 of the Companies Act, 2013 (Act No.18 of 2013), which is not a promoter as per the provisions of this Act;
 - (b) act, for or on behalf of any person or organisation in connection with any specific proceeding or transaction or negotiation or a case to which the Authority is a party and with respect to which the Chairperson or such Member had, before cessation of office, acted for or provided advice to the Authority;
 - (c) give advice to any person using information which was obtained in his capacity as the Chairperson or a Member and being unavailable to or not being able to be made available to the public;
 - (d) enter into a contract of service with, or accept an appointment to a board of directors of, or accept an offer of employment with, an entity with which he had direct and significant official dealings during his term of office as such.

297. Restrictions on Chairperson or Members on communication after cessation of office.-

The Chairperson and Members shall not communicate or reveal to any person any matter which has been brought under his consideration or known to him while acting as such.

298. Officers and other employees of Authority.-

(1) The Government may, in consultation with the Appellate Authority, appoint such officers and employees as it considers necessary for the efficient discharge of their functions under this Act who would discharge their functions under the general superintendence of the Chairperson.

(2) The salary and allowances payable to, and the other terms and conditions of service of, the officers and of the employees of the Appellate Authority appointed under sub-section (1) shall be such as may be prescribed.

299. Limitation for Appeals .-

(1) All appeals to the Appellate Authority must be filed within thirty days from the date of the order.

(2) The Appellate Authority may entertain an appeal after the expiry of the said period of thirty days if it is satisfied that the aggrieved party had sufficient cause for not preferring the appeal within the said period.

300. Powers of the Appellate Authority. -

(1) The Appellate Authority will not be bound by the procedure laid down by the Code of Civil Procedure, 1908 (Act No. 5 of 1908), but will be guided by the principles of natural justice and, subject to the other provisions of this Act, it shall have powers to regulate its own procedure.

(2) The Appellate Authority will, for the purposes of discharging its functions under this Act, have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 (Act No. 5 of 1908), while trying a suit, in respect of the following matters, namely—

- (a) summoning and enforcing the attendance of any person and examining him on oath;
- (b) requiring the discovery and production of documents;
- (c) receiving evidence on affidavits;
- (d) dismissing an application for default or deciding it, ex parte; and
- (e) any other power as may be prescribed.

301. Decision of Appellate Authority. -

(1) The Appellate Authority shall, after giving the parties a reasonable opportunity of being heard, and on conclusion of the hearing, by an order in writing stating the reasons thereof, confirm, modify or set aside the order of the Commissioner appealed against or pass such other order as it thinks fit.

(2) The Appellate Authority may, for reasons to be recorded in writing, stay the operation of the order appealed against pending the disposal of the appeal:

Provided that no such stay shall be granted except after notice to, and after affording an opportunity of being heard to, the other party:

Provided further that where an application for stay is made and the applicant satisfies the Appellate Authority that the matter is grave and urgent, the Appellate Authority shall cause notice to be issued and shall hear and dispose of the application as expeditiously as possible.

(3) The order of the Appellate Authority shall be communicated to the parties in such manner as may be prescribed.

PART IV CONTROL

Chapter 42 Role of the State Government

302. Government's power to call for records.-

The Government may at any time require the Corporation or Commissioner-

- (a) to produce any extract from any proceedings of the Corporation, the Standing Committee or any other Committee constituted under this Act, record, correspondence, plan or other document;
- (b) to furnish any return, plan, estimate, statement of account or statistics;
- (c) to furnish or obtain any report; and the Corporation or the Commissioner as the case may be, shall furnish the same without unreasonable delay.

303. Government's power to cause inspection to be made .-

(1) The Government may depute any officer to inspect or examine any department, office, service, work, or thing of any Corporation within CURE and to report thereon, and the officer so deputed shall, for the purposes of such inspection or examination, have the power to —

- (a) enter and inspect any office, premises, or facility of the Corporation;
- (b) call for and examine any record, register, document, or data maintained by the Corporation; and
- (c) examine any officer or employee of the Corporation on matters relevant to the inspection.

(2) Every Corporation, and every officer and employee thereof, shall render all assistance and provide access to all records, documents, and information as may be required by the officer deputed under sub-section (1), and any failure to do so shall be reported by such officer to the Government for such action as may be deemed fit.

(3) The officer deputed under sub-section (1) shall submit a report of the inspection to the Government within such period as may be specified, and the Government may, upon consideration of such report, issue such directions to the Corporation as it deems necessary, which the Corporation shall be bound to comply with.

304. Government's power to require the performance of duties. .-

If on receipt of any information or report obtained under this Chapter or otherwise, the Government is of the opinion-

- (a) that any duty imposed on any Municipal Authority by or under this Act has not been performed or has been performed in an imperfect, inefficient or unsuitable manner, or

- (b) that adequate financial provision has not been made for the performance of any such duty,

the Government may by an order direct the Corporation or Commissioner within a period to be specified in the order to make arrangements for the proper performance of the duty or to make financial provision for the performance of the duty, as the case may be, to the satisfaction of Government:

Provided that unless in the opinion of the Government the immediate execution of such order is necessary, the Government shall before making an order under this section give the Corporation an opportunity of showing cause why such order should not be made.

305. Government's power to appoint a person to take action in default .-

- (1) If within the period fixed by an order issued under the preceding section any action directed under that section has not been duly taken, the Government may by order-
 - (a) appoint some person to take action so directed;
 - (b) fix the remuneration to be paid to him; and
 - (c) direct that such remuneration and the cost of taking such action shall be defrayed out of the Municipal Fund.
- (2) For the purpose of taking the action directed as aforesaid the person appointed under sub-section (1) shall have power to make such contracts as are necessary, may exercise any of the powers conferred on any Municipal Authority by or under this Act and specified in this behalf in the order issued under sub-section (1) and shall be entitled to protection under this Act as if he were a Municipal Authority.
- (3) The Government may direct by notification that any sum of money which may in its opinion be required for giving effect to the orders so issued be borrowed by debenture on the security of all or any of the said taxes at such rate of interests and upon such terms as to the time of repayment and otherwise as may be specified in the notification.
- (4) Any loan raised in pursuance of this section shall be subject to the same conditions, restrictions, and procedures as are applicable to loans raised by the Corporation under this Act.

306. Power of revision .-

- (1) The Government may at any time for the purposes of satisfying itself as to the correctness, legality, propriety or regularity of any proceeding or order passed by the Commissioner or any Officer subordinate to him call for and examine the record and pass such orders with reference thereto as

it thinks fit.

- (2) (a) Where the Government is of opinion that the execution of any resolution or order passed by the Corporation or the doing of any act which is about to be done or is being done by or on behalf of the Corporation is in contravention of or in excess of powers conferred by this Act or of any law for the time being in force or is likely to lead to a breach of peace it may by order in writing suspend the execution of such resolution or order or prohibit the doing of any such act:

Provided that before suspending such resolution under this clause the Government shall communicate to the Corporation the grounds on which it proposes so to do, fix a reasonable period for the Corporation to show cause against the proposal and consider its explanation and objection, if any;

(b) A copy of such order shall forthwith be sent to the Corporation by the Government;

(c) The Government may at any time on representation by Corporation or otherwise revise, modify or revoke any order passed under clause (a).

307. Government's power to cancel or suspend resolutions, etc.-

- (1) The Government may, either suo motu or on representation of any Member, the Mayor or the Commissioner, by order, in writing-

(i) cancel any resolution passed, order issued, or licence or permission granted; or

(ii) prohibit the doing of any act which is about to be done or is being done, in pursuance or under colour of this Act, if in their opinion-

(a) such resolution, order, licence, permission or act has not been passed, issued, granted or authorized in accordance with law;

(b) such resolution, order, licence, permission or act is in excess of the powers conferred by this Act or any other enactment; or

(c) the execution of such resolution or order, the continuance in force of such licence or permission or the doing of such act is likely to cause financial loss to the Corporation, danger to human life, health or safety or is likely to lead to a riot or breach of peace or is against public interest:

Provided that the Government shall before taking action

under this section on any of the grounds referred to in clauses (a) and (b), give the authority or person concerned an opportunity for explanation:

Provided further that nothing in this sub-section shall enable the Government to set aside any election which has been held.

- (2) If, in the opinion of the Government, immediate action is necessary on any of the grounds referred to in clause (c) of sub-section (1), they may suspend the resolution, order, licence, permission or act, as the case may be, for such period as they think fit pending the exercise of their power under sub-section (1).

308. Government's power to suspend Mayor or Deputy Mayor or Member .-

- (1) The Government may, either suo motu or on a representation of a Mayor or Deputy Mayor or Member or Commissioner or employee of the Municipal Corporation, by notification, in the Telangana Gazette, suspend the Mayor or the Deputy Mayor or a Member, who in their opinion wilfully misbehaved or manhandled any other Member or Officer or employee of the Corporation or destroyed the property of the Corporation or used unparliamentary language or abused his position in the course of meetings of the Corporation or during the discharge of any duty vesting upon the Mayor or Deputy Mayor or any Member or Officer or employee, so as to lead to a situation in which the municipal administration cannot be carried on in accordance with the provisions of this Act or the financial stability of the council is threatened.
- (2) The Government shall before taking action under sub-section (1) give the Mayor or the Deputy Mayor or the Member concerned an opportunity for explanation, and the notification issued under the said sub-section (1) shall contain a statement of the reasons for the action taken by the Government.
- (3) The Government may, suo-motu, or on an application made by the Mayor or the Deputy Mayor or the Member revoke the order of suspension issued under sub-section (1).

309. Government's power to remove Mayor or Deputy Mayor .-

- (1) The Government may, by notification in the Telangana Gazette, remove the Mayor or the Deputy Mayor who, in their opinion wilfully omits or refuses to carry out or disobeys the provisions of this Act or any rules, bye-laws, regulations or lawful orders issued thereunder or abuses his position or the powers vested in him.

- (2) The Government shall, when they propose to remove the Mayor or the Deputy Mayor under sub-section (1), give the Mayor or the Deputy Mayor concerned an opportunity for explanation, and the notification issued under the said sub-section shall contain a statement of reasons of the Government for the action taken.
- (3) Any person removed under sub-section (1) from the office of Mayor or from the Office of Deputy Mayor shall not be eligible for election to either of the said offices until the date on which notice of the next ordinary elections to the Corporation is published in the prescribed manner.

310. Government's power to dissolve the Corporation .-

- (1) If, in the opinion of the Government, the Corporation is not competent to perform or persistently makes default in performing the duties imposed on it by or under this Act or any other law for the time being in force or exceeds or abuses its position or powers or a situation exists in which the municipal administration cannot be carried on in accordance with the provisions of this Act or the financial stability or credit of the Corporation is threatened, the Government may, by notification in the Telangana Gazette, direct that the Corporation be dissolved with effect from a specified date and reconstituted either immediately or with effect from another specified date not later than six months from the date of dissolution; and the notification shall be laid before the Legislative Assembly of the State.
- (2) For purposes of reconstitution of a dissolved Corporation under this section, the vacancies in the office of all the elected members shall be deemed to be casual vacancies.
- (3) Before publishing a notification under sub-section (1), the Government shall communicate to the Corporation the grounds on which they propose to do so fix a reasonable period for the Corporation to show cause against the proposal and consider its explanation or objections, if any and the Mayor of the Corporation shall also be given a reasonable opportunity of being heard.
- (4) On the date fixed for the dissolution of the Corporation under sub-section (1), all its members including ex-officio members as well as its Mayor, Deputy Mayor shall forthwith be deemed to have vacated their offices as such.
- (5) During the interval between the dissolution and the reconstitution of the Corporation, all or any of the powers and functions of the Corporation and of its Mayor and of the Standing Committee may be exercised and performed as far as may be, and to such extent as the Government may

determine, by such person as the Government may appoint in that behalf, and any person who is not a District Collector or Revenue Divisional Officer may, if the Government so direct, receive payment for his services from the municipal fund; the Government may determine the relations of such person with the District Controlling Officers and with themselves and the Government may direct the Commissioner to exercise and perform any powers and duties under this Act in addition to his own.

(6) The Members including the ex-officio members of the reconstituted Corporation shall enter upon their office on the date fixed for its reconstitution and the term of office of the elected members shall continue only for the remainder of the period for which the dissolved Corporation would have continued had it not been dissolved.

(7) The Government may reconstitute the Corporation before the expiry of the period notified under sub-section (1) or sub-section (2):

Provided that where the remainder of the period for which the dissolved Corporation would have continued is less than six months, it shall not be necessary to hold any elections under this clause.

(8) When the Corporation is dissolved under this section, the Government, until the date of the reconstitution thereof, and the reconstituted Corporation thereafter, shall be entitled to all the assets and be subject to all the liabilities of the Corporation as on the date of the dissolution and on the date of the reconstitution respectively.

311. Power to give directions .-

(1) The Government may, if it considers it necessary or expedient in the public interest, issue to any Corporation, department, authority, or body under its control within CURE, such directions as it may deem fit for the proper implementation of the provisions of this Act, and every such Corporation, department, authority, or body shall be bound to comply with such directions within such period as may be specified therein.

(2) Every direction issued under sub-section (1) shall be accompanied by reasons recorded in writing, and shall be communicated in writing to the Corporation, department, authority, or body to which it is addressed.

(3) Where any Corporation, department, authority, or body fails to comply with any direction issued under sub-section (1) within the period specified, the Government may, after affording such Corporation, department, authority, or body an opportunity to show cause, take such further action as it deems fit, including assuming direct charge of the function in respect of which the direction was issued, for such period as may be necessary.

312. Organisation of Circles and Zones and Coterminous Jurisdictions within CURE.-

- (1) The Government may, by order, organise the wards of any Corporation into such administrative units as it may determine, and for this purpose —
 - (a) one or more wards may be organised into a Circle, which shall be headed by a Deputy Commissioner; and
 - (b) one or more Circles may be organised into a Zone, which shall be headed by a Zonal Commissioner,and the Government may, by like order, alter, amalgamate, or dissolve any Circle or Zone so constituted, and redistribute the wards comprising therein, as it may consider necessary for the efficient administration of the Corporation.
- (2) Subject to any other law for the time being in force, the Government may, by order, reorganise or redraw the territorial jurisdictions of any department, authority or body, including its subordinate offices, field offices, local units or territorial divisions, operating within the CURE so as to make such jurisdiction coterminous, at the appropriate level of Ward, Circle, Zone or Corporation, as the Government may consider necessary for the purposes of good governance and effective coordination.

313. Power to transfer functions of the Corporation to the Telangana Industrial Infrastructure Corporation.-

Notwithstanding anything contained in this Act, or in any other law for the time being in force relating to the Municipal Corporations, the Government may, in consultation with the Corporation and also the Telangana Industrial Infrastructure Corporation, by notification in the Telangana Gazette, and subject to such restrictions and conditions including those relating to the remittance of such percentage of the property tax to the Corporation and to such control and revision as may be specified therein direct that any power or function vested in the Corporation by or under this Act shall be transferred to and exercised and performed by the Telangana Industrial Infrastructure Corporation.

314. Power to Transfer powers and functions .-

- (1) Notwithstanding anything contained in this Act or any other law for the time being in force, but subject to any express bar on transfer contained in any other law for the time being in force, the Government may, by notification, transfer any function, responsibility, power, or duty vested in any Corporation, authority, or agency within CURE to any other Corporation, authority, or agency within CURE, either —

(a) additionally, whereby the transferee Corporation, authority, or agency shall exercise such function, responsibility, power, or duty concurrently with the transferor; or

(b) completely, whereby the transferee Corporation, authority, or agency shall exercise such function, responsibility, power, or duty exclusively, and the transferor shall cease to exercise the same with effect from the date specified in the notification.

(2) A transfer under sub-section (1) shall not affect —

(a) any action taken, proceeding initiated, order passed, or liability incurred by the transferor prior to the date of transfer; or

(b) any right, obligation, or liability of any person arising from any action taken by the transferor prior to such date,

and all such actions, proceedings, orders, and liabilities shall be deemed to have been taken, initiated, passed, or incurred by the transferee and shall continue in force accordingly; and where the transfer is of an additional nature under clause (a) of sub-section (1), the Government may, by order, determine the manner in which the transferor and transferee shall coordinate in the exercise of such concurrent function, responsibility, power, or duty, including by specifying the primacy of one over the other in the event of any conflict.

(3) The Government may, by a subsequent notification, modify, suspend, or revoke any transfer made under sub-section (1), and upon such revocation, the function, responsibility, power, or duty shall revert in the transferor with effect from the date specified in such notification, and sub-section (2) shall apply *mutatis mutandis* to any action taken by the transferee during the period of transfer.

PART V
MISCELLANEOUS

Chapter 43
Miscellaneous, Repeal and Transition

315. Miscellaneous .-

The miscellaneous provisions applicable under this Act, including those relating to the application of the Code of Civil Procedure (Act No. 5 of 1908) to appeals, the application of the Bharatiya Nagarik Suraksha Sanhita (Act No. 46 of 2023) to proceedings before Magistrates, protection of assessments and demands from challenge on account of clerical errors or informalities, computation of limitation periods, execution of orders of the Judge and the High Court, the oath of allegiance to be taken by Members, the powers of the Commissioner in relation to institution and conduct of civil and criminal proceedings and obtaining legal advice, the deemed status of the Commissioner, Members, officers, servants, and contractors as public servants, cooperation of Police, recovery of rent on Corporation land, measurement of distances, protection of persons acting under this Act from suits, savings in respect of the Telangana Land Revenue Act, 1317 F (Telangana Act No. VIII of 1317 F) construction of references to the Greater Hyderabad Municipal Corporations Act, 1955 (Telangana Act No. II of 1956) as references to this Act, and disclosure of information to the general public, shall be as specified in clause 16 of Schedule IX.

316. Protection of action taken in good faith

No suit, prosecution, or other legal proceeding shall lie against any public servant acting under any Corporation, body, or department within CURE in respect of anything done or purported to be done in good faith in the exercise of any power conferred by or under this Act.

317. Power to remove difficulties .-

If any difficulty arises in giving effect to the provisions of this Act, after the commencement of this Act, the Government may, as occasion may require, may by an order published in the Telangana Gazette do anything which appears to it to be necessary for the purpose of removing the difficulty.

318. Repeals and Savings.-

- (1) On and from the commencement of this Act, the Greater Hyderabad Municipal Corporation Act, 1955 (Telangana Act No. II of 1956) will stand repealed.

- (2) Such repeal will not affect:
 - (a) anything done or any action taken, or proceedings initiated, under the said Act; or
 - (b) the previous operation of the said Act or anything duly done under it;
 - (c) any right, privilege, obligation or liability acquired, accrued or incurred under the said Act; or
 - (d) any penalty or punishment incurred in respect of any offence committed under the said Act.
- (3) The provisions of Section 8 and Section 18 of the Telangana General Clauses Act, 1891 (Telangana Act No. I of 1891) will be applicable in respect of such repeal.

319. Transition.-

- (1) Any rule, bye-law, appointment, notification, order, scheme, form, or notice made or issued, and any license or permission granted under the Greater Hyderabad Municipal Corporation Act, 1955 (Telangana Act No. II of 1956), will continue to be in force and will be deemed to have been made, issued or granted under this Act, unless:
 - (a) it is inconsistent with the provisions of this Act, or
 - (b) it is lapsed or superseded by any rule, bye-law, appointment, notification, order, scheme, form, or notice made or issued, and any license or permission granted under such provisions.
- (2) The members of the Corporation holding office at the time of commencement of this Act will be deemed to have been elected or appointed as the case may be, as members of the respective Corporations under this Act, as may be determined, and will continue to hold office until the expiration of their term under the provisions which are applicable to them under the said Act.
- (3) Any division of the Corporation into wards, made or deemed to have been made under the Greater Hyderabad Municipal Corporation Act, 1955 (Telangana Act No. II of 1956) and in force at the commencement of this Act, will be deemed to be the division of the Corporation into wards made under this Act; and the members representing the wards will, subject to the provisions under sub-section (2), be deemed to represent them on and from the commencement of this Act.

SCHEDULE I
u/ sub-section (1) of section 3

The Core Urban Region (CURE)

S No.	Name of Corporation	Jurisdiction
(1)	(2)	(3)
1	Greater Hyderabad Municipal Corporation	The areas within its limits as existing immediately before the commencement of this Act.
2	Cyberabad Municipal Corporation	The areas within its limits as existing immediately before the commencement of this Act.
3	Malkajgiri Municipal Corporation	The areas within its limits as existing immediately before the commencement of this Act.

SCHEDULE II

Elections u/ section 8

Clause	Provision
1	Elections when to be held. (1) Every general election requisite for the purpose of this Act shall be held in the manner prescribed, within three months before the day for retirement of the Members as specified in section 7 of this Act. (2) Every casual vacancy in the office of an elected member of a Municipal Corporation shall be reported by the Commissioner to the State Election Commission within fifteen days from the date of occurrence of such vacancy and shall be filled within four months from that date. (3) A member elected in a casual vacancy shall enter upon office forthwith but shall hold office only so long as the member in whose place he is elected would have been entitled to hold office if the vacancy had not occurred. (4) No casual election shall be held to a Municipal Corporation within six months before the date on which the term of office of its members expires by efflux of time.
2	Division of Corporation into wards etc., for the purpose of election of members. (1) For the purpose of election of members of the Corporation, the Government shall, by notification in the Telangana Gazette, divide the Corporation area into as many wards as the number of members notified under sub-section (1) of section 5 of this Act in such manner as may be prescribed. (2) Where a notification issued under sub-clause (1) results in the material alteration of the existing ward of the Corporation area into wards, the Government may direct that the alteration shall take effect from the date of next ordinary elections. (3) Where any local area within the jurisdiction of any other local authority is included in the Corporation area, the local area shall be added to such adjoining ward or wards of the Corporation area as the Government may direct. (4) Where any local area comprised in a Gram Panchayat constituted under the Andhra Pradesh Gram Panchayats Act, 1964 is included in a Corporation, the Government may direct that the electoral roll relating to the said local area shall be adopted suitably for the purpose of elections under this Act, until an electoral roll for such area is prepared in accordance with the provisions of this Act. (5) When a new ward is formed or when an existing ward is abolished, the Commissioner shall with the approval of the Government determine- (a) the ward which each elected member then in the Corporation shall be deemed to represent; and (b) the ward or wards in which elections shall be held to fill up the vacancies, if any, in the Corporation.
3	Constitution of Ward Committees.

	(1) There shall be constituted four Ward Committees for each Ward of the Corporation in the manner as prescribed under this Act. (2) Each Ward Committee shall consist of a maximum of twenty-five members consisting of residents from the Ward and from among the resident welfare associations, community based organizations, other such groups and individuals, by rotation annually and shall be entrusted with taking up issues pertaining to each of these groups pertaining to that Ward: Provided that half of the members to be nominated to the Ward Committees shall be women. (3) These Ward Committees shall meet once in a quarter and salient issues raised by them pertaining to their ward be placed before the next Corporation meeting.
4	Functions of Ward Committees. (1) The Ward Committee constituted in a Ward shall take up issues pertaining to each of the groups which the particular Ward Committee represents and among others will discuss and ensure,- (a) proper maintenance of sanitation and solid waste management, and construction and demolition waste management; (b) tree plantations, Haritha Haram and survival of at least 85% plants; (c) maintenance of parks, playgrounds, public toilets, street lights, markets and public places; (d) facilitate collection of taxes, fees and other such dues to the Corporation; (e) prevention of unauthorised constructions and encroachments and taking it up with the authority to have them demolished; (f) discourage use of plastics; (g) encourage art and cultural activities, sports and games. (2) The minutes of the meeting shall be drawn and placed in the next Corporation meeting for discussion and the Secretary shall be responsible for placing the minutes in the next Corporation meeting.
5	State Election Commission. The preparation of electoral rolls for, and the conduct of elections to the Corporation shall be under the superintendence, direction and control of the State Election Commission.
6	Powers and functions of the State Election Commissioner. (1) All elections to the Municipal Corporations shall be held under the supervision and control of the State Election Commission and for this purpose it shall have power to give such directions as it may deem necessary to the Commissioner of the concerned Municipal Corporation, District Collector or any officer or servant of the Government and the Municipal Corporation concerned institutions so as to ensure efficient conduct of the elections under this Act.

	(2) The preparation of electoral rolls for the conduct of all elections under the Act shall be done under the supervision and control of the State Election Commission. (3) For the purposes of this clause the Government shall provide the State Election Commission with such staff as may be necessary. (4) On the request of the State Election Commission, the State Government shall place at the disposal of the Commission such staff of the State Government and the Municipal Corporations for the purpose of conduct of elections under this Act. (5) The State Election Commissioner may, subject to control and revision, delegate his powers to such officers as he may deem necessary. (6) The State Election Commission shall issue the notification and schedule for general election and elections for casual vacancies in Greater Hyderabad Municipal Corporation in concurrence with the State Government, which while giving concurrence has to consider matters pertaining to Law and Order situation, internal security, availability of police, security personnel, home guards, central armed police forces and the logistics of their deployment, availability of staff for election related duties, availability and procurement of election related material and premises for polling and counting, conduct of elections to other legislative and statutory bodies, natural calamities and seasonal conditions including drinking water situation and agricultural season, major fairs and festivals, education calendar and examination in schools and colleges, onset of any epidemic diseases, operations relating to collection of vital statistics like census or any other enumeration and matters involving public interest and any other administrative exigencies.
7	Preparation, revision and publication of electoral roll for Corporation. (1) The electoral roll for the Corporation shall be prepared by the person authorised by the State Election Commissioner in such manner by reference to such qualifying date as may be prescribed and the electoral roll for the Corporation shall come into force immediately upon its publication in accordance with the rules made by the Government in this behalf. The electoral roll for the Corporation shall consist of such part of the electoral roll for the Assembly constituency published under the Representation of the People Act, 1950 as revised or amended under the said Act, up to the qualifying date, as relates to the Corporation area or any portion thereof: Provided that any amendment, transposition or deletion of any entries in the electoral roll, or any inclusion of names in the electoral roll of the Assembly Constituencies concerned, made by the Electoral Registration Officer under section 18 or section 19, as the case may be, of the Representation of the People Act, 1950, up to the date of election notification, for any election held under this Act, shall be carried out in the electoral roll of the Corporation and any such names included shall be added to the part relating to the concerned ward. Explanation.- Where in the case of any Assembly Constituency there is no distinct part of the electoral roll relating to the Corporation area all persons whose

	names are entered in such roll under the registration area comprising the Corporation area and whose addresses as entered are situated in the Corporation area shall be entitled to be included in the electoral roll for the Corporation prepared for the purposes of this Act. (2) The electoral roll for a Corporation,- (a) shall be prepared and published in the prescribed manner by reference to the qualifying date,- (i) before each ordinary election; and (ii) before each casual election to fill a casual vacancy in the office of the Member of the Corporation; and (b) shall be prepared and published in any year, in the prescribed manner, by reference to the qualifying date, if so directed by the State Election Commission: Provided that if the electoral roll is not prepared and published as aforesaid, the validity, or continued operation of the said electoral roll, shall not thereby be affected. (3) The electoral roll published under sub-clause (1) shall be the electoral roll for the Corporation and shall remain in force till a fresh electoral roll for the Corporation is published under this clause. (4) The electoral roll for the Corporation shall be divided into as many lists as there are divisions. (5) Every person whose name appears in the list of the electoral roll relating to a division shall, subject to the other provisions of this Act, be entitled to vote at any election which takes place in that division while the electoral roll remains in force and no person whose name does not appear in such list of the electoral roll shall vote at any such election. (6) No person shall vote at an election under this Act in more than one division or more than once in the same division and if he does so, all his votes shall be invalid. (7) Where, after the electoral roll for the Corporation or any alteration thereto has been published under this Act, the Corporation is divided into divisions for the first time or any division of the Corporation is altered or the limits of the Corporation are varied, the electoral authority shall, as soon as may be, after such division or alteration or variation, as the case may be, in order to give effect to the division of the Corporation into divisions or to the alteration of the division or to the variation of the limits, as the case may be, authorize a rearrangement and republication of the electoral roll for the Corporation or any list of such roll, in such manner as it may direct. Explanation.- In this clause, the expression “Assembly Constituency” shall mean a constituency provided by law for the purpose of elections to the Telangana Legislative Assembly.
8	Voter Identity Cards. With a view to preventing impersonation of electors, provision may be made by rules made under this Act, for the production before the Presiding Officer or Polling Officer

	of a Polling Station by every such elector, of his identity card before the delivery of a ballot paper or ballot papers to him, if under the rules made in that behalf under the Registration of Electors Rules, 1960 made under the Representation of the People Act, 1950, electors of the Legislative Assembly Constituency or Constituencies in which the Municipal Corporation is situated, have been supplied with identity cards with or without their respective photographs attached thereto.
9	Breach of official duty in connection with the preparation etc, of electoral rolls. (1) If any officer or other person required by or under this Act to perform any official duty in connection with the preparation, revision or correction of an electoral roll or the inclusion or exclusion of any entry in or from that roll, is without reasonable cause, guilty of any act or omission in breach of such official duty, he shall be punishable with fine which may extend to five hundred rupees. (2) No suit or other legal proceeding shall lie against any such officer or other person for damages in respect of any such act or omission as aforesaid. (3) No court shall take cognizance of any offence punishable under sub-clause (1) unless there is a complaint made by order of, or under authority from, the electoral authority.
10	Custody and preservation of list. (1) Three complete copies of the preliminary list for each constituency and all statements submitted to the Commissioner be kept in the office of the Commissioner or at such other place as the State Election Commissioner may by order specify for a period of one year unless their retention for a longer period is ordered by the State Election Commissioner. (2) All claims and objections to any preliminary list and, the decisions of the Revising Authority thereon shall be kept in the office of the Commissioner or at such other place as the State Election Commissioner may by order specify until the completion of the next annual preparation of the list for such constituency. (3) Such number of copies of the final list for each constituency as may be specified by the State Election Commissioner shall be kept in the office of the Commissioner or at such other place as the State Election Commissioner may by order specify until the final publication of the next list for such constituency. (4) One complete copy of the final list for each constituency shall be kept for permanent deposit in such place as the State Election Commissioner may by order specify. (5) All copies of the final list for each constituency deposited under sub-clause (3) or the copy of the final list for each constituency deposited under sub-clause (4) shall before deposit be duly authenticated by the Commissioner or any officer authorised by him in this behalf. (6) Printed copies of the final constituency list as deposited shall be available for sale to the public until the final publication of the next list for the constituency to which it relates and thereafter such list may be disposed of in such manner as the authority with whom they are deposited may direct. (7) Every person shall have a right to inspect the papers referred to in sub-clause (1), (2) and (3) and to get attested copies thereof on payment of such fees as may be

	fixed by the State Election Commissioner.
11	Corrupt Practices. The following shall be deemed to be corrupt practices for the purposes of this Act- (1) Bribery, that is to say,- (A) Any gift, offer or promise by a candidate or his agent or by any other person with the consent of a candidate or his election agent of any gratification, to any person whomsoever, with the object directly or indirectly, of inducing,- (a) a person to stand or not to stand as or to withdraw or not to withdraw from being a candidate at an election, or (b) an elector to vote or refrain from voting at an election, or as a reward to- (i) a person for having so stood or not stood, or for having withdrawn or not having withdrawn his candidature; or (ii) an elector for having voted or refrained from voting. (B) The receipt of, or agreement to receive, any gratification, whether as a motive or a reward,- (a) by a person for standing or not standing as or for withdrawing or not withdrawing from being a candidate, or (b) by any person whomsoever for himself or any other person for voting or refraining from voting or inducing or attempting to induce any elector to vote or refrain from voting, or any candidate to withdraw or not to withdraw his candidature. Explanation:- For the purposes of this clause the term ‘gratification’ is not restricted to pecuniary gratification or gratification estimable in money and it includes all forms of entertainment and all forms of employment for reward but it does not include the payment of any expenses bonafide incurred at, or for the purpose of, any election and duly entered in the account of election expenses. (2) Undue influence, that is to say, any direct or indirect interference or attempt to interfere on the part of the candidate or his agent or of any other person with the consent of the candidate or his election agent, with the free exercise of any electoral right: Provided that- (a) without prejudice to the generality of the provisions of this clause, any such person as is referred to thereon, who- (i) threatens any candidate or any elector or any person in whom a candidate or an elector is interested, with injury of any kind including social ostracism and excommunication or expulsion from any caste or community; or (ii) induces or attempts to induce a candidate or an elector to believe that he, or any person in whom he is interested will become or will be rendered an object of divine displeasure or spiritual censure, shall be deemed to interfere, with the free exercise of the electoral right of such candidate or elector within the meaning of this

	clause; (b) a declaration of public policy, or a promise of public action, or the mere exercise of a legal right without intent to interfere with an electoral right, shall not be deemed to be interference within the meaning of this clause. (3) The appeal by a candidate or his agent or by any other person with the consent of a candidate or his election agent to vote or refrain from voting for any person on the ground of his religion, race, caste, community or language or the use of, or appeal to religious symbols, or the use of, or appeal to national symbols such as the national flag or the national emblem, for the furtherance of the prospects of the election of that candidate or for prejudicially affecting the election of any candidate: Provided that no symbol allotted under this Act to a candidate shall be deemed to be a religious symbol or a national symbol for the purposes of this clause. (4) The promotion of, or attempt to promote feelings of enmity or hatred between different classes of the citizens of India on grounds of religion, race, caste, community, or language by a candidate, or his agent or any other person with the consent of a candidate or his election agent for the furtherance of the prospects of the election of that candidate or of prejudicially affecting the election of any candidate. (5) The propagation of the practice or the commission of sati or its glorification by a candidate or his agent or any other person with the consent of the candidate or his election agent for the furtherance of the prospects of the election of that candidate or for prejudicially affecting the election of any candidate. Explanation:- For the purpose of this clause, “Sati” and “glorification” in relation of sati shall have the meanings respectively assigned to them in the Commission of Sati (Prevention) Act, 1987. (6) The publication by a candidate or his agent or by any other person, with the consent of a candidate or his election agent of any statement of fact which is false, and which he either believes to be false, or does not believe to be true in relation to the personal character or conduct of any candidate or in relation to the candidature, or withdrawal of any candidate, being a statement reasonably calculated to prejudice the prospects of that candidate’s election. (7) The hiring or procuring whether, on payment or otherwise of any vehicle or vessel by a candidate or his agent or by any other person with the consent of a candidate or his election agent, or the use of such vehicle or vessel for the free conveyance of any elector other than that the candidate himself the members of his family or his agent to or from any polling station: Provided that the hiring of a vehicle or vessel by an elector or by several electors at their joint costs for the purpose of conveying him or them to and from any such polling station or place fixed for the poll shall not be deemed to be a corrupt practice under this clause if the vehicle or vessel so hired is a vehicle or vessel not propelled by mechanical power: Provided further that the use of any public transport vehicle or vessel by any elector at his own cost for the purpose of going to or coming from any such
--	--

	polling station or place fixed for the poll shall not be deemed to be a corrupt practice under this clause. Explanation:- In this clause the expression “vehicle” means any vehicle used or capable of being used for the purpose of road transport, whether propelled by mechanical power or otherwise and whether used for drawing other vehicles or otherwise. (8) The incurring or authorizing of expenses in contravention of clause 100. (9) The obtaining or procuring or abetting or attempting to obtain or procure by a candidate or his agent, or by any other person with the consent of a candidate or his election agent, any assistance (other than the giving of vote) for the furtherance of the prospects of that candidate’s election, from any person in the service of the State or Central Government, Local Authority or a Corporation owned or controlled by the State or Central Government: Provided that where any person, in the service of the State or Central Government or a Local Authority or a Corporation owned or controlled by the State or Central Government in the discharge or purported discharge of his official duty, makes any arrangements or provides any facilities or does any other act or thing, for to or in relation to, any candidate or his agent or any other person acting with the consent of the candidate or his election agent (whether by reason of the office held by the candidate or for any other reason), such arrangements, facilities or act or thing shall not be deemed to be assistance for the furtherance of the prospects of that candidate’s election. (10) Booth capturing by a candidate or his agent or any other person. Explanation:- (1) In this clause the expression “agent” includes an election agent, a polling agent, and any person who is held to have acted as an agent in connection with election with the consent of the candidate. (2) For the purposes of sub-clause (9), a person shall be deemed to assist in the furtherance of the prospects of a candidate’s election if he acts as an election agent of that candidate. (3) For the purposes of sub-clause (9), notwithstanding anything contained in any other law, the publication in the Telangana Gazette of the appointment, resignation, termination of service, dismissal or removal from service of a person in the service of the Government shall be conclusive proof,- (i) of such appointment, resignation, termination of service, dismissal or removal from service, as the case may be; and (ii) where the date of taking effect of such appointment, resignation, termination of service, dismissal or removal from service, as the case may be, is stated in such publication, also of the fact that such person was appointed with effect from the said date, or in the case of resignation, termination of service, dismissal or removal from service, such person ceased to be in such service with effect from the said date.
12	Disqualification for voting.

	(1) Any person who has been convicted under section 173 or 174 of the Bharatiya Nyaya Sanhita, 2023 shall for five years from the date of such conviction be disqualified from voting at any election of the Corporation. (2) Any person who has been found guilty of any corrupt or illegal practice in elections held under this Act, or any other law for the time being in force, shall be disqualified from voting at any election of the Corporation for a period of six or four years respectively from the date on which the person is found so guilty. (3) If default is made in making the return of the election expenses of any candidate who has contested the election held under this Act or if such return is found either upon the trial of an election petition or by any court in a judicial proceeding, to be false in any material particular, the candidate shall be disqualified for voting at any election of the Corporation for a period of five years from the date by which the return was required to be lodged. (4) Any disqualification under sub-clauses (1), (2) and (3) may be removed by Government for reasons to be recorded in writing: Provided that any removal of disqualification under this sub-section shall not qualify a person to vote or to be elected as a Member in any by-election held during the period for which, but for such disqualification he would have been continued as a Member.
13	Disqualification on ground of corrupt practice or election offences. Any person who is convicted of any offence punishable under Chapter IX of the Bharatiya Nyaya Sanhita, 2023, or any person against whom a finding of having indulged in any corrupt practice is recorded in the verdict in an election petition filed under this Act or any person convicted of an offence punishable under clauses 78 to 96 shall be disqualified for contesting in any election held under this Act, for a period of six years from the date of such conviction or verdict, as the case may be.
14	Disqualification for failure to lodge account of election expenses. If the State Election Commission is satisfied that a person,- (a) has failed to lodge an account of election expenses within the time and in the manner required by or under this Act, and (b) has no good reason or justification for the failure, the State Election Commission shall, after following the procedure prescribed, by order published in the Telangana Gazette, declare him,- (i) to be ineligible for a period of three years from the date of the said order to contest any election held for any office under this Act; and (ii) to have ceased to hold office, in case he is elected.
15	Qualification for being elected as a member. (1) Subject to the provisions of this Act a person who is registered in any ward list and who is not less than twenty one years of age shall be qualified to be elected as a member for any of the wards in the Corporation area. (2) Any person who ceases to be a member shall if qualified, under sub-clause (1) and not otherwise disqualified be eligible for re-election as such.
16	General disqualification.

	A person shall be disqualified for being chosen as, or for being a member of a Corporation if he is otherwise disqualified by or under any law for the time being in force for the purposes of elections to the Legislature of the State concerned: Provided that no person shall be disqualified on the ground that he is less than twenty five years of age, if he has attained the age of twenty one years.
17	A person having more than two children to be disqualified. A person having more than two children shall be disqualified for election or for continuing as member: Provided that the birth within one year from the date of commencement of the Andhra Pradesh Municipal Laws (Second Amendment) Act, 1994 (hereinafter in this clause referred to as the date of such commencement) of an additional child or children shall not be taken into consideration for the purposes of this clause: Provided further that a person having more than two children excluding the child or children if any born within one year from the date of such commencement shall not be disqualified under this clause for so long as the number of children he had on the date of such commencement does not increase: Provided also that where a person is having one child through first delivery and more than one child are born in the subsequent delivery, such person shall not incur disqualification under this clause: Provided also that the Government may direct that the disqualification in this clause shall not apply in respect of a person for reasons to be recorded in writing.
18	Disqualification for being a member. (1) Subject to the provisions of this Act, a person shall be disqualified for being elected as a member if such person is at the date of election- (a) one who has been sentenced by any Court to imprisonment or for an offence involving moral turpitude such sentence not having been subsequently reversed or quashed, or to death, such sentence having been subsequently commuted or altered to transportation or imprisonment: Provided that, on the expiry of such sentence the disqualification incurred under this clause shall cease; (b) is of unsound mind and stands so declared by a competent Court, (bb) already a member or Sarpanch of a Gram Panchayat or a member of a Mandal Praja Parishad or Zilla Praja Parishad constituted under the provisions of the Telangana Panchayat Raj Act, 1994 or a member of a Nagar Panchayat or Municipality constituted under the provisions of the Telangana Municipalities Act, 1965; (c) holds any office or place of profit under Government or under the Corporation or under any local authority: Provided that nothing in this clause shall apply to a person who, for the time being, is holding the office of the Chairman of an Urban Development Authority for the development area comprising the

	Corporation, constituted under sub-section (1) of section 3 of the Telangana Urban Areas (Development) Act, 1975; (d) is an undischarged insolvent; (e) holds any judicial office with jurisdiction within the limits of the Corporation area; (f) is employed as paid legal practitioner on behalf of the Corporation, or accepts employment as legal practitioner against the Corporation; (g) having been a legal practitioner he has been dismissed or is under suspension by order of the High Court on any of the following grounds; the disqualification in the latter case being operative during the period of suspension:- (i) a criminal offence implying a moral defect of character, (ii) being guilty of fraudulent conduct; (h) subject to the provisions of sub-clause (2) has directly or indirectly, by himself or his partner or if he belongs to a Joint Hindu Family, by any member of such family, any share or interest in any contract or has employment with, by or on behalf of the Corporation; (i) has been dismissed from the service of the Government, Corporation or any local authority for misconduct and has been declared by a competent authority to be not eligible for further employment in the public service; (j) had been disqualified for voting under clause 12, unless such period has elapsed for which he was disqualified for voting. (2) A person shall not be deemed to have incurred disqualification under clause (h) of sub-clause (1) by reason only of his- (a) receiving pension from the Corporation; (b) having any share or interest in- (i) any lease, sale, exchange or purchase of land or any agreement for the same; (ii) any agreement for the loan of money or any security for the payment of money only; (iii) any newspaper in which any advertisement relating to the affairs of the Corporation is inserted; (iv) any Joint Stock Company or any Society registered or deemed to be registered under the Telangana Co-operative Societies Act, 1952 which shall contract with or be employed by the Commissioner on behalf of the Corporation; (v) the occasional sale to the Commissioner on behalf of the Corporation of any article in which he regularly trades to a value not exceeding in the aggregate in any financial year rupees five thousand; or (vi) the occasional letting out on hire to or hiring from the Corporation of any article for an amount not exceeding in the aggregate in any financial year rupees one thousand; (c) occupying as a tenant for the purpose of residence any premises belonging to the Corporation.
--	---

19	Disqualification for continuing as member. (1) A member shall cease to be a member if he- (a) is or becomes subject to any of the disqualifications specified in clause 18; (aa) is elected to a Ward/Office reserved for Scheduled Castes or Scheduled Tribes or Backward Classes, and subsequently the community certificate on the basis of which he is elected is cancelled under section 5 of the Telangana (Scheduled Castes, Scheduled Tribes and Backward Classes) Regulation of Issue of Community Certificates Act, 1993; (b) ceases to reside in the Corporation area; (c) fails to pay arrears of any kind due by him, otherwise than in a fiduciary capacity, to the Corporation, within three months from the date of service of a notice requiring payment thereof issued by the Commissioner, which it shall be his duty to issue and cause to be served at the earliest convenient date; (d) absents himself at more than three consecutive meetings of the Corporation unless leave so to absent himself, which shall not exceed six months, had been granted by the Corporation or absents himself for over six consecutive months from meetings of the Corporation: Provided that no meeting from which a member absents himself shall be counted against him under this clause, if due notice of that meeting was not given to him: Provided further that nothing in this clause shall apply to an ex-officio member. Explanation.- A special meeting held under clause (d) of section 9 of this Act and a meeting called upon written requisition under clause (h) of section 9 of this Act shall not be deemed to be a meeting within the meaning of this clause. (2) When a member ceases to be a member under clause (d) of sub-clause (1), the Commissioner shall at once intimate the fact in writing to such member and report the same to the Corporation at its next meeting. If such member applies for restoration of office to the Corporation on or before the date of its next meeting or within fifteen days of the receipt by him of such intimation, whichever is later, the Corporation may at the meeting next after the receipt of such application or suo motu at the said meeting restore him to his office as member: Provided that a member shall not be so restored more than twice during his term of office.
20	Authority to decide questions of disqualifications of Members and Mayor. (1) Where an allegation is made by any voter or authority to the Commissioner in writing that any person who is elected as a member has not qualified or has become disqualified under clause 15, clause 16, clause 17, clause 18 or clause 19 and the Commissioner has given intimation of such allegation to the member and such member disputes the correctness of the allegation so made or where any member himself entertains any doubt whether or not he has become disqualified under any of those clauses,- (a) such member or any other member may, within a period of two months

	from the date on which such intimation is given or doubt is entertained, as the case may be, and (b) the Commissioner shall, either on the direction of the member with the approval of the Government if no such direction is given within a period of two months from the date of placing of the matter by the Commissioner before the council, apply for a decision to the Chief Judge, City Civil Court, Hyderabad. (2) The said judge, after making such inquiry as he deems necessary, shall determine whether or not such person is disqualified, and his decision shall be final. (3) Pending such decision, the member shall be entitled to act as if he was not disqualified.
21	Notification to call upon wards. For the purpose of holding elections under this Act the State Election Commissioner shall by one or more notifications published in the Telangana Gazette, call upon all the wards to elect members in accordance with the provisions of this Act and of rules and orders made thereunder, before such date or dates as may be specified in the said notification or notifications: Provided that the Election Commission shall issue such notification or the schedule and dates on which election will be conducted in concurrence with the State Government, which has to consider matters pertaining to law and order situation, internal security, security personnel, central armed police forces and the logistics of their deployment, availability of staff for election related duties, availability and procurement of election related material and premises for polling and counting, conduct of elections to other legislative and statutory bodies, natural calamities and seasonal conditions including drinking water situation and agricultural season, major fairs and festivals, education calendar and examinations in schools and colleges, likely onset of any epidemic diseases, operations relating to collection of vital statistics like census or any other enumeration, and matters involving public interest and any other administrative exigencies. Provided further that for the purpose of holding election under sub-clause (1) of clause 1 no such notification shall be issued at any time earlier than four months prior to the day for retirement of the Members.
22	Returning Officer for each ward. For each ward there shall be a Returning Officer who shall be such officer as the Commissioner may, with the approval of the State Election Commissioner, designate or nominate: Provided that nothing in this clause shall prevent the Commissioner from designating or nominating the same officer to be Returning Officer for more than one ward.
23	Returning Officer for the Corporation. Such officer as the Commissioner may, with the approval of the State Election Commissioner designate, shall be the returning officer for election to office of Mayor of the Corporation.

24	Assistant Returning Officer. (1) The Commissioner with the approval of the State Election Commissioner may appoint one or more officers to assist any Returning Officer designated either under clause 22 or clause 23 in the performance of his functions. (2) Every Assistant Returning Officer shall, subject to the control of the Returning Officer, be competent to perform all or any of the functions of the Returning Officer: Provided that no Assistant Returning Officer shall perform any of the functions of the Returning Officer which relate to the scrutiny of nominations unless the Returning Officer is unavoidably prevented from performing the said function.
25	Returning Officer to include Assistant Returning Officers performing the functions of the Returning Officer. Reference in this Act to the Returning Officer shall, unless the context otherwise requires, be deemed to include an Assistant Returning Officer performing any function which he is authorised to perform under sub-clause (2) of clause 24.
26	General duty of the Returning Officer. It shall be the general duty of the Returning Officer at any election held under this Act to do all such acts and things as may be necessary for effectually conducting the election in the manner provided by this Act and rules or orders made thereunder.
27	Provision of polling stations for wards. The Returning Officer for each ward shall, with the previous approval of the Commissioner, provide a sufficient number of polling stations for such ward, and shall publish in such manner as the Commissioner may direct, a list showing the polling stations so provided and the polling areas for which they have respectively been provided.
28	Appointment of presiding officers for polling stations. (1) The Returning Officer shall appoint a presiding officer for each polling station and such polling officer or officers as he thinks necessary, but he shall not appoint any person who has been employed by or on behalf of, or has been otherwise working for, a candidate in or about the election: Provided that if a polling officer is absent from the polling station, the presiding officer may appoint any person who is present at the polling station other than a person who has been employed by or on behalf of, or has been otherwise working for, a candidate in or about the election, to be the polling officer during the absence of the former officer, and inform the Returning Officer, accordingly. (2) A polling officer shall, if so directed by the presiding officer, perform all or any of the functions of a presiding officer under this Act or any rules or orders made thereunder. (3) If the presiding officer, owing to illness or other unavoidable cause is obliged to absent himself from the polling station, his functions shall be performed by such polling officer as has been previously authorised by Returning Officer to perform such functions during any such absence. (4) References in this Act to the presiding officer shall, unless the context otherwise

	requires, be deemed to include any person performing any function which he is authorised to perform under sub-clause (2) or sub-clause (3), as the case may be.
29	General duty of the Presiding Officer. It shall be the general duty of the presiding officer at a polling station to keep order thereat and to see that the poll is fairly taken.
30	Duties of a polling officer. It shall be the duty of the polling officer at a polling station to assist the presiding officer for such station in the performance of his functions.
31	Electoral officers and staff etc., deemed to be on deputation. (1) Any officer or staff employed in connection with the preparation, revision and correction of the electoral rolls for, and the conduct of all elections shall be deemed to be on deputation to the State Election Commission for the period during which they are so employed and such officers and staff shall during that period, be subject to the control, superintendence and discipline of the State Election Commission. (2) The District Election Authority, Returning Officer, Assistant Returning Officer, Presiding Officer, Polling Officer and any other officer appointed under this Act, and any Police officer designated for the time being by the State Government for the conduct of any elections shall be deemed to be on deputation to the State Election Commission for the period commencing on and from the date of notification calling for such elections and ending with the date of declaration of the results of such elections and such officer shall, during that period, be subject to the control, superintendence and discipline of the State Election Commission.
32	Appointment of dates of nominations, etc. As soon as the notification calling upon a ward to elect a member or members is issued under this Act, the State Election Commissioner shall, by notification in the Telangana Gazette, appoint- (a) the last date for making nominations, which shall be a period of not more than three days immediately following the date of publication of the notification under this clause whether or not the said days are public holidays; (b) the date for the scrutiny of nominations shall be the day immediately following the last date for making nominations whether or not it is a public holiday; (c) the date for the withdrawal of candidatures shall be the day immediately following the day of the scrutiny of nominations whether or not it is a public holiday; and (d) the date or dates on which a poll shall, if necessary, be taken which or the first of which shall be a date not earlier than the ninth day from the last date for the withdrawal of candidatures.
33	Symbols for direct elections. The State Election Commission shall as soon as may be after the issue of an election notification for any direct election by the voters in the Corporation, specify by notification published in the Telangana Gazette, the symbols, (including the symbols

	reserved for recognized political parties and the symbols, if any, reserved for registered political parties for exclusive allotment to contesting candidates set up by such parties), that may be chosen by the candidates contesting at an election to such office and the restrictions to which their choice shall be subject.
34	Public notice of election. On the issue of a notification under clause 32 the Returning Officer for the ward shall give public notice of the intended election in Form 1 of this Schedule, inviting nominations of candidates for such elections and specifying the place at which the nomination papers are to be delivered. The aforesaid notice shall be subject to any general or special directions issued in that behalf by State Election Commissioner be published in such manner, in such language or languages and in such places as the Returning Officer thinks fit.
35	Presentation of nomination paper and requirements for a valid nomination. (1) On or before the date appointed under clause (a) of clause 32 each candidate shall, either in person or by his proposer between the hours of eleven o'clock in the forenoon and three o'clock in the afternoon deliver to the Returning Officer at the place specified in this behalf in the notice issued under clause 33 a nomination paper in Form 2 of this Schedule and subscribed by the candidate himself as assenting to the nomination and by the person referred to in sub-clause (2) as proposer. (2) Any person whose name is registered in the ward list and who is not subject to any disqualification mentioned in clause 6 may subscribe as proposer as many nomination papers as there are vacancies to be filled but no more: Provided that if the name of a person is entered more than once in a ward list or is included in two or more ward lists of the same class, such person shall not be entitled to subscribe as proposer more than one nomination paper for each vacancy to be filled in that ward or in not more than one of such wards of the same class. (3) Every nomination paper delivered under sub-clause (1) shall be accompanied by such declarations as may be prescribed and no candidate shall be deemed to be duly nominated unless all such declarations are delivered along with the nomination paper: Provided that in a division where any seat is reserved for Scheduled Castes, Scheduled Tribes or as the case may be, backward class, a candidate shall not be deemed to be qualified to be chosen to that seat, unless his nomination paper contains a declaration by him specifying the particular caste or as the case may be the tribe or tribal community of which he is a member and the area in relation to which that caste is a Scheduled Caste or is a backward class or the tribe or tribal community is a Scheduled Tribe. (4) Every nomination paper delivered under sub-clause (1) shall be also accompanied by a declaration in writing specifying the particular symbol which the candidate has chosen for his first preference out of the list of symbols for the time being in force and also specifying two other symbols out of that list which he has chosen for his second and third preference respectively:

	Provided that the choice to be made by a candidate under this clause shall be subject to such restrictions as the State Election Commissioner may think fit to impose in this behalf. (5) Any nomination paper which is not received before three o'clock in the afternoon on the last date appointed under clause (a) of clause 32 shall be rejected. (6) On the presentation of a nomination paper, the Returning Officer shall satisfy himself that the names and serial numbers of the candidate and his proposer as entered in the nomination paper are the same as those entered in the ward list of the wards: Provided that the Returning Officer may- (a) permit any clerical error in the nomination paper in regard to the said names or numbers to be corrected in order to bring them into conformity with the corresponding entries in the ward list; and (b) where necessary, direct that any clerical or printing error in the said entries shall be overlooked. (7) If at the time of the presentation of the nomination paper the Returning Officer finds that the name of the candidate is not registered in the list of the ward for which he is the Returning Officer, he shall for the purposes of sub-clause (5) require the person presenting the nomination to produce either a copy of the ward list of the ward or wards for which he is the Returning Officer, or he shall for the purposes of sub-clause (6) require the person presenting the nomination paper to produce either a copy of the Ward List in which the name of the candidate is included or a certified copy of the relevant entries in such list. (8) Nothing in this clause shall prevent any candidate from being nominated by more than one nomination paper for election in the same ward. (9) A candidate may file nominations for more than one ward in the Municipal Corporation, but he/she shall withdraw his/her nominations to all wards except one ward of his/her choice, before the date and time fixed for withdrawal of candidature, failing which, all his/her nominations shall become invalid and shall not be allowed to contest from any ward.
36	Deposits. A candidate shall not be deemed to be duly nominated unless he deposits or causes to be deposited such sum as may be prescribed. In the case of a candidate belonging to Scheduled Castes or Scheduled Tribes, it shall be competent for the Government to prescribe a lesser amount of deposit. Every candidate shall deposit the sum prescribed in the manner specified by the rules made in this behalf.
37	Notice of nominations and the time and place for their scrutiny. The Returning Officer shall, on receiving the nomination paper under sub-clause (1) of clause 35, inform, the person or persons delivering the same, of the date, time and place fixed for the scrutiny of nominations and shall enter on the nomination paper its serial number, and shall sign thereon a certificate stating the date on, and the hour at, which the nomination paper has been delivered to him and shall, as soon as may be thereafter, cause to be affixed in some conspicuous place in his office a notice of the nomination containing descriptions similar to those contained in the nomination paper, both of the

	candidate and of the person who has subscribed the nomination paper as proposer.
38	Scrutiny of nominations. (1) On the date fixed for the scrutiny of nominations under clause 32, the candidates, their election agents, one proposer of each candidate, and one other person duly authorised in writing by each candidate, but no other person, may attend at such time and place as the Returning Officer may appoint, and the Returning Officer shall give them all reasonable facilities for examining the nomination papers of all candidates which have been delivered within the time and in the manner laid down in clause 35. (2) The Returning Officer shall then examine the nomination paper and shall decide all objections which may be made to any nomination, and may, either on such objection or on his own motion, after such summary inquiry, if any, as he thinks necessary, reject any nomination on any of the following grounds:— (a) that the candidate is not qualified to be elected under this Act; or (b) that the candidate is disqualified for being elected under this Act; or (c) that a proposer is disqualified from subscribing a nomination paper under sub-clause (2) of clause 35; or (d) that there has been any failure to comply with any of the provisions of clause 35 or clause 36; or (e) that the signature of the candidate or any proposer is not genuine or has been obtained by fraud. (3) Nothing contained in clause (c), clause (d) or clause (e) of sub-clause (2) shall be deemed to authorise the rejection of any candidate on the ground of any irregularity in respect of a nomination paper, if the candidate has been duly nominated by means of another nomination paper in respect of which no irregularity has been committed. (4) The Returning Officer shall not reject any nomination paper on the ground of any technical defect which is not of substantial character. (5) The Returning Officer shall hold the scrutiny on the date appointed in this behalf under clause (b) of clause 32 and shall not allow any adjournment of the proceedings except when such proceedings are interrupted or obstructed by riot or open violence or by causes beyond his control: Provided that in case an objection is made the candidate concerned may be allowed time to rebut it not later than the next day but one following the date fixed for scrutiny, and the Returning Officer shall record his decision on the date to which the proceedings have been adjourned. (6) The Returning Officer shall endorse on each nomination paper his decision accepting or rejecting the same and, if the nomination paper is rejected, shall record in writing a brief statement of his reasons for such rejection. (7) For the purposes of this clause a certified copy of an entry in the ward List for the time being in force, shall be conclusive evidence of the fact that the person referred to in that entry is a voter for that ward unless it is proved that he is subject to a disqualification mentioned in clause 6.

	(8) Immediately after all the nomination papers have been scrutinised and decisions accepting or rejecting the same have been recorded, the Returning Officer shall, prepare a list of validly nominated candidates, that is to say, candidates whose nominations have been found valid, and affix the same to his notice board.
39	Withdrawal of candidature. (1) Any candidate may withdraw his candidature by a notice in writing which shall contain such particulars as are contained in Form 3 of this Schedule and shall be subscribed by him and delivered before three o'clock in the afternoon on the day fixed under clause (c) of clause 32 to the Returning Officer either by such candidate in person or by his proposer or election agent who has been authorised in this behalf in writing by such candidate. (2) No person who has given a notice of withdrawal of his candidature under sub-clause (1) shall be allowed to cancel the notice. (3) The Returning Officer shall, on receiving a notice of withdrawal under sub-clause (1), as soon as may be thereafter, cause a notice of the withdrawal to be affixed in some conspicuous place in his office.
40	Publication of list of contesting candidates. (1) Immediately after the expiry of the period within which candidatures may be withdrawn, the Returning Officer shall prepare and publish in such form and manner as may be prescribed a list of contesting candidates, that is to say, candidates who were included in the final list of validly nominated candidates and who have not withdrawn their candidature within the said period. (2) For the purpose of listing the names under sub-clause (1), the candidates shall be classified as follows, namely:- (i) candidates of recognised political parties; (ii) candidates of registered political parties; (iii) other candidates. (3) The categories mentioned in sub-clause (2) shall be arranged in the order specified therein and the names of candidates in each category shall be arranged in alphabetical order and the addresses of the contesting candidates as given in the nomination papers together with such other particulars as may be prescribed.
41	Appointment of election agents. (1) Every person nominated as a candidate at an election may, in such manner as may be prescribed, appoint in writing some other person to be his election agent. (2) When a candidate appoints some person to be his election agent he shall obtain in writing the acceptance by such person of the office of such election agent.
42	Disqualification for being an election agent. No person shall be appointed an election agent who is disqualified from being a member under clause 18.
43	Revocation of the appointment, or death of an election agent. Any revocation of the appointment of an election agent, shall be signed by the candidate, and shall operate from the date on which it is lodged with the Returning Officer.

44	Other functions of the election agents. Every election agent shall perform such functions in connection with each election for which he is appointed election agent as are required to be performed by or under this Act by such agent.
45	Appointment of polling agents. A contesting candidate or his election agent may appoint in the prescribed manner such number of agents and relief agents of such candidate at each polling station at the place fixed and when any such appointment is made, notice of the appointment shall be given in the prescribed manner to the Returning Officer.
46	Appointment of counting agents. A contesting candidate or his election agent may appoint in the prescribed manner one agent and no more to be present as his counting agent at the counting of votes, and when any such appointment is made, notice of the appointment shall be given in the prescribed manner to the Returning Officer.
47	Revocation of the appointment, or death, of a polling agent or counting agent. (1) Any revocation of the appointment of a polling agent shall be signed by the candidate or his election agent and shall operate from the date on which it is lodged with the Returning Officer, and in the event of such a revocation or of the death of a polling agent before the close of the poll, the candidate or his election agent may appoint another polling agent at any time before the poll is closed and shall forthwith give notice of such appointment in the prescribed manner to the Returning Officer. (2) Any revocation of the appointment of a counting agent shall be signed by the candidate or his election agent and shall operate from the date on which it is lodged with the Returning Officer, and in the event of such a revocation or of the death of a counting agent before the commencement of the counting of votes, the candidate or his election agent may appoint in the prescribed manner another counting agent at any time before the counting of votes is commenced and shall forthwith give notice of such appointment in the prescribed manner to the Returning Officer.
48	Functions of polling agents and counting agents. (1) A polling agent may perform such functions in connection with the poll as are authorised by or under this Act to be performed by a polling agent. (2) A counting agent may perform such functions in connection with the counting of votes as are authorised by or under this Act to be performed by a counting agent.
49	Candidate and his election agent to perform the functions of a polling agent or counting agent. (1) At every election where a poll is taken, each candidate at such election and his election agent shall have a right to be present at any polling station provided under clause 27 for the taking of the poll. (2) A candidate or his election agent may himself do any act or thing which any

	polling agent or the counting agent of such candidate, if appointed, would have been authorised by or under this Act, to do, or may assist any polling agent or the counting agent of such candidate in doing any such act or thing.
50	Non-attendance of polling or counting agents. Where any act or thing is required or authorised by or under this Act to be done in the presence of the polling or counting agents, the non-attendance of any such agent or agents at the time and place appointed for the purpose shall not, if the act or thing is otherwise duly done, invalidate the act or thing done.
51	Death of candidate of recognised or registered Political Party before poll. (1) If a candidate set up by a recognised political party or a candidate set up by a registered political party to whom a symbol is reserved by the State Election Commission,- (a) dies at any time after 10.00 A.M. on the last date for making nominations and his nomination is found valid on scrutiny under clause 38; or (b) whose nomination has been found valid on scrutiny under clause 38 and who has not withdrawn his candidature under clause 39, dies, and in either case, a report of his death is received at any time before the publication of the list of contesting candidates under clause 40; or (c) dies as a contesting candidate and a report of his death is received before the commencement of the poll, the Returning Officer shall, upon being satisfied about the fact of the death of the candidate, by order, announce an adjournment of the poll to a date to be notified later and report the fact to the State Election Commission and to the election authority: Provided that no order for adjourning a poll should be made in a case referred to in clause (a) except after the scrutiny of all the nominations including the nomination of the deceased candidate. (2) The State Election Commission shall, on the receipt of a report from the Returning Officer under sub-clause (1), call upon the recognized or registered political party, as the case may be, whose candidate has died, to nominate another candidate for the said poll within seven days of issue of such notice to such recognized or registered political party and the provisions of clauses 32 to 40 shall, so far as may be, apply in relation to such nomination as they would apply to other nominations: Provided that no person who has given a notice of withdrawal of his candidature under sub-clause (1) of clause 39 before the adjournment of the poll shall be ineligible for being nominated as a candidate for the election after such adjournment. (3) Where a list of contesting candidates had been published under clause 40 before the adjournment of the poll under sub-clause (1), the Returning Officer shall again prepare and publish a fresh list of contesting candidates under that clause so as to include the name of the candidate who has been validly nominated under sub-clause (2).

52	Procedure in contested and uncontested elections. (1) If the number of contesting candidates is more than the number of seats to be filled, a poll shall be taken. (2) If the number of such candidates is equal to the number of seats to be filled, the Returning Officer shall forthwith declare all such candidates to be duly elected to fill those seats. (3) If the number of such candidates is less than the number of seats to be filled, the Returning Officer shall forthwith declare all such candidates to be elected and the State Election Commissioner shall, by notification in the Telangana Gazette, call upon the ward to elect a person to fill the seat before such date as may be appointed in this behalf by the State Election Commissioner and specified in the notification.
53	Eligibility of members of Scheduled Castes, Scheduled Tribes, or the Backward Classes and Women to non-reserved seats. For the removal of doubts, it is hereby clarified that nothing in this Act shall be deemed to prevent members of the Scheduled Castes or the Scheduled Tribes or the Backward Classes or Women for whom seats are reserved from standing for election to the non-reserved seats in the Corporation.
54	Reservation of office of member to cease after certain date. The provisions of sections 6 of this Act and clause 2 relating to the reservation of office of member for the Scheduled Castes and the Scheduled Tribes shall cease to have effect on the expiration of the period specified in Article 334 of the Constitution of India.
55	Fixing time for poll. The State Election Commissioner shall fix the hours during which the poll shall be taken and the hours so fixed shall be published in the Telangana Gazette and in such manner as the State Election Commissioner may direct: Provided that the total period allotted on any one day for polling at an election in a ward shall not be less than eight hours.
56	Adjournment of poll in emergencies. (1) If at an election the proceedings at any polling station provided under clause 27 are interrupted or obstructed by any riot or open violence, or if at an election it is not possible to take the poll at any polling station or such place on account of any natural calamity, or any other sufficient cause, the presiding officer for such polling station or the Returning Officer presiding over such place, as the case may be, shall announce an adjournment of the poll to a date to be notified later and where the poll is so adjourned by a presiding officer, he shall forthwith inform the Commissioner. (2) Whenever a poll is adjourned under sub-clause (1) the Commissioner shall immediately report the circumstances to the State Election Commissioner and shall, as soon as may be, with the previous approval of the State Election Commissioner, appoint the day on which the poll shall recommence and fix the polling station or place at which, and the hours during which, the poll will be taken, and shall not count the votes cast at such election until such adjourned

	poll shall have been completed. (3) In every such case as aforesaid, the Commissioner shall notify, in such manner as the State Election Commissioner may direct the date, place and hours of polling fixed under sub-clause (2).
57	Fresh poll in the case of destruction, etc., of ballot boxes. (1) If at any election,- (a) any ballot box used at a polling station is unlawfully taken out of the custody of the presiding officer or the returning officer, or is accidentally or intentionally destroyed or lost, or is damaged or tampered with, to such an extent, that the result of the poll at that polling station cannot be ascertained; or (b) any voting machine develops a mechanical failure during the course of the recording of votes; or (c) any such error or irregularity in procedure as is likely to vitiate the poll is committed at a polling station, the returning officer shall forthwith report the matter to the State Election Commission. (2) Thereupon, the State Election Commission shall, after taking all material circumstances into account; either- (a) declare the poll at that polling station to be void, appoint a day, and fix the hours, for taking a fresh poll at that polling station and notify the day so appointed and the hours so fixed in such manner as it may deem fit, or (b) If satisfied that the result of a fresh poll at that polling station will not, in any way, affect the result of the election or that the mechanical failure of the voting machine or the error or irregularity in procedure is not material, issue such directions to the returning officer as it may deem proper for the further conduct and completion of the election. (3) The provisions of this Act and of any rules or orders made thereunder shall apply to every such fresh poll as they apply to the original poll.
58	Adjournment of poll or countermanding of election on the ground of booth capturing. (1) If at any election,- (a) booth capturing has taken place at a polling station or in such number of polling stations as is likely to affect the result of such election or that the result of the poll at that polling station cannot be ascertained; or (b) booth capturing takes place in any place for counting of votes in such a manner that the result of the counting at that place cannot be ascertained, the returning officer shall forthwith report the matter to the State Election Commission. (2) The State Election Commission shall on the receipt of a report from the returning officer under sub-clause (1) and after taking all material circumstances into account, either,- (a) declare that the poll at that polling station be void, appoint a day, and fix the hours, for taking fresh poll at that polling station and notify the date so appointed and hours so fixed in such manner as it may deem fit, or

	(b) if satisfied that in view of the large number of polling stations involved in booth capturing the result of the election is likely to be affected or that booth capturing had affected counting of votes in such manner as to affect result of the election, countermand the election in that ward. Explanation:- In this clause “booth capturing” shall have the same meaning as in clause 91.
59	Manner of voting at elections. At every election where a poll is taken, votes shall be given by ballot in such manner as may be prescribed, and no votes shall be received by proxy.
60	Voting machines at elections. Notwithstanding anything contained in this Act or the rules made thereunder, the giving and recording of votes by voting machines in such manner as may be prescribed, may be adopted in such ward or wards as the State Election Commission may, having regard to the circumstances of each case, specify. Explanation:- For the purpose of this clause, “Voting machine” means any machine or apparatus whether operated electronically or otherwise used for giving or recording of votes and any reference to a ballot box or ballot paper in this Act or the rules made thereunder shall, save as otherwise provided, be construed as including a reference to such voting machine wherever such voting machine is used at any election.
61	Right to vote. (1) No person whose name is not, and except as expressly provided by this Act, every person whose name is, for the time being, entered in the ward list shall be entitled to vote in that ward. (2) No person shall vote at a general election in more than one ward, and if a person votes in more than one such ward, his votes in all such wards shall be void. (3) No person shall at any election vote in the same ward more than once, notwithstanding that his name may have been registered in that ward list more than once, and if he does so vote, all his votes in that ward shall be void. (4) No person shall vote at any election if he is confined in a prison, whether under a sentence of imprisonment or transportation or otherwise, or is in the lawful custody of police: Provided that nothing in this sub-clause shall apply to a person subjected to preventive detention under any law for the time being in force.
62	Counting of votes. At every election where a poll is taken, votes shall be counted by, or under the supervision of the Returning Officer, and each candidate, his election agent and his counting agent, shall have a right to be present at the time of counting.
63	Destruction, loss, etc., of ballot papers at the time of counting. (1) If any time before the counting of votes is completed any ballot papers used at a polling station are unlawfully taken out of the custody of the returning officer or

	are accidentally or intentionally destroyed or lost or are damaged or tampered with, to such an extent that the result of the poll at that polling station cannot be ascertained, the returning officer shall forthwith report the matter to the State Election Commission. (2) Thereupon, the State Election Commission shall, after taking all material circumstances into account, either- (a) direct that the counting of votes shall be stopped, declare the poll at that polling station to be void, appoint a day, and fix the hours, for taking a fresh poll at that polling station and notify the date so appointed and hours so fixed in such manner as it may deem fit, or (b) If satisfied that the result of a fresh poll at that polling station will not, in any way, affect the result of the election, issue such directions to the returning officer as it may deem proper for the resumption and completion of the counting and for the further conduct and completion of the election in relation to which the votes have been counted. (3) The provisions of this Act and of any rules or orders made thereunder shall apply to every such fresh poll as they apply to the original poll.
64	Equality of votes. If, after the counting of the votes is completed, an equality of votes is found to exist between any candidates, and the addition of one vote will entitle any of those candidates to be declared elected, the Returning Officer shall forthwith decide between those candidates by lot, and proceed as if the candidate on whom the lot falls had received an additional vote.
65	Declaration of results. When the counting of the votes has been completed, the Returning Officer shall forthwith declare the result of the election in the manner prescribed.
66	Report of the result. As soon as may be after the result of an election has been declared, the Returning Officer shall report the result to the Commissioner and the State Election Commissioner who shall cause to be published in the Telangana Gazette the declarations containing the names of the elected candidates.
67	Date of election of candidate. For the purposes of this Act, the date on which a candidate is declared to be duly elected by the Returning Officer under the provisions of clause 52 or clause 65, shall be the date of the election of that candidate.
68	Prohibition of simultaneous representation. (1) If a person is elected by more than one ward he shall, by notice in writing signed by him and delivered to the Commissioner within the prescribed time, choose any one of the wards which he shall serve and the choice shall be final. (2) When any such choice has been made the ward or the wards other than the ward which such person has chosen to serve shall be called upon to elect another person or persons.

	(3) If the candidate does not make the choice referred to in sub-clause (1), the election of such person shall be void and all the wards concerned shall be called upon to elect another person or persons.
69	Government may make rules for the conduct of elections. (1) Subject to the provisions of this Act the Government may make rules for the preparation of electoral roll for the Corporation, correction of entries and inclusion of names therein, appeals in relation thereto and conduct of elections. (2) In particular and without prejudice to the generality of the foregoing power, the Government shall make rules in respect of the following matters— (a) the appointment of polling stations for each ward; (b) the appointment of polling officers and other persons to assist at the poll and for the remuneration of such polling officers and other persons for their services; (c) the hours during which polling stations shall be open for the recording of votes; (d) the printing and issue of voting papers; (e) the checking of voters by reference to the municipal list of voters; (f) the manner in which votes are to be given and in particular for the case of illiterate voters or of voters under physical or other disability; (g) enabling any person subjected to preventive detention under any law for the time being in force to give his vote by postal ballot, and not in any other manner at an election in a ward where a poll is taken, subject to the fulfilment of such requirements as may be prescribed; (h) marking with indelible ink of the thumb or any other finger of every voter who applies for a ballot paper for the purposes of voting at a polling station before delivery of such paper to him and for prohibiting the delivery of any ballot paper to any person for voting at a polling station if at the time such person applies for such paper he has already such a mark on his thumb or any other finger so as to prevent personation of votes; (i) the procedure to be followed in respect of challenged votes, or tender of votes by persons representing themselves to be electors, after other persons have voted as such electors; (j) the scrutiny of votes; and (k) the safe custody of ballot papers and other election papers, for the period for which such papers shall be preserved and for the inspection and production of such papers; and may make such other rules regarding the conduct of the elections as it thinks fit.
70	Requisitioning of premises and vehicles for election purposes. (1) If it appears to the Government that in connection with any election held under this Act- (a) any premises are needed or are likely to be needed for the purpose of being used as a polling station or for the storage of ballot boxes after a poll has been taken, or

	(b) any vehicle is needed or is likely to be needed for the purposes of transport of personnel or ballot boxes to or from any polling station, or transport of members of the police force for maintaining order during the conduct of such election or transport of any officer or other person for performance of any duties in connection with such election, the Government may, by order in writing, requisition such premises or such vehicle, as the case may be, and may make such further orders as may appear to them to be necessary or expedient, in connection with the requisitioning: Provided that no vehicle which is being lawfully used by a candidate or his agent for any purpose connected with the election of such candidate shall be requisitioned under this sub-clause until the completion of the poll at such election. (2) The requisition shall be effected by an order in writing addressed to the person deemed by the Government to be the owner or person in possession of the property, and such order shall be served in the prescribed manner on the person to whom it is addressed. (3) Whenever any property is requisitioned under sub-clause (1), the period of such requisition shall not extend beyond the period for which such property is required for any of the purposes mentioned in that sub-clause. Explanation:- For the purpose of this clause “premises” mean any land, building or part of a building and include a hut, shed or other structure or any part thereof; and “vehicle” means any vehicle used, for the purpose of road transport, whether propelled by mechanical power or otherwise.
71	Payment of Compensation. (1) Whenever in pursuance of clause 70, the Government requisition any premises, there shall be paid to the person interested compensation the amount of which shall be determined by taking into consideration the following, namely:- - the rent payable in respect of the premises or if no rent is so payable, the rent payable for similar premises in the locality; - if in consequence of the requisition of the premises, the person interested is compelled to change his residence or place of business, the reasonable expenses, if any, incidental to such change: Provided that where any person interested, being aggrieved by the amount of compensation so determined, makes an application within the prescribed time to the Government for referring the matter to an arbitrator, the amount of compensation to be paid shall be such as the arbitrator appointed in this behalf by the Government may determine: Provided further that where there is any dispute as to the title to receive compensation or as to apportionment of the amount of the compensation, it shall be referred by the Government to an arbitrator appointed in this behalf by the Government for determination, and shall be determined in accordance with the decision of such arbitrator. Explanation.- In this clause, the expression “person interested” means the person who was in actual possession of the premises requisitioned under clause 70 immediately

	before the requisition, or where no person was in such actual possession, the owner of such premises. (2) Whenever in pursuance of clause 70, the Government requisition any vehicle, there shall be paid to the owner thereof compensation, the amount of which shall be determined by the Government on the basis of the fares or rates prevailing in the locality for the hire of such vehicles: Provided that where the owner of such vehicle, being aggrieved by the amount of compensation so determined, makes an application within the prescribed time to the Government for referring the matter to an arbitrator, the amount of compensation to be paid shall be such as the arbitrator appointed in this behalf by the Government may determine: Provided further that where immediately before the requisitioning, the vehicle was, by virtue of a hire purchase agreement, in the possession of a person, other than the owner, the amount determined under this sub-clause as the total compensation payable in respect of the requisition shall be apportioned between that person and the owner in such manner as they may agree upon, and in default of agreement, in such manner as an arbitrator appointed by the Government in this behalf may decide.
72	Power to obtain information. The Government may, with a view to requisitioning any property under clause 70 or determine the compensation payable under clause 71, by order, require any person to furnish to such authority as may be specified in the order, such information in his possession relating to such property as may be specified.
73	Eviction from requisitioned premises. (1) Any person remaining in possession of any requisitioned premises in contravention of any order made under clause 70 may be summarily evicted from the premises by any officer empowered by the Government in this behalf. (2) Any officer so empowered may, after giving to any woman not appearing in public, reasonable warning and facility to withdraw, remove or open any lock or bolt or break open any door of any building or do any other act necessary of effecting such eviction.
74	Penalty for contravention of any order regarding requisitioning. If any person contravenes any order made under clause 70 or clause 72, he shall be punishable with imprisonment for a term which may extend to one year or with fine or with both.
75	Delegation of powers of the Government. The Government may, by notification in the Telangana Gazette, and subject to such restrictions and conditions as may be specified therein, delegate to any officer or any authority all or any of the powers vested in them by clause 70 to clause 73 (both inclusive), and may, in like manner, withdraw any powers so delegated.
76	Delegation of powers of the Commission. The State Election Commissioner may by order in writing, delegate to any officer or

	authority in the State Government, either generally or as respects any particular matter or class of matters any powers of the Commission under this Act.
77	Appointment of Special Officer. (1) Notwithstanding anything contained in this Act, wherein the opinion of the Government it is not possible to hold the elections to the Corporation in accordance with the provisions of this Act, before the date of expiration of the term, and to bring the newly elected members into office on the date of expiration of the term as aforesaid, the Government may, by notification appoint a Special Officer to exercise the powers, perform the duties and discharge the functions of,- (a) the Corporation, (b) the Standing Committee, and (c) the Commissioner, under the Act, for a period which shall not exceed three and half years from the date of such appointment: Provided that the State Government may, from time to time, by notification in the Telangana Gazette and for reasons specified therein extend the said period of appointment of Special Officer beyond three and half years, for a further period or periods so however that the period of appointment of the Special Officer shall not, in the aggregate exceed eleven years. (2) The State Government shall cause elections to be held to the Corporation under the principal Act, so that the newly elected members may come into office on such date as may be specified by the State Government in this behalf by a notification, in the Telangana Gazette: Provided that the State Government may, from time to time, advance or postpone the date specified under this sub-clause and fix instead another date: Provided further that the date fixed under this sub-clause shall be the date on which the appointment of the Special Officer expires. (3) The Special Officer shall exercise the powers, perform the duties and discharge the functions of the Corporation until the elected members come into office, of the Standing Committee until a Standing Committee is appointed by the Corporation, and of the Commissioner until a Commissioner is appointed by the State Government, as the case may be, and any such officer may, if the State Government so direct, receive remuneration for his service from the Municipal Fund.
78	Promoting enmity between classes in connection with election Any person who, in connection with an election under this Act promotes or attempts to promote on grounds of religion, race, caste, community or language, feelings or enmity or hatred, between different classes of the citizens of India shall be punishable with imprisonment for a term which may extend to three years and with fine which may extend to three thousand rupees.

79	Prohibition of public meetings during period of forty-eight hours ending with hour fixed for conclusion of poll.- (1) No person shall- (a) convene, hold, attend, join or address any public meeting or procession in connection with an election; or (b) display to the public any election matter by means of cinematography, television or other similar apparatus; or (c) propagate any election matter to the public by holding, or by arranging the holding of any musical concert or any theatrical performance or any other entertainment or amusement with a view to attracting the members of the public thereto, in any polling area during the period of forty-eight hours ending with the hour fixed for the conclusion of the poll for any election in that polling area. (2) Any person who contravenes the provision of sub-clause (1) shall be punishable with imprisonment for a term which may extend to two years, or with fine or with both. (3) In this clause, the expression “election matter” means any matter intended or calculated to influence or affect the result of election.
80	Disturbances at election meetings. (1) Any person who at a public meeting to which this clause applies acts, or incites others to act, in a disorderly manner for the purpose of preventing the transaction of the business for which the meeting was called together, shall be punishable with imprisonment which may extend to six months or with fine which may extend to two thousand rupees. (2) An offence punishable under sub-clause (1) shall be cognizable (3) This clause applies to any public meeting of a political character held in any constituency between the date of the issue of a notification under this Act calling upon the constituency to elect a member or members and the date on which such election is held. (4) If any police officer reasonably suspects any person of committing an offence under sub-clause (1), he may, if requested so to do by the Chairman of the meeting, require that person to declare to him immediately his name and address, and if that person refuses or fails so to declare his name and address, or if the police officer reasonably suspects him of giving a false name or address, the police officer may arrest him without warrant.
81	Restrictions on the printing of pamphlets, posters etc .- (1) No person shall print or publish or cause to be printed or published, any election pamphlet or poster which does not bear on its face the names and addresses of the printer and the publisher thereof. (2) No person shall print or cause to be printed any election pamphlet or poster,- (a) unless a declaration as to the identity of the publisher thereof, signed by him and attested by two persons to whom he is personally known, is delivered by him to the printer in duplicate; and

	(b) unless, within a reasonable time after the printing of the document, one copy of the declaration is sent by the printer, together with one copy of the document- (i) where it is printed in the capital of the State, to the Election Authority, and (ii) in any other case, to the District Magistrate of the district in which it is printed. (3) For the purpose of this clause,- (a) any process for multiplying copies of a document other than copying it by hand, shall be deemed to be printing and the expression “printer” shall be constructed accordingly; and (b) “election pamphlet or poster” means any printed pamphlet, hand-bill or other document distributed for the purpose of promoting or prejudicing the election of a candidate or group of candidates or any placard or poster having reference to an election, but does not include any hand-bill, placard or poster merely announcing the date, time, place and other particulars of an election meeting or routine instructions to election agents or workers. (4) Any person who contravenes any of the provisions of sub-clause (1) or sub-clause (2) shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to two thousand rupees or with both.
82	Maintenance of secrecy of voting .- (1) Every officer, clerk, agent or other person who performs any duty in connection with the recording or counting of votes at an election shall maintain, and aid in maintaining, the secrecy of the voting and shall not, except for some purpose authorised by or under any law, communicate to any person any information calculated to violate such secrecy. (2) Any person who contravenes the provisions of sub-clause (1) shall be punishable with imprisonment for a term which may extend to three months or with fine or with both.
83	Officers, etc., at elections not to act for candidates or to influence voting .- (1) No person who is a Returning Officer, or an Assistant Returning Officer, or a Presiding or Polling Officer at an election, or an officer or clerk appointed by the Returning Officer or the Presiding Officer to perform any duty in connection with an election shall, in the conduct or the management of the election, do any act, other than the giving of vote, for the furtherance of the prospects of the election of a candidate. (2) No such person as aforesaid, and no member of a police force shall endeavour— (a) to persuade any person to give his vote at an election, or (b) to dissuade any person from giving his vote at an election, or (c) to influence the voting of any person at an election in any manner. (3) Any person who contravenes the provisions of sub-clause (1) or sub-clause (2) shall be punishable with imprisonment which may extend to six months or with fine or with both. (4) An offence punishable under sub-clause (3) shall be cognizable.

84	Prohibition of canvassing in or near polling stations .- (1) No person shall, on the date or dates on which a poll is taken at any polling station, commit any of the following acts within the polling station or in any public or private place within a distance of one hundred meters of the polling station, namely:— (a) canvassing for votes; or (b) soliciting the vote of any elector; or (c) persuading any elector not to vote for any particular candidate; or (d) persuading any elector not to vote at the election, or (e) exhibiting any notice or sign, other than an official notice relating to the election. (2) Any person who contravenes the provisions of sub-clause (1) shall be punishable with a fine which may extend to rupees two hundred and fifty. (3) An offence punishable under this clause shall be cognizable.
85	Penalty for disorderly conduct in or near polling stations .- (1) No person shall, on the date or dates, on which a poll is taken at any polling station,— (a) use or operate within or at the entrance of the polling station, or in any public or private place in the neighbourhood thereof, any apparatus for amplifying or reproducing the human voice, such as a megaphone or a loud speaker, or (b) shout or otherwise act in a disorderly manner, within or at the entrance of the polling station or in any public or private place in the neighbourhood thereof, so as to cause annoyance to any person visiting the polling station for the poll, or so as to interfere with the work of the officers and other persons on duty at the polling station. (2) Any person who contravenes, or wilfully aids or abets the contravention of the provisions of sub-clause (1) shall be punishable with imprisonment which may extend to three months or with fine or with both. (3) If the presiding officer of a polling station has reason to believe that any person is committing or has committed an offence punishable under this clause he may direct any police officer to arrest such person, and there upon the police officer shall arrest him. (4) Any police officer may take such steps, and use such force, as may be reasonably necessary for preventing any contravention of the provisions of sub-clause (1) and may seize any apparatus used for such contravention.
86	Penalty for misconduct at the polling station .- (1) Any person who during the hours fixed for the poll at any polling station misconducts himself or fails to obey the lawful directions of the presiding officer may be removed from the polling station by the presiding officer or by any police officer on duty or by any person authorised in this behalf by such presiding officer. (2) The powers conferred by sub-clause (1) shall not be exercised so as to prevent any voter who is otherwise entitled to vote at a polling station from having an opportunity of voting at that station.

	(3) If any person who has been so removed from a polling station re-enters the polling station without the permission of the presiding officer, he shall be punishable with imprisonment for a term which may extend to three months or with fine or with both. (4) An offence punishable under sub-clause (3) shall be cognizable.
87	Penalty for failure to observe procedure for voting .- If an elector to whom a ballot paper has been issued, refuses to observe the procedure prescribed for voting, the ballot paper issued to him shall be liable for cancellation.
88	Penalty for illegal hiring or procuring of conveyance at elections .- If any person is guilty of any such corrupt practice as is specified in sub-clause (7) of clause 11 at or in connection with an election, he shall be punishable with imprisonment which may extend to three months and with fine.
89	Penalty for Government servants etc. for acting as election agent, polling agent or counting agent .- If any person in the service of the State or Central Government or a Local Authority or a Corporation owned or controlled by the State or Central Government acts as an election agent of a candidate at an election held under this Act, he shall be punishable with imprisonment for a term which may extend to three months, or with fine or with both.
90	Prohibition of going armed to or near a polling station .- (1) No person other than the Returning Officer, any Police Officer and any other person appointed to maintain peace and order, at a polling station who is on duty at the polling station, shall, on a polling day, go armed with arms, as defined in the Arms Act, 1959 (Act No. 4 of 1959), of any kind within the neighbourhood of a polling station. (2) If any person contravenes the provisions of sub-clause (1), he shall be punishable with imprisonment for a term which may extend to two years, or with fine, or with both. (3) An offence punishable under sub-clause (2) shall be cognizable.
91	Offence of booth capturing .- (1) Whoever commits an offence of booth capturing shall be punishable with imprisonment for a term which shall not be less than one year but which may extend to three years and with fine, and where such offence is committed by a person in the service of the Government, he shall be punishable with imprisonment for a term which shall not be less than three years but which may extend to five years and with fine. Explanation:- For the purposes of this sub-clause and clause 102 “booth capturing” includes, among other things, all or any of the following activities, namely:-

	(a) seizure of a polling station or a place fixed for the poll by any person or persons making polling authorities surrender the ballot papers or voting machines and doing of any other act which affects the orderly conduct of elections; (b) taking possession of polling station or a place fixed for the poll by any person or persons and allowing only his or their own supporters to exercise their right to vote and prevent others from free exercise of their right to vote; (c) coercing or intimidating or threatening directly or indirectly threatening any elector and preventing him from going to the polling station or a place fixed for the poll to cast his vote; (d) seizure of a place for counting of votes by any person or persons, making the counting authorities surrender the ballot papers or voting machines and the doing of anything which affects the orderly counting of votes; (e) doing by any person in the service of Government, of all or any of the aforesaid activities or aiding or conniving at, any such activity in the furtherance of the prospects of the election of a candidate. (2) An offence punishable under sub-clause (1) shall be cognizable.
92	Removal of ballot papers from polling station to be an offence .- (1) Any person who at any election unauthorisedly takes, or attempts to take, a ballot paper out of a polling station, or wilfully aids or abets the doing of any such act, shall be punishable with imprisonment for a term which may extend to one year or with a fine which may extend to rupees five hundred or with both. (2) If the presiding officer of a polling station has reason to believe that any person is committing or has committed an offence punishable under sub-clause (1), such officer may, before such person leaves the polling station, arrest or direct a police officer to arrest such person and may search such person or cause him to be searched by a police officer. Provided that when it is necessary to cause a woman to be searched, the search shall be made by another woman with strict regard to decency. (3) Any ballot paper found upon the person arrested on search shall be made over for safe custody to a police officer by presiding officer, or when the search is made by a police officer, shall be kept by such officer in safe custody. (4) An offence punishable under sub-clause (1) shall be cognizable.
93	Making false declaration .- If a person makes in, or in connection with, any nomination of a candidate for election or any return of election expenses, a statement or declaration in writing which is false and which he either knows or believes to be false or does not believe to be true, he shall be punishable with imprisonment for a term which may extend to one year or with fine or with both.

94	Breach of official duty in connection with elections .- (1) If any person to whom this clause applies is without reasonable cause guilty of any act or omission in breach of his official duty, he shall be punishable with fine, which may extend to five hundred rupees. (2) An offence punishable under sub-clause (1) shall be cognizable. (3) No suit or other legal proceedings shall lie against any such person for damages in respect of any such act or omission as aforesaid. (4) The persons to whom this clause applies are the District Election Officers, returning officers, assistant returning officers, presiding officers, polling officers, and any other person appointed to perform any duty in connection with the receipt of nominations or withdrawal of candidatures, or the recording or counting of votes at an election and the expression “official duty” shall for the purposes of this clause be constructed accordingly but shall not include duties imposed otherwise than by or under this Act.
95	Liquor not to be sold, given or distributed on polling day .- (1) No spirituous, fermented or intoxicating liquors or other substances of a like nature shall be sold, given or distributed at a hotel, eating house, tavern, shop or any other place, public or private, within a polling area during the period of forty-eight hours ending with the hour fixed for the conclusion of the poll for any election in that polling area. (2) Any person who contravenes the provisions of sub-clause (1), shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to two thousand rupees, or with both. (3) Where a person is convicted of an offence under this clause, the spirituous, fermented or intoxicating liquors or other substances of a like nature found in his possession shall be liable to confiscation and the same shall be disposed of in such manner as may be prescribed.
96	Other offences and penalties therefor.- (1) A person shall be guilty of an electoral offence if at any election he- (a) fraudulently defaces or fraudulently destroys any nomination paper; or (b) fraudulently defaces, destroys or removes any list, notice or other document affixed by or under the authority of a Returning Officer; or (c) fraudulently defaces or fraudulently destroys any ballot paper or the official mark on any ballot paper or any declaration of identity or official envelope used in connection with voting by postal ballot; or (d) without due authority supplies any ballot paper to any person or receives any ballot paper from any person or is in possession of any ballot paper; or (e) fraudulently puts into any ballot box anything other than the ballot paper which he is authorised by law to put in; or

	(f) without due authority destroys, takes, opens or otherwise interferes with any ballot box or ballot papers then in use for the purposes of the election; or (g) fraudulently or without due authority, as the case may be, attempts to do any of the foregoing acts or wilfully aids or abets the doing of any such acts. (2) Any person guilty of an electoral offence under this clause shall— (a) if he is a Returning Officer or an Assistant Returning Officer or a Presiding Officer at a polling station or any other officer or clerk employed on official duty in connection with the election be punishable with imprisonment for a term which may extend to two years or with fine or with both; or (b) if he is any other person, be punishable with imprisonment for a term which may extend to six months or with fine, or with both. (3) For the purposes of this clause, a person shall be deemed to be on official duty if his duty is to take part in the conduct of an election or part of an election including the counting of votes or to be responsible after an election for the used ballot papers and other documents in connection with such election, but the expression “official duty” shall not include any duty imposed otherwise than by or under this Act or the rules made thereunder. (4) An offence punishable under sub-clause (2) shall be cognizable.
97	Penalty for offences not otherwise provided for in this Schedule. Whoever does any act in contravention of any of the clauses of this Schedule, or of any rule, notification or order made, issued or passed, thereunder and not otherwise provided for in this Schedule shall, on conviction be punished with imprisonment which may extend to two years or and with fine which may extend to two thousand rupees or with both
98	Punishment for acquiring share or interest in contract, etc., with the Corporation Any Member who knowingly acquires, directly or indirectly, any share or interest in any contract or employment with by or on behalf of the Corporation, not being a share or interest such as, under clause (h) of sub-clause (1) of clause 18, it is permissible for a Member to have, without being thereby disqualified for being a Member, and any Commissioner, Deputy Commissioner, municipal officer or servant who knowingly acquires directly or indirectly, any share of interest in any contract or employment with, by or on behalf of the Corporation, not being a share or interest such as, under clause (h) of sub-clause (1) of clause 18, is permissible for a Member to have, without being thereby disqualified for being a Member , shall be deemed to have committed the

	offence made punishable by section 202 of the Bharatiya Nyaya Sanhita, 2023 (Act No.45 of 2023).
99.	Extent of penal responsibility of agents and trustees of owners. No person, who receives the rent of any premises in any capacity described in sub-clause (a) of clause (46) of section 2 of this Act, shall be liable to any penalty under this Act for omitting to do an act as the owner of such premises if he shall prove that his default was caused by his not having funds of, or due to owner sufficient to defray the cost of doing the act required.
100	Accounts of election expenses. (1) Every candidate, at any election held under this Act shall, either by himself, or by his election agent, keep a separate and correct account of all expenditure incurred in connection with the election, between the date on which the candidate concerned has been nominated, and the date of declaration of the result of the election, both dates inclusive (hereinafter referred to as ‘Election Expenses’). Explanation-I. “Election expenses” for purpose of this Act shall mean all expenses in connection with the election,- (a) incurred, or authorized by the contesting candidate, or by his election agent; (b) incurred by any association, or body of persons, or by any individual (other than the candidate or his election agent), aimed at promoting or procuring the election of the candidate concerned; and (c) incurred by any political party, by which the candidate is set up, so as to promote or procure his election: Provided that any expenses incurred by any political party as part of its general propaganda, (which is distinguishable from its election campaign, for the promotion or procuring the election of a particular candidate), by words, either written or spoken, or by signs or visible representations, or by audiovisual devises, or through print or electronic media or otherwise, shall not constitute “election expenses” for purposes of this Act. Explanation-II. (1) The account of election expenses shall contain such particulars, as may by order, be specified by the State Election Commission. (2) The total of the said expenses shall not exceed such amount, as may by order, be specified by the State Election Commission.
101	Lodging of account with the District Election Authority. Every contesting candidate at an election shall, within forty-five days from the date of declaration of the result of the election, lodge with the District Election Authority, an

	account of his election expenses, which shall be a true copy of the account kept by him, or by his election agent, under clause 100.
102	Appointment of Observers. (1) The State Election Commission may nominate an Observer who shall be an officer of Government to watch the conduct of election or elections in a ward or group of wards, of a Municipal Corporation and to perform such other functions as may be entrusted to him by the State Election Commission in relation thereto. (2) The Observer nominated under sub-clause (1) shall have the power to direct the Returning Officer for the ward or for any of the wards for which he has been nominated, to stop the counting of votes at any time before the declaration of the result or not to declare the result, if in the opinion of the Observer, booth capturing has taken place at a large number of polling stations or counting of votes or any ballot papers used at a polling station or at a place fixed for the poll are unlawfully taken out of the custody of the Returning Officer or are accidentally or intentionally destroyed or lost or are damaged or tampered with to such an extent that the result of the poll at that polling station cannot be ascertained. (3) Where an Observer has directed the Returning Officer under this section to stop counting of votes or not to declare the result, the Observer shall forthwith report the matter to the State Election Commission and thereupon the State Election Commission shall, after taking all material circumstances into account, issue appropriate directions under clause 58 or clause 63 or clause 65. (4) It shall be competent for the State Election Commission to appoint an election expenditure observer for a group of wards of a Municipal Corporation, so as to ensure that the provisions of clauses 100 and 101 are strictly adhered to and in that behalf the Commission may issue such instructions as it deems fit, from time to time, to such Observers.
103	Conditions for a Fresh Election in Certain Cases. (1) If at a general election or by-election no member is elected, a fresh election shall be held on such date as the State Election Commissioner may fix in this behalf. (2) The term of office of a member elected under sub-clause (1) shall expire at the time at which it would have expired if he had been elected at the general election or by-election, as the case may be.

Form 1

Whereas the constituency of Municipal Corporation of the Corporation area of has been called upon to elect a member on or before.....

I, the Returning Officer of the said constituency
..... do hereby give the following—

Public Notice.

(ii) Nomination papers may be delivered to the undersigned at his office at or, if he is unavoidably prevented from receiving the same to.....at.....
They should be presented between 11 a.m. and 3 p.m. on or before
..... (date).

(iii) Forms of nomination paper may be obtained at the offices of the persons above-mentioned between the hours of.....(hour) and.....(hour)
from.....(date) to.....(date).

(iv) The nomination papers will be taken up for scrutiny at.....(hours)
on..... (date) in.....(place).

(v) The withdrawal to be made on..... Date.....

(vi) In the event of the election being contested, the poll will take place on
..... between the hours ofand.....

Returning Officer.

Date Address

Form 2

Nomination Paper

Election to the Municipal Corporation of the Corporation area
of.....20.....

1. Name of the Constituency
2. Name of candidate
3. Father's/ Husband's name
4. Age
5. Address
6. If the candidate is a member of the Scheduled Castes or
Scheduled Tribes or Backward
Classes.....
7. Number and Name of the ward electoral rolls in which the name of the
candidate is included
8. Part Number and Serial Number of the candidate in the ward electoral roll
.....
9. Name of the proposer
10. Part Number and Serial Number of the proposer in the ward electoral roll
concerned
11. Signature of the proposer.....

Declaration by candidate.

I hereby declare that I agree to this nomination.

Date.....

Signature of candidate.

Form 3
Form of Notice of withdrawal

To,

The Returning Officer,

forconstituency of the Municipal Corporation of the
Corporation area of.....

I.....of.....a candidate nominated at the election
in the above constituency do hereby give notice that I withdraw my candidature.
Dated this.....day of20.....

Place.....

Signature of candidate.

This notice of withdrawal was delivered to me at my office at
.....(hours).....(date) bythe candidate/ the candidate's
proposer/election agent who has been authorised in writing by the candidate to
deliver it.

Returning Officer.
(Asst. Returning Officer)

SCHEDULE III

Borrowing u/ section 68

Clause	Provision
1	Powers to borrow from the Central or State Government or other persons. (1) The Corporation may, from time to time, subject to the provisions of this Act, and such conditions as may be determined by the Government, borrow any sum from the Central or State Government, or any other person, any sum required for carrying out its functions as provided in this Act. (2) When any sum has been borrowed under sub-clause (1), no portion will be applied to any other purpose other than: (a) that for which it was borrowed; (b) defraying any costs, charges or expenses incurred or to be incurred by them in the execution of this Act, (c) discharging any loan contracted under this Act or any other loan or debt for the repayment of which they are liable, (d) making good any deficit in budget estimate, framed under clause 16 of Schedule IV, (e) generally, carrying out the purposes of this Act. (3) No portion of any sum borrowed for the execution of permanent works will be applied to the payment of salaries or allowances to any officers or employees of the Corporations, other than those exclusively employed for the work for which those sums were borrowed. (4) The Corporations may consolidate all or any of their loans in such manner, and subject to such conditions as may be determined.
2	Power to raise funds.- For the purpose of strengthening of municipal fund and for taking up developmental projects, the Corporation may consider to raise funds through issue of municipal bonds or borrow from other sources, as per the notification issued by the Government.
3	Provisions applicable to any new loan contracted with Central or State Government. If any new loan shall be contracted by the Corporation under this Act with the Central or the State Government, the same shall be subject to such terms and conditions as regards the period and manner of repayment, security and the rate of interest, as may be fixed by the Central Government, or as the case may be, by the State Government.
4	Mortgage of taxes or immovable property. (1) The Corporation may borrow or re-borrow any such sum as aforesaid from any person other than the Central or the State Government on the security of any immovable property belonging to them or proposed to be acquired by them under this Act or of all the taxes or of any tax which they are authorised to levy for the purposes of this Act or of all or any of those securities.

	(2) And for the purpose of securing the repayment of any sum so borrowed, with interest thereon, they may mortgage to the person by or on behalf of whom such sum is advanced, any such immovable property or tax or the said undertaking.
5	Provisions as to exercise of borrowing powers. The exercise of the powers of borrowing conferred by this Act shall be subject to the following provisions, namely: (a) money shall not be borrowed for the execution of any work other than a permanent work including under this expression any work, of which the cost ought, in the opinion of the Government, to be spread over a term of years; (b) the money may be borrowed for such time, not exceeding sixty years, as the Corporation, with the sanction of the Government determine in each case.
6	Corporation to have power to borrow from banks against Government promissory notes or securities. Notwithstanding anything contained in clause 1 and clause 5 the Corporation may also borrow for the purpose of this Act, from any bank or banks in which under clause 10 of Schedule IV the surplus moneys at the credit of the municipal fund may be deposited, against any Government promissory notes or other securities in which for the time being the cash balance of the Corporation may be invested.
7	Right of survivors of joint payees of securities. (1) Notwithstanding anything in section 45 of the Indian Contract Act, 1872 (Act No. 9 of 1872), when any debenture issued under this Act is payable to two or more persons jointly and either or any of them dies, the debenture shall be payable to the survivor or survivors of those persons. (2) Nothing herein contained shall affect any claim which the representative of the deceased person may have against the survivor or survivors in respect of the debenture jointly payable to him or them and the deceased. (3) This clause shall apply whether the death of the person to whom the debenture or security was jointly payable occurred or occurs before or after this section comes into force.
8	Power of one or two or more joint holders to grant receipts. Notwithstanding anything in section 45 of the Indian Contract Act, 1872 (Act No. 9 of 1872), when two or more persons are joint holders of any debenture issued under this Act, any one of those persons may give an effectual receipt for any interest or dividend payable in respect of such debenture unless notice to the contrary has been given to the Commissioner by any other of the holders.
9	Annual statement to be prepared by Commissioner. (1) The Commissioner shall at the end of each year prepare a statement showing— (a) the loans borrowed in previous years for which the Corporation is liable and which have not been completely repaid before the commencement of the year with particulars of the amount outstanding at the commencement of the year; the date of borrowing and the annual loan charges; (b) the loans borrowed by the Corporation in the year with particulars as to the

	amount and the date of borrowing and the annual loan charges; (c) in the case of every loan for which a sinking fund is maintained the amount of accumulation in the sinking fund at the close of the year showing separately the amount paid to the credit of the fund in the year; (d) the loans repaid in the year and, in the case of the loans repaid in installments or by annual drawings, the amounts repaid in the year, and the balance due at the close of the year; (e) the particulars of securities in which the sinking funds have been invested or reserved therefor. (2) Every such statement shall be laid before a meeting of the Corporation and shall be published in the Telangana Gazette and a copy of such statement shall be sent to the Government and to the Accountant General.
--	---

SCHEDULE IV

Revenue and Expenditure u/ section 69

Clause	Provision
1	Constitution of Municipal Fund. (1) Subject to the provisions of this Act and the rules and bye-laws— (a) all moneys received by or on behalf of the Corporation under the provisions of this Act or of any other law for the time being in force, or under any contract, (b) all proceeds of the disposal of property by or on behalf of the Corporation, (c) all rents accruing from any property of the Corporation, (d) all moneys raised by any tax levied for the purposes of this Act, (e) all fees and fines payable and levied under this Act or under any rule, bye-law or standing order in force thereunder, (f) all moneys received by way of compensation or for compounding offences under the provisions of this Act, (g) all moneys received by or on behalf of the Corporation from the Government or public bodies, private bodies or private individuals by way of grant or gift or deposit, subject, however, to the conditions, if any, attached to such grant, gift or deposit, and (h) all interest and profits arising from any investment of or from any transaction in connection with any money belonging to the Corporation, shall be credited to a fund which shall be called ‘the Municipal Fund’ and which shall be held by the Corporation in trust for the purposes of this Act, subject to the provisions herein contained. (2) The Municipal Fund constituted under sub-clause (1) shall include the accumulated balances at the credit of the Corporation immediately before coming into force of this Act.
2	Commissioner to receive payments on account of the municipal fund and to lodge them in a bank. All monies payable to the credit of the municipal fund shall be received by the Commissioner and shall be forthwith paid into any commercial scheduled bank as may be determined by the Government, to the credit of an account which shall be styled “the account of the municipal fund of the Corporation”.
3	How the fund shall be drawn against. (1) Subject to the provisions of section 305 of this Act, no payment shall be made by the Bank aforesaid out of the municipal fund except on a cheque signed by two persons in the manner specified below, namely— (a) by either the Commissioner, Additional Commissioner, Deputy Commissioner, Accounts Officer-cum-Financial Advisor or any other

	officer authorised by the Government; (b) by either the Examiner of Accounts or in his absence by the Officer immediately subordinate to him. (2) Payment of any sum due by the Corporation in excess of rupees one hundred shall be made by means of a cheque signed as aforesaid and not in any other way. (3) Payment of any sum due by the Corporation, not exceeding rupees one hundred in amount, may be made by the Commissioner in cash, cheques for sums not in excess of rupees one thousand each, signed as aforesaid, being drawn from time to time to cover such payments.
4	Only sums covered by a budget grant to be expended from municipal fund. (1) Except as hereinafter provided, no payment of any sum shall be made by the Commissioner out of the municipal fund, unless the expenditure of the same is covered by a current budget grant, and sufficient balance of such budget grant is still available, notwithstanding any reduction or transfer thereof which may have been made under clause 23 or clause 24. (2) The following items shall be excepted from the prohibition, imposed by sub-clause (1), namely:— (a) sums of which the expenditure has been sanctioned by the Standing Committee under clause 22; (b) temporary payments under clause 8 for works urgently required in the public service (c) refunds of taxes and other moneys which the Commissioner is by or under this Act authorised to make; (d) repayments of moneys belonging to contractors or other persons held in deposit and of moneys collected or credited to the municipal fund by mistake; (e) sums which the Commissioner is required or empowered to pay by way of compensation; (f) sums payable in any of the circumstances mentioned in clause (f) of clause 6 ; (g) expenses incurred by the Commissioner in the exercise of the powers conferred upon him by sub-section (2) of section 184 of this Act; (h) costs incurred by the Commissioner under clause (c) of sub-section (3) of section 34 of this Act. (3) In sub-clause (1) “budget grant” means a budget grant within the meaning of that term as defined in this Act and includes any sum by which such budget grant may at any time be increased by a transfer under clause (1) of clause 23.
5	Procedure when money not covered by a budget grant is expended under clauses (e), (f), (g) or (h) of sub-clause (2) of clause 4. Whenever any sum is expended by the Commissioner under clauses (e), (f), (g) or (h) of sub-clause (2) of clause 4, he shall forthwith communicate the circumstances to the Standing Committee, which shall take such action under sub-clause (2) of clause 23 or recommend the Corporation to take, under clause 21 or under sub-clause (1) of clause

	23, such action as shall in the circumstances, appear proper and expedient for covering the amount of the additional expenditure.
6	Purpose for which Municipal Fund is to be applied. The moneys from time to time, credited to the Municipal Fund shall be applied in payment of all sums, charges and costs necessary for carrying this Act into effect, or of which the payment shall be duly directed or sanctioned under any of the provisions of this Act or of any other law for the time being in force inclusive of— (a) the expenses of every election held under this Act; (b) the salaries and other allowances of all municipal officers and servants and all contributions to provident funds, pension, gratuities payable under the provisions of this Act or the bye-laws or of the statement framed under this Act for the time being in force; (c) all expenses and costs incurred by the Commissioner in the exercise of any power or the discharge of any duty conferred or imposed upon him by this Act, including moneys which he is required or empowered to pay by way of compensation; (d) any sum chargeable under clause 28; (e) every sum payable— (i) under section 305 of this Act to the Government; (ii) under a decree or order of a civil or criminal court passed against the Corporation or against the Commissioner, Deputy Commissioner or Assistant Commissioner, in their capacities as such; (iii) under a compromise of any suit or other legal proceeding or claim effected under clause 7 of Schedule IX (f) contributions to public institutions; (g) conveyance allowance to the Mayor and the Members of the Corporation for attending any meeting of the Corporation or Committee appointed under this Act.
7	Municipal Fund where to be expended. Expenditure by the Corporation out of the Municipal Fund shall, save as otherwise provided by this Act, be made within the Corporation Area only, but may, by a resolution of the Corporation supported by not less than half the total number of members, be made outside the Corporation Area for any of the purposes of this Act.
8	Temporary Payments from the municipal fund for works urgently required for public service. (1) On the written requisition of a Secretary to the Government the Commissioner may at any time undertake the execution of any work certified by such Secretary to be urgently required in the public service, and for this purpose may temporarily make payments from the municipal fund, so far as the same can be made without unduly interfering with the regular working of the Municipal Government. The cost of all work so executed and of the establishment engaged in executing the same shall be paid by the Government and credited to the Municipal Fund.

	(2) On receipt of any requisition under sub-clause (1), the Commissioner shall forthwith forward a copy thereof to the Corporation, together with a report of the steps taken by him in pursuance of the same.
9	Constitution of Special Funds. (1) The Corporation may constitute such special funds as may be prescribed and such other funds as may be necessary for the purposes of this Act. (2) The special funds included under sub-clause (1) may also include one to enable the Corporation to carry out its functions in relation to protection of gender rights and climate rights. (3) The constitution and disposal of such funds shall be effected in the manner prescribed.
10	Investment of surplus money. (1) Surplus moneys at the credit of the municipal fund which cannot immediately or at an early date be applied to the purposes of this Act or of any loan raised thereunder may be, from time to time, deposited at interest in the State Bank of Hyderabad or be invested in public securities. (2) All such moneys which are required to be kept readily available for application to purposes of this Act and all such surplus moneys which cannot in the opinion of the Commissioner and the Standing Committee be deposited or invested in the manner specified under sub-clause (1) may be deposited at such bank or banks in the Corporation Area which the Corporation may, subject to the approval of the Government, from time to time select for the purpose. (3) All such deposits and investments shall be made by the Commissioner on behalf of the Corporation with the sanction of the Standing Committee, and, with the like sanction, the Commissioner may at any time withdraw any deposit so made or dispose of any securities and redeposit or reinvest the money so withdrawn or the proceeds of the disposal of such securities; but no order for making any deposit or investment, withdrawal or disposal under this section shall have any validity unless the same be in writing, signed by two persons in the manner specified in sub-clause (1) of clause 3 for signing of cheques. (4) The loss, if any, arising from any such deposit or investment shall be debited to the Municipal Fund.
11	Keeping of Accounts. Subject to the provisions of this Act, accounts of income and expenditure, assets and liabilities, and receipts and payments of the Corporation shall be kept in such manner and in such forms as may be specified.
12	Preparation of Annual Administration Report and Statement of Accounts. (1) The Commissioner shall, as soon as may be after each first day of April, cause to be prepared a detailed report of the municipal administration of the Corporation area during the previous financial year, together with a statement showing the amounts of income and expenditure, assets and liabilities, and receipts and payments of the Municipal Fund during the said year and the

	balance at the credit of the Fund at the close of the said year and shall submit the same to the Standing Committee. (2) The Commissioner shall incorporate with the said report and statement— (a) report for the same period from each head of a department subordinate to him; (b) the account of balances due on loans then last published under clause 9 of Schedule III . (3) After examination and review of the report and statement by the Standing Committee a printed copy of such report and statement together with a copy of the Committee's review shall be forwarded to the usual or last known local place of abode of each Member by such date as the Standing Committee may from time to time, specify and copies thereof, shall be placed for sale at the Chief Municipal office at such price as the Commissioner may fix. (4) The report and the statement, after examination by the Standing Committee shall also be laid before the Corporation for its approval.
13	Report and statement to be laid before the Government. The Commissioner shall forward a copy of each of the report and statement prepared by him under clause 12 together with a copy of the Committee's review to the Local Administration Department.
14	Estimates of income and expenditure to be prepared annually by Commissioner. The Commissioner shall on or before each tenth day of November, cause to be prepared and lay before the Standing Committee, in such form as the said Committee shall from time to time approve:— (a) an estimate of the expenditure which must or should, in his opinion, be incurred by the Corporation in the next ensuing financial year; (b) an estimate of all balances, if any, which will be available for re-appropriation or expenditure at the commencement of the next ensuing financial year; (c) an estimate of the Corporation's receipt and income for the next ensuing financial year other than from taxation; (d) a statement of proposals as to the taxation which it will, in his opinion, be necessary or expedient to impose under the provisions of this Act in the next ensuing financial year.
15	Classification of budget heads. The expenditure side of a budget estimate shall be classified under major heads, minor heads, subordinate heads and primary units:— (a) 'Major head' means the principal head of accounts corresponding to the different services under which expenditure is classified in the budget estimate, and may be divided into two or more minor heads; (b) 'Minor head' means the head of accounts immediately subordinate to a major head under which each major head is classified and may be further sub-divided into two or more subordinate heads; (c) 'Subordinate head' means the head of accounts immediately subordinate to a minor head under which each minor head is classified and may be further sub-

	divided into two or more primary units; (d) 'Primary unit' means the ultimate group or groups into which individual items of expenditure in the budget estimates are arranged.
16	Budget estimates to be prepared by the Standing Committee. (1) The Standing Committee shall on or as soon as may be after each tenth day of November consider the estimates and proposals of the Commissioner after having obtained from the Commissioner such further detailed information, if any, as they shall think fit to require and having regard to the requirements of this Act shall frame therefrom subject to such modifications and additions therein or thereto as they consider them fit a budget estimate of the income and expenditure of the Corporation for the next financial year. (2) The budget estimate of a Standing Committee shall:— (a) propose with reference to the provisions of Chapter 11 the levy of municipal tax at such rates as they shall think fit; (b) provide for the payment, as they fall due of all sums and of all instalments of principal and interest for which the Corporation may be liable under this Act; (c) allow for the appropriation of any special funds of the sum estimated by the Corporation, revised as it thinks proper; (d) provide any funds it considers from the balances of any special funds maintained under clause 9; (e) allow for a cash balance at the end of the said year exclusive of the balances, if any, in any special fund constituted under clause 9 of a sum prescribed in this behalf. (3) The Commissioner shall cause the budget estimates as finally approved by the Standing Committee to be printed and shall not later than the 15th day of December forward a printed copy thereof with a usual or last known local place of abode of each Member.
17	Consideration of Budget estimate by Corporation. At a meeting of the Corporation which shall be called for some day in January, not later than the tenth, the budget estimate, prepared by the Standing Committee with the report of the Standing Committee thereon shall be laid before the Corporation and they shall proceed to consider the same.
18	Fixing of rates of taxes. The Corporation shall, on or before the twentieth day of February, after considering the Standing Committee's proposals in this behalf, determine, subject to the limitations and conditions provided in Chapter 11, the rates at which municipal taxes shall be levied in the next ensuing financial year.
19	Final adoption of budget estimates. Subject to the requirements of clause 18 the Corporation may refer the budget estimate back to the Standing Committee for further consideration, or adopt the budget estimates or any revised budget estimates submitted to them as they stand or subject to such

	alteration as they deem expedient: Provided that the budget estimates finally adopted by the Corporation shall fully provide for each of the matters specified in clauses (b), (c) and (e) of sub-clause (2) of clause 16.
20	Budget grant defined. The total sum entered under a major head on the expenditure side which has been adopted by the Corporation shall be termed a 'budget grant'.
21	Corporation may increase amount of budget grants and make additional grants. (1) On the recommendation of the Standing Committee, the Corporation may from time to time during a financial year increase the amount of any budget grant, or making an additional budget grant for the purpose of meeting any special or unforeseen requirement arising during the said year, but not so that the estimated cash balance at the close of the year shall be reduced below the prescribed sum under clause (e) of sub-clause (2) of clause 16. (2) Such increased or additional budget grants shall be deemed to be included in the budget estimates adopted by the Corporation for the year in which they are made.
22	Unexpended budget grants. If the whole budget grant or any portion thereof remains unexpended at the close of the year in the budget estimate for which such grant was included and if the amount thereof has not been taken into account in the opening balance of the municipal fund the Standing Committee may sanction the expenditure of such budget grant or such unexpended portion thereof, as the case may be, during the next two following years for the completion, according to the original intention or sanction, of the purpose or object for which the budget grant was made, but not upon any other purpose or object.
23	Reductions or transfer. (1) Subject to the provisions of sub-clause (1) of clause 21 the Corporation may, on the recommendation of the Standing Committee, from time to time, during a financial year sanction the transfer of any amount from one budget grant to another. (2) The Standing Committee may at any time during a financial year— (a) reduce the amount of a budget grant; (b) sanction the transfer of any amount within a budget grant from one minor head to another or from a subordinate head under one minor head to a subordinate head under another minor head; or (c) sanction the transfer of any amount exceeding rupees five thousand within a minor head from one subordinate head to another or from one primary unit to another. (3) The Commissioner may, at any time during a financial year, sanction the transfer of any amount not exceeding rupees five lakhs within a minor head from one subordinate head to another or from one primary unit to another, if such transfer does not involve a recurring liability:

	Provided that every transfer of an amount exceeding rupees fifty thousand made under sub-clause (3) shall be reported forthwith by the Commissioner to the Standing Committee and that the said Committee may pass with regard thereto such order as they may think fit; and it shall be incumbent on the Commissioner to give effect to such order. (4) When making any transfer under sub-clause (1), (2) and (3), due regard shall be had to all the requirements of this Act. (5) If any such reduction as is referred to in clause (a) of sub-clause (2) exceeds rupees five hundred, the Corporation may pass with regard thereto such order as they may think fit, and it shall be incumbent on the Standing Committee and the Commissioner to give effect to such order.
24	Readjustment of income and expenditure to be made by the Corporation during the course of financial year whenever necessary. (1) If it shall at any time during any financial year appear to the Corporation, upon the representation of the Standing Committee, that notwithstanding any reduction of budget grants that may have been made under clause 23, the income of the municipal fund during the said year will not suffice to meet the expenditure sanctioned in the budget estimates of the said year as so reduced and to leave at the close of the year a cash balance of not less than the prescribed sum in the case of the municipal fund, it shall be incumbent on the Corporation to sanction forthwith any measure which shall be necessary for proportioning the year's income to the expenditure. (2) For the purpose of sub-clause (1) the Corporation may diminish the sanctioned expenditure of the year so far as it may be possible so to do with due regard to the provisions of this Act.
25	Weekly scrutiny of accounts by Examiner of Accounts and scrutiny of accounts by the Standing Committee. (1) The Municipal Examiner of Accounts shall conduct a weekly examination and audit of the municipal accounts and shall report thereon to the Standing Committee which may also from time to time and for such period as it thinks fit conduct independently an examination and audit of the municipal accounts. (2) For the purposes of sub-clause (1) the Standing Committee and the Municipal Examiner of Accounts shall have access to all the municipal accounts and to all records and correspondence relating thereto, and the Commissioner shall forthwith furnish to the Standing Committee or the Municipal Examiner of Accounts any explanation concerning receipts and disbursement which they may call for.
26	Duties and Powers of the Municipal Examiner of Accounts. (1) The Municipal Examiner of Accounts in addition to any other duties or powers imposed or conferred upon him under this Act shall perform the duties and may exercise the powers shall be as follows:

	(a) The municipal examiner of accounts shall audit the accounts of the Corporation as hereinafter provided, with the assistance of the assistant auditor or clerks and servants appointed under this Act. (b) In the discharge of his functions under this article the municipal examiner of accounts shall— (i) audit the accounts of expenditure from the revenue of the Corporation, expenditure on account of loan works and expenditure incurred out of special funds and shall ascertain whether money shown therein as having been disbursed were legally available for, and applicable to, the service or purpose to which they have been applied or charged, and whether the expenditure conforms to the authority which governs it; (ii) audit the accounts of debt, deposit, sinking funds, advances, suspense and remittance transactions of the Corporation and report upon those accounts and upon the results of verification of the balances relating thereto. (c) The municipal examiner of accounts shall examine and audit the statements of accounts relating to the commercial services, conducted in any department of the Corporation, including the trading, manufacturing and profit and loss accounts, and the balance sheets where such accounts are maintained under the orders of the Corporation or the standing committee and shall certify and report upon these accounts. (d) The municipal examiner of accounts shall, in consultation with the standing committee, and subject to any directions given by the Corporation, determine the form and manner in which his reports on the accounts of the Corporation shall be prepared and shall have authority to call upon any officer of the Corporation to provide any information necessary for the preparation of these reports. (2) The municipal examiner of accounts may make such queries and observations in relation to any of the accounts of the Corporation which he is required to audit and call for such vouchers, statements, returns and explanations in relation to such accounts as he may think fit. (3) Every such query or observation under sub-clause 2 shall be promptly taken into consideration by the officer or authority to whom it may be addressed and returned without delay with the necessary vouchers, documents or explanations to the municipal examiner of accounts. (4) The powers of the municipal examiner of accounts with regard to disapproval of, and the procedure with regard to settlement of objections to expenditure from the revenues of the Corporation shall be such as may be determined by orders made by the Standing Committee in consultation with the municipal examiner of accounts and sanctioned by the Corporation. (5) If the municipal examiner of accounts considers it desirable that the whole or any part of the audit applied to any accounts which he is required to audit shall be conducted in the office in which these accounts originate, he may require that these accounts, together with all books and documents having relation thereto, shall at all convenient times be made available in the said
--	--

	offices for inspection. (6) The municipal examiner of accounts shall have power to require that any books or other documents relating to the accounts, he is required to audit shall be sent for inspection by him: Provided that if the documents are confidential he shall be responsible for preventing disclosure of their contents. (7) The municipal examiner of accounts shall have authority to give directions on all matters relating to audit, particularly in respect of the method and the extent of audit to be applied and the raising and pursuing of objections. (8) Sanctions to expenditure accorded by the municipal examiner of accounts shall be audited by an officer to be nominated by the Corporation.
27	Report by Examiner of Accounts. (1) The Municipal Examiner of Accounts shall— (a) report to the Standing Committee any material impropriety or irregularity which he may at any time observe in the expenditure or in the recovery of money due to the Corporation or in the municipal accounts; (b) furnish to the Standing Committee such information as the said Committee may from time to time require concerning the progress of the audit. (2) The Standing Committee shall cause to be laid before the Corporation every report made by the Municipal Examiner of Accounts to the Standing Committee and every statement of the views of the Municipal Examiner of Accounts on any matter affecting the performance and exercise of the duties and powers assigned to him under this Act which the Municipal Examiner of Accounts may require the Standing Committee to place before the Corporation, together with a report stating what orders, if any, have been passed by the Standing Committee upon such report or statement, and the Corporation may take such action in regard to the matters aforesaid as the Corporation may deem necessary. (3) As soon as may be after the commencement of each financial year the Municipal Examiner of Accounts shall deliver to the Standing Committee a report upon the whole of the municipal accounts for the previous financial year. (4) The Commissioner shall cause the said report to be printed and a copy thereof forwarded to each Member along with the printed copy of Administration Report and Statement of Accounts referred to in clause 12.
28	Audit of Accounts. The Accounts of the Corporation shall be audited by the Director of State Audit, or by any officer nominated by him and a certificate of the accounts as audited shall be issued by the end of October every year duly marking a copy thereof to the Government:

	Provided that the Government may, at any time, for reasons to be recorded in writing, appoint an Auditor for the purpose of making a special audit of the accounts and to report to the Government thereon.
29	Finance Commission. (1) The Finance Commission constituted by the Governor in pursuance of Article 243-I of the Constitution shall also review the financial position of the Corporation and make recommendations to the Government as to,— (a) the principles which should govern,— (i) the distribution between the State and the Corporation of the net proceeds of the taxes, duties, tolls and fees leviable by the State, which may be divided between them under this Part and the allocation between the Corporation of their respective shares of such proceeds; (ii) the determination of the taxes, tolls and fees which may be assigned to or appropriated by the Corporation; (iii) the grants-in-aid to the Corporation from the Consolidated Fund of the State; (b) the measures needed to improve the financial position of the Corporation; (c) any other matter referred to the Finance Commission by the Government in the interests of sound finances of the Corporation. (2) The Government shall cause every recommendation made by the Commission under this article together with an explanatory memorandum as to the action taken thereon to be laid before the Legislative Assembly of the State.

SCHEDULE V

Management and Control of Animals u/ section 204

Clause	Provision
1	Registration of dogs. (1) Every dog kept within the Corporation and not under the age of six months shall be registered. (2) Every person who owns or is in charge of any dog as mentioned under sub-clause (1) shall be liable for ensuring such registration. (3) The Commissioner shall maintain a register showing the persons liable to pay the fee under this clause.
2	Licence and number ticket for and disposal of dogs. (1) When the owner or person in charge of any dog has paid the fee leviable on and the price fixed for the number tickets for such dog, the Commissioner shall — (a) grant him a licence for the keeping by him of such dog during the financial year for which he had paid the fee, and (b) provide him with a number ticket, the number of which shall be specified in such licence. (2) The owner or person in charge of any dog so licensed shall at all times cause the said number ticket to be kept attached to the collar or otherwise suspended from the neck of the dog. (3) Any dog which has no number ticket so attached or suspended — (i) shall be presumed to be a dog in respect of which no licence has been granted, and (ii) may be seized by the police or by any officer duly authorised by the Commissioner in this behalf, and detained until the fee due, if any, has been paid. (4) If any person, within three days from the date of such seizure, satisfies the Commissioner that he is the owner or person in charge of such dog, the Commissioner shall order it to be delivered to such person on payment of the fee, if any, due and the costs incurred by the Commissioner by reason of its detention. (5) If, within the said three days, no person satisfies the Commissioner that he is the owner or person in charge of the dog the Commissioner may cause the dog either — (a) to be destroyed, or (b) to be sold and the proceeds of the sale, after deducting therefrom the said fee and costs (together with the costs of sale) to be paid to any person who within six months from the date of such sale, establishes to the satisfaction of the Commissioner, his claim to such proceeds.
3	Prohibition of tethering of animals in public street. (1) No person shall tether any animal or cause or permit the same to be tethered by any member of his family or household in any public street.

	(2) Any animal tethered as aforesaid may be removed by the Commissioner, or by any municipal officer or servant, and made over to a police officer or may be removed by a police officer, who shall deal therewith as with an animal found straying.
4	Measures against rats, etc., may be required in respect of premises used for storage of goods. Where it appears to the Commissioner that any building or part thereof used for the storage of goods is used in such manner as to afford harbourage to rats, mice or other animals susceptible to plague or other vermin, he may require the owner or occupier by written notice to take such steps for the destruction of rats, mice or other animals or other vermin as are specified in the notice or to carry out such works as will render the wall and floors of such building or part of a building roof against such infestation.
5	Prohibitions as to keeping animals. (1) No person shall — (a) without the written permission of the Commissioner, or otherwise than in conformity with the terms of such permission, keep any swine in any part of the Corporation Area; (b) keep any animal on his premises so as to be a nuisance or danger to any person; (c) feed any animal, or suffer or permit any animal, to be fed or to feed, with or upon excrementitious matter, dung, stable refuse or other filthy matter. (2) Any swine found straying may be forthwith destroyed and the carcass thereof disposed of as the Commissioner shall direct. No claim shall lie for compensation for any swine so destroyed.
6	Stabling animals or storing grain in dwelling house may be prohibited. Where a building or any portion thereof is used or intended to be used for human habitation and any portion of such building is used for any of the following purposes, namely,— (a) for keeping any horse, cow, buffalo, bullock, goat or donkey, or (b) as a godown or place for the storage, in connection with whole-sale trade of grain, seed or groceries, the Commissioner may, if it shall appear to him necessary for sanitary reasons to do so, by written notice require the owner or occupier of such building to discontinue the use of such building for any such purpose; provided that the Commissioner may permit such use subject to such conditions as he may think fit to impose.
7	Removal of carcasses of dead animals. (1) It shall be the duty of the Commissioner to provide for the removal of the carcasses of all animals dying within the Corporation Area. (2) The occupier of any premises in or upon which any animals shall die or in or upon which the carcass of any animal shall be found and the person having the charge of an animal which dies in the street or in any open place, shall within three hours after the death of such animal or, if the death occurs at night, within

	three hours after sunrise, report the death of such animal at the health department of the municipal office of the division of the Corporation Area in which the death occurred or in which the carcass is found. (3) For every carcass so removed by municipal agency a fee for the removal of such amount as shall be fixed by the Commissioner, shall be paid by the owner of the animal, or, if the owner is not known, by the occupier of the premises in or upon which, or by the person in whose charge, the said animal died.
8	Prohibition of corruption of water by steeping therein animal or other matter, etc. No person shall — (a) steep in any tank, reservoir, stream, well or ditch, any animal, vegetable or mineral matter likely to render the water thereof offensive or dangerous to health; (b) whilst suffering from any contagious, infectious or loathsome disease, bathe on, in or near any bathing platform, lake, tank, reservoir, fountain, cistern, duct, stand-pipe, stream or well.
9	What to be deemed Municipal Markets and slaughter-houses. All markets and slaughter-houses which belong to or are maintained by the Corporation shall be called “municipal markets” or “municipal slaughter-houses”. All other markets and slaughter-houses shall be deemed to be private.
10	Provisions of new municipal markets and slaughter houses. (1) The Commissioner, when authorised by the Corporation in this behalf, may construct, purchase or take on lease any building or land for the purpose of establishing a new municipal market or a new municipal slaughter-house or of extending or improving any existing municipal market or slaughter-house, and may from time to time build and maintain such municipal markets and slaughter-houses and such stalls, shops, sheds, pens and other buildings or conveniences for the use of the persons carrying on trade or business in, or frequenting, such municipal markets or slaughter-houses, and provide and maintain in such municipal markets such buildings, places, machines, weights, scales and measures for weighing and measuring goods sold therein as he shall think fit. (2) Municipal slaughter-houses may be situated within or, with the sanction of the Government, outside the Corporation Area.
11	Closure and disposal of markets and Slaughter Houses. The Commissioner may where the Municipal market and slaughter-houses are situated within the Corporation Area, with the sanction of the Corporation, and where it is situated outside the Corporation Area, with the sanction of the Government at any time, close such market or slaughter-house, and may dispose the premises so closed, subject to the sanction of the Corporation, where the property is of the Corporation.
12	Prohibition of sale in a municipal market without licence of the Commissioner. (1) No person shall without licence from the Commissioner, sell or expose for sale any animal or article in any municipal market. (2) It shall be lawful for the Commissioner, with the previous sanction of the Corporation by public notice from time to time, to prohibit within a distance of

	hundred yards of any municipal market the sale or exposure for sale of all or any of the commodities ordinarily sold in the said municipal market. (3) Any notice issued under sub-clause (2) may in like manner at any time be cancelled or modified by the Commissioner. (4) Any person contravening this clause may be summarily removed by the Commissioner or by any municipal officer or servant.
13	Opening of new private markets. (1) The Corporation shall from time to time determine whether the establishment of new private markets shall be permitted in the Corporation Area or in any specified portion of the city. (2) No person shall establish a new private market for the sale of, or for the purpose of exposing for the sale of animals intended for human food, or any other article of human food, except, with the sanction of the Commissioner, who shall be guided in giving such sanction by the decisions of the Corporation at the time in force under sub-clause (1). The owner or occupier of a place in which a private market is established shall, for the purposes of this sub-clause, be deemed to have established such market. (3) When the establishment of a new private market has been so sanctioned, the Commissioner shall cause a notice of such sanction to be affixed in such language or languages as the Corporation may from time to time specify, on some conspicuous spot on or near the building or place where such market is to be held.
14	Private markets not to be kept or permitted to be kept open and no place to be used or permitted to be used as slaughter house, without licence. (1) No person shall without, or otherwise than in conformity with the terms of, a licence granted by the Commissioner in this behalf,— (a) keep open or permit to be kept open a private market; (b) use or permit to be used any public place in the Corporation Area as a slaughter-house or for the slaughtering of any animal intended for human food; (c) use or permit to be used any place without the Corporation Area whether as a slaughter-house or otherwise, for the slaughtering of any animal intended for human food to be consumed in the Corporation Area. (2) The Commissioner shall not refuse, cancel or suspend any licence for keeping open a private market for any cause other than the failure of the owner thereof to comply with some provision of this Act, or with some regulation framed under clause 17 or with some bye-law made under this Act, at the time in force and shall not cancel or suspend any such licence without the approval of the Standing Committee. (3) The Commissioner may with the previous approval of the Standing Committee cancel or suspend, any licence for failure of the owner of a private market to give in accordance with the conditions of his licence a written receipt for any stallage rent, fee, or other payment received by him or his agent from any person for the occupation or use of any stall, shop, standing, shed, pen or other place therein. (4) Nothing in this clause shall be deemed to prevent the Commissioner from granting written permission for the slaughter of an animal in any public place that

	he thinks fit, on the occasion of any festival or ceremony or under special circumstances. (5) When the Commissioner has refused, cancelled or suspended any licence to keep open a private market, he shall cause a notice of his having so done to be affixed in such language or languages as the Corporation may from time to time specify, on some conspicuous spot on or near the building or place where such market has been held.
15	Prohibition of sale in unauthorised private markets. No person who knows that any private market has been established without the sanction of the Commissioner, or is kept open after a licence for keeping the same open has been refused, cancelled or suspended by the Commissioner, shall sell or expose for sale therein any animal or articles of food.
16	Provision for requiring private market building and slaughter-houses to be properly paved and drained. The Commissioner may, by written notice, require the owner, farmer or occupier of any private market or slaughter-house to cause — (a) the whole or any portions of the floor of the market-building, place or slaughter-house to be paved with dressed stone or other suitable material; (b) such drains to be made in or from the market-building, market place or slaughter-house of such material, size and description, at such level and with such outfall, as to the Commissioner may appear necessary.
17	Regulations to be framed for markets and slaughter-houses. The Commissioner may, with the approval of the Standing Committee, from time to time, make regulations, not inconsistent with any provision of this Act or of any bye-law made thereunder — (a) for preventing nuisances or obstruction in any market building, market place or slaughter-house or in the approaches thereto; (b) fixing the days and the hours on and during which any market or slaughter-house may be held or kept open for use; (c) for keeping every market-building, market place and slaughter-house in a clean and proper state, and for removing filth and refuse therefrom; (d) requiring that any market building, market place, or slaughter-house be properly ventilated and be provided with a sufficient supply of water; or (e) requiring that in market buildings, and market places, passages be provided between the stalls of sufficient width for the convenient use of the public.
18	Levy of Stallages, rents and fees in Municipal markets and slaughter-houses. The Commissioner may — (a) charge for the occupation or use of any stall, shop, standing, shed or pen in a municipal market or slaughter-house and for the right to expose goods for sale in a municipal market, and for weighing and measuring goods sold in any such market and for the right to slaughter animals in any municipal slaughter-house

	such stallages, rents and fees as shall from time to time, be fixed by him, with the approval of the Standing Committee, in this behalf; or (b) with the approval of the Standing Committee, form the stallages, rents and fees leviable as aforesaid or any portion thereof, for any period not exceeding one year at a time; or (c) put up to public auction, or, with the approval of the Standing Committee, dispose of, by private sale the privilege of occupying or using any stall, shop, standing, shed or pen, in a municipal market or slaughter-house for such term and on such condition as he shall think fit to impose.
19	Removal of live cattle, sheep, goats or swine from any municipal slaughter-house, market or premises. (1) No person shall, without the written permission of the Commissioner and without the payment of such fees as may be specified by him, remove any live cattle, sheep, goats or swine from any municipal slaughter-house or from any municipal market or premises used or intended to be used for or in connection with such slaughter-house: Provided that such permission shall not be required for the removal of any animal which has not been sold within such slaughter-house, market or premises and which has not been within such slaughter-house, market or premises for a period longer than that specified under orders made by the Commissioner in this behalf, or which has in accordance with any bye-law made thereunder, been rejected as unfit for slaughter at such slaughter-house, market or premises. (2) Any fee paid for permission under sub-clause (1) in respect of any animal removed to a Panjarapole shall, subject to the regulations made by the Commissioner in this behalf, be refunded on the production of a certificate from the Panjarapole authorities that such animal has been received in their charge.
20	Regulations and table of stallage rents to be posted up in markets and slaughter-houses. (1) A printed copy of the regulations and of the table of stallages, rents and fees, if any, in force in any market or slaughter-house under clauses 17, 18 and 19 in such language or languages which the Corporation may from time to time specify, shall be fixed in some conspicuous spot in the market building, market-place or slaughter-house. (2) No person shall, without authority, destroy, pull down, injure or deface any copy of any regulation or table so affixed.
21	Power to expel persons contravening bye-laws or regulations. The Commissioner may expel from any municipal market or slaughter-house any person, who or whose servant has been convicted for contravening any bye-laws made under this Act, or any regulation made under clause 17, in such market or slaughter-house and may prevent such person, by himself or his servants from carrying on any trade or business in such market or slaughter-house or occupying any stall, standing, shed, pen or other place therein, and may determine any lease or tenure which such person may have in any such stall, shop, standing, shed, pen or place.

22	Prohibition of sale of animals, etc., except in market. Except as hereinafter provided, no person, shall without a licence from the Commissioner, sell or expose for sale any four-footed animal or any meat or fish intended for human food, in any place other than a municipal or private market: Provided that nothing in this clause shall apply to fresh fish sold from, or exposed, for sale in, a vessel in which it has been brought direct after being caught at a river or lake.
23	Butchers and persons who sell the flesh of animals to be licenced. No person shall without, or otherwise than in conformity with the terms of a license granted by the Commissioner in this behalf — (a) carry on within the Corporation Area, or at any municipal slaughter-house the trade of a butcher; (b) use any place in the Corporation Area for the sale of the flesh of any animal intended for human food, or any place without the Corporation Area for the sale of such flesh for consumption in the Corporation Area.
24	Prohibition of import of cattle, etc., into the Corporation Area without permission. (1) No person shall without the written permission of the Commissioner bring into the Corporation Area any cattle, sheep, goats or swine intended for human food, or the flesh of any such animal which has been slaughtered at any slaughter-house or place not maintained or licensed under this Act. (2) Any Police Officer may arrest without warrant any person bringing into the Corporation Area any animal or flesh in contravention of sub-clause (1). (3) Any animal brought into the Corporation Area in contravention of this clause may be seized by the Commissioner or by any municipal officer or servant and any flesh brought into the Corporation Area in contravention of this clause may be seized by the Commissioner or by any municipal officer or servant or by any Police Officer or in or upon Railway premises by any Railway servant and any animal or flesh so seized may be sold or otherwise disposed of as the Commissioner shall direct. The proceeds, if any, shall belong to the Corporation. (4) Nothing in this clause shall be deemed to apply to cured or preserved meat.
25	Commissioner may enter any place where slaughter of animals or sale of flesh contrary to the provisions of this Act, is suspected. (1) If the Commissioner shall have reason to believe that any animal intended for human food is being slaughtered, or that the flesh of any such animal is being sold or exposed for sale, in any place or manner not duly authorised under the provision of this Act, the Commissioner, may at any time, by day or by night, without notice, enter such place for the purpose of satisfying himself as to whether any provision of this Act or of any bye-law made thereunder is being contravened thereat. (2) No claim shall lie against any person for compensation for any damage necessarily caused by any such entry or by use of any force necessary for effecting such entry.
26	Commissioner to provide for inspection of articles exposed for sale for human food.

	It shall be the duty of the Commissioner to make provision for the constant and vigilant inspection of animals, carcasses, meat, poultry, game, flesh, fish, fruit, vegetables, corn, bread, flour, dairy produce and any other article exposed or hawked about for sale or deposited in or brought to any place for the purpose of sale or for preparation for sale and intended for human food or for medicine resting with the party charged.
27	Unwholesome articles, etc., to be seized. (1) The Commissioner may at all reasonable times inspect and examine any such animal or article as aforesaid and any utensil or vessel used for preparing, manufacturing or containing the same. (2) If any such animal or article appears to the Commissioner to be diseased or unsound or unwholesome or unfit for human consumption, as the case may be, or is not what it is represented to be, or if any such utensil or vessel is of such kind or in such state as to render any article prepared, manufactured or contained therein unwholesome or unfit for human consumption, he may seize and carry away such animal, article, utensil or vessel, in order that the same may be dealt with as hereinafter provided and he may arrest and take to the nearest police station any person in charge of any such animal or article.
28	Disposal of perishable articles seized under clause 27. If any meat, flesh, vegetable or other article of a perishable nature be seized under clause 27 and the same is, in the opinion of the Commissioner diseased, unsound, unwholesome or unfit for human consumption, as the case may be, the Commissioner shall cause the same to be forthwith destroyed in such manner as to prevent its being again exposed for sale or used for human consumption and the expenses thereof shall be paid by the person in whose possession such article was at the time of its seizure.
29	Disposal of animals and articles of a non perishable nature seized under clause 27. (1) Any animal and any article not of a perishable nature and any utensil or vessel seized under clause 27 shall be forthwith taken before a Magistrate. (2) If it shall appear to such Magistrate that any such animal or article is diseased, unsound or unwholesome, or unfit for human food, or for medicine, as the case may be, or is not what it was represented to be or that such utensil or vessel of such kind or in such state as aforesaid, he may, and if it is diseased, unsound, unwholesome or unfit for human food and unfit for medicine, he shall cause the same to be destroyed at the charge of the person in whose possession it was at the same time of its seizure in such manner as to prevent the same being again exposed or hawked about for sale or used for human food or for medicine, or for the preparation or manufacture of, or food containing, any such article as aforesaid.
30	Penalty for possessing food which appears to be diseased, unsound or unwholesome or unfit for human food. In every case in which food, on being dealt with under clause 29, appears to the Magistrate to be diseased, unsound or unwholesome or unfit for human food, the owner

	thereof or the person in whose possession it was found not being merely bailee or carrier thereof, shall, be subject to penalty as provided in the Act.
31	Applications for summon to be refused if not applied for within specified time. In all prosecutions under clause 30 the Magistrate shall refuse to issue summons for the attendance of any person accused of an offence against such clause, unless the summons is applied for within a specified time from the alleged date of the offence of which such person is accused.
32	Slaughter of animals in slaughter houses. (1) No person shall slaughter or procure the slaughter of any animal for human consumption in a slaughter house, otherwise than on the authority of a certificate, granted by the Veterinary Officer that the animal is fit for slaughter. (2) The Veterinary Officer shall not grant certificate referred to in sub-clause (1) if in his opinion — (a) the animal whether male or female — (i) has not attained the age of three years and in case of sheep or goat one year; or (ii) is useful for the purpose of draught or any kind of agricultural operation; (b) the animal, if female, is useful for the purpose of breeding; (c) the animal, if female, is useful for giving milk or breeding offspring. (3) Save as otherwise provided in this Act, the opinion of the Veterinary Officer on all the questions on which he is required by sub-clause (2) to form the opinion shall be final and shall not be questioned in any Court of Law. (4) The certificate referred to in sub-clause (1) shall be granted in such form and on payment of such fee as may be specified by the Corporation. (5) Whoever does any act in contravention of sub-clause (1) shall be liable to a penalty as provided in this Act. (6) Notwithstanding anything contained in the Bharatiya Nagarik Suraksha Sanhita, 2023 (Act No. 46 of 2023), every offence punishable under sub-clause (5) shall be cognizable. (7) Any certificate that the animal is fit for slaughter granted by any Veterinary Officer before the commencement of this Act and any fee realised therefor, within the limits of the Corporation Area shall, notwithstanding there being no specific provision in respect thereof in principal Act, or in any other law for the time being in force, be deemed always to have been validly granted and realised as if this Act were in force on the date on which such certificate was granted or such fee was realised and shall not be questioned in any Court of Law.
33	Commissioner may take special measures on outbreak of any infectious disease. (1) In the event of the Corporation Area being at any time visited or threatened with an outbreak of any infectious disease, or in the event of any infectious disease breaking out or being likely to be introduced into the Corporation Area amongst cattle, including under this expression sheep and goats, the Commissioner if he thinks the ordinary provisions of this Act and the rules thereunder or of any other

	law for the time being in force are insufficient for the purpose, may with the sanction of the Government — (a) take such special measures, and (b) by public notice make such temporary orders to be observed by the public or by any person or class of persons, as one specified therein and as he shall deem necessary to prevent the outbreak of such disease or the spread thereof. (2) The Commissioner shall forthwith report to the Corporation any measures taken and any orders made by him under sub-clause (1).
--	--

SCHEDULE VI

Notice, Inspections and Recoveries u/ section 224

Clause	Provision
1	Notice, etc., by whom to be served or presented. Notices, bills, schedules, summonses and other such documents required by this Act or by any regulation or bye-law made under this Act to be served upon or issued, or presented or given to any person, shall be served, issued or presented or given by municipal officers or servants or by other persons authorised by the Commissioner in this behalf.
2	Service how to be effected on owners of premises and other persons. When any notice, bill, schedule, summons or other such documents is required by this Act, or by any regulation or bye-law made under this Act, to be served upon or issued or presented to any person such service, issue or presentation shall be effected — (a) by giving or tendering to such person the said notice, bill, schedule, summons or other documents; or (b) if such person is not found, by leaving the said notice, bill, schedule, summons or other document at his last known place of abode in the Corporation area or by giving or tendering the same to some adult male member or servant of his family; or (c) if such person does not reside in the Corporation area, and his address elsewhere is known to the Commissioner by forwarding the said notice, bill, schedule, summons or other documents to him by post under cover bearing the said addresses; or (d) if none of the means of aforesaid be available by causing the said notice, bill, schedule, summons or other document to be affixed on some conspicuous part of the building or land, if any, to which the same relates.
3	Service on owner or occupier of premises how to be effected. When any notice, bill, schedule, summons other such document is required by this Act, or by any regulation or bye-law made under this Act, to be served upon or issued or presented to the owner or occupier of any building or land, it shall not be necessary to name the owner or occupier therein, and the service, issue or presentation thereof shall be effected, not in accordance with the provisions of the last preceding clause but as follows, namely:— (a) by giving or tendering the said notice, bill, schedule, summons or other document to the owner or occupier, or if there be more than one owner or occupier, to any one of the owners or occupiers of such building or land; or (b) if the owner or occupier or no one of the owners or occupiers is found by giving or tendering the said notice, bill, schedule, summons or other document to some adult male member or servant of the family of the owner or occupier or of any one of the owners or occupiers; or

	(c) if none of the means aforesaid be available by causing the said notice, bill, schedule, summons or other document to be affixed on some conspicuous part of the building or land to which the same relates.
4	The three last clauses inapplicable to Magistrate's summonses. Nothing in clauses 1, 2 and 3 of this Schedule applies to any summons issued under this Act by a Magistrate.
5	Service of bills for taxes by post. (1) Notwithstanding anything contained in clause 1, 2 and 3 of this Schedule, a bill for any municipal tax may be served upon the person liable therefor by sending it by ordinary post with a pre-paid letter under a certificate of posting, addressed to such person at his last known abode or place of business in the Corporation area and every bill so sent shall be deemed to have been served on the day following the day upon which letter was posted and, in proving such service, it shall be sufficient to prove that the letter was properly addressed and posted under a certificate of posting. (2) A bill for taxes set out in the sub-clause above may also be sent to the registered email address of the person liable to pay such taxes, and an email confirmation for the same shall be considered as proof of sending such a bill.
6	Signature on notices, etc., may be stamped. (1) Every licence, written permission, notice bill, schedule, summons or other document required by this Act or rule or bye-law made thereunder to bear the signature of the Commissioner or of any municipal officer shall be deemed to be properly signed if it bears a facsimile of the signature of the Commissioner or of such municipal officer, as the case may be, stamped thereupon. (2) Nothing in this clause shall be deemed to apply to a cheque drawn upon the municipal fund under clause 3 of Schedule IV.
7	Power of Commissioner to call for information as to ownership of premises. (1) The Commissioner may, in order to facilitate the service, issue, presentation, or giving of any notice, bill, schedule, summons or other such document upon or to any person, by written notice require the owner or occupier of any premises, or of any portion thereof to state in writing, within such period as the Commissioner may specify in the notice, the nature of his interest therein and the name and address of any other person having an interest therein, whether as freeholder, mortgagee, lessee or otherwise, so far as such name and address is known to him. (2) Any person required by the Commissioner in pursuance of sub-clause (1) to give the Commissioner any information shall be bound to comply with the same and to give true information to the best of his knowledge and belief.
8	Work or thing done without written permission of the Commissioner to be deemed unauthorised. (1) If any work or thing requiring the written permission of the Commissioner under any provision of this Act or any rule, regulation or bye-law is done by

	any person without obtaining such written permission or if such written permission is subsequently suspended or revoked for any reason by the Commissioner, such work or thing shall be deemed to be unauthorised and subject to any other provision of this Act the Commissioner may at any time, by written notice, require that the same shall be removed, pulled down or undone as the case may be, by the person so carrying out or doing if the person carrying out such work or doing such thing is not the owner at the time of such notice then the owner at the time of giving such notice shall be liable for carrying out the requisitions of the Commissioner. (2) If within the period specified in such written notice the requisitions contained therein are not carried out by the person or owner, as the case may be, the Commissioner may remove or alter such work or undo such thing and the expenses thereof shall be paid by such person or owner as the case may be.
9	Commissioner, etc., may enter any premises for purposes of inspection, survey or execution of necessary work. The Commissioner or any other officer authorised by him in this behalf may enter into or upon any building or land, with or without assistants or workmen in order to make inspection or survey or to execute any work which is authorised by this Act or by any regulation or bye-law framed under this Act to be made or executed, or which it is necessary for any of the purposes, or in pursuance of any of the provisions of this Act or of any such regulation or byelaw, to make or execute: Provided that— (a) except when it is in this Act otherwise expressly provided no such entry shall be made between sunset and sunrise; (b) except when it is in this Act otherwise expressly provided, no building which is used as a human dwelling shall be so entered unless with the consent of the occupier thereof, without giving the said occupier not less than twenty-four hours previous written notice of the intention to make such entry, and unless for any sufficient reason it shall be deemed inexpedient to furnish such information of the purpose thereof; (c) sufficient notice shall in every instance be given, even when any premises may otherwise be entered without notice, to enable the inmates of any apartment appropriated to females to remove to some part of the premises where their privacy need not be disturbed; and (d) due regard shall always be had, so far as may be compatible with the exigencies of the purpose for which the entry is made, to the social and religious usages of the occupants of the premises entered.
10	Power to summon witnesses.- The Commissioner shall have the power of a Civil Court for the purpose of enforcing the attendance of witnesses and compelling the production of documents, and every person required by the Commissioner to furnish any information shall be legally bound to do so within the meaning of section 208 and section 211 of the Bharatiya Nyaya Sanhita 2023 (Act No. 45 of 2023).

11	Works, etc., which any person is required to execute may in certain cases be executed by the Commissioner at such person's cost. - (1) When any requisition or order is made, by written notice, by the Commissioner or by any municipal officer, empowered under section 36 of this Act in his behalf, under any section, sub-section or clause of this Act, a reasonable period shall be specified in such notice for carrying such requisition or order into effect, and if, within the period so specified, such requisition or order or any portion of such requisition or order is not complied with, Commissioner may take such measures or cause such work to be executed or such thing to be done as shall, in his opinion, be necessary for giving due effect to the requisition or order so made; and, unless it is in this Act otherwise expressly provided, the expenses thereof shall be paid by the person or by any one of the persons to whom such requisition or order was addressed. (2) The Commissioner may take any measure, execute any work or cause anything to be done under this clause , whether or not the person who has failed to comply with the requisition or order is liable to punishment or has been prosecuted or sentenced to any punishment for such failure.
12	Recovery of expenses by removals by the Commissioner under sections 130 , 129 and 190 .- (1) The expenses incurred by the Commissioner in effecting any removal under section 130 or in the event of a written notice issued under section 129 or section 190 shall be recoverable by sale of the materials removed, and if the proceeds of such sale do not suffice, the balance shall be paid by the owner of the said materials. (2) But if the expenses of removal are in any case paid before the materials are sold, the Commissioner shall restore the materials to the owner thereof, on his claiming the same at any time before they are sold or other-wise disposed of, and on his paying all other expenses, if any, incurred by the Commissioner in respect thereof or in respect of the intended sale or disposal thereof. (3) If the materials are not claimed by the owner thereof, they shall be sold by auction or otherwise disposed of as the Commissioner thinks fit if perishable, forthwith and if other than perishable, as soon as conveniently may be after one month from the date of their removal whether the expenses of the removal have in the meantime been paid or not and the proceeds, if any, of the sale or other disposal, shall, after defraying therefrom the costs of the sale or other disposal, and if necessary of the removal, be paid to the credit of the Municipal fund, and shall be the property of the Corporation.
13	Expenses recoverable under this Act to be payable on demand; and if not paid on demand may be recovered as an arrear of property tax.- (1) (a) Whenever under this Act, or any rules or bye-law made thereunder, the expenses of any work executed or of any measure taken or thing done by or under the order of the Commissioner or of any municipal officer empowered under section 36 of this Act in this behalf are payable by any person, the same shall be payable on demand.

	(b) If not paid on demand the said expenses shall be recoverable by the Commissioner subject to the provisions of sub-clause (2) of clause 3 of Schedule VII by distress and sale of the goods and chattels of the defaulter, as if the amount thereof were a property tax due by the said defaulter. (2) Instead of recovering any such expenses as aforesaid in any manner hereinafter provided, the Commissioner may, if he thinks fit and with the approval of the Standing Committee, take an agreement from the person liable for the payment thereof, to pay the same in installments of such amounts and at such intervals as will secure the payment of the whole amount due with interest thereon, at such rate not exceeding nine per centum per annum as the Standing Committee may fix from time to time, within a period of not more than five years.
14	What expenses may be declared to be improvement expenses.- If the expenses to be recovered have been incurred in respect of any work mentioned in section 125, and 162, the Commissioner may, if he thinks fit and with the approval of the Corporation, declare such expenses to be improvement expenses and on such declaration being made, such expenses together with interest thereon payable under clause 15 of this Schedule, shall be a charge on the premises in respect of which or for the benefit of which the expenses have been incurred.
15	Improvement expenses by whom payable.- (1) Improvement expenses shall be recoverable in installment of such amount not being less for any premises than twelve rupees per annum and at such intervals as will suffice to discharge such expenses, together with interest thereon at the rate of six per centum per annum within such period not exceeding thirty years as the Commissioner, with approval of the Corporation, may in each case determine. (2) The said installments shall be payable by the occupier of the premises on which the expenses and interest thereon are so charged or, in the event of the said premises becoming unoccupied at any time before the expiration of the period fixed for the payment of such expenses or before the same, with interest as aforesaid, are fully paid off, by the owner for the time being of the said premises so long as the same continue to be unoccupied. (3) Where the occupier by whom any improvement expenses together with interest thereon are paid holds the premises on which the expenses together with interest thereon are charged, at a rent not less than the rack-rent, he shall be entitled to deduct three-fourths of the amount paid by him on account of such expenses and interest thereon as aforesaid from the rent payable by him to his landlord, and, if he holds at a rent less than the rack-rent he shall be entitled to deduct from the rent so payable by him such proportion of three-fourths of the amount paid by him on account of such expenses and interest thereon as aforesaid as his rent bears to the rack-rent. (4) And if the landlord from whose rent any deduction is so made is himself liable to the payment of rent for the premises in respect of which the deduction is made and holds the same for a term of which less than twenty years is unexpired otherwise, he may deduct from the rent so payable by him as the rent payable

	by him bears to the rent payable to him, and so in succession with respect to every landlord holding for a term of which less than twenty years is unexpired of the same premises both receiving and liable to pay rent in respect thereof: Provided that nothing in this clause shall be construed to entitle any person to deduct from the rent payable by him more than the whole sum deducted from the rent payable to him.
16	Redemption of charge for improvement expenses. At any time before the expiration of the period for the payment of any improvement expenses together with interest thereon the owner or occupier of the premises on which they are charged may redeem such charge by paying to the Commissioner such part of the said expenses and such interest due, if any, as may not have been already paid or recovered.
17	Recovery of installments due under 13 and 15 of this Schedule. Any installment payable under sub-clause (2) of clause 13 or clause 15 of this Schedule, which is not paid when the same becomes due may be recovered by the Commissioner by distress and sale of the goods and chattels of the person by whom it is due as if it were a property tax due by the said person.
18	In default of the owner the occupier of any premises may execute required work and recover expenses from the owner. Whenever the owner of any building or land fails to execute any work which he is required to execute under this Act, the occupier, if any, of such building or land may, with the approval of the Commissioner, execute the said work, and he shall be entitled to recover the reasonable expenses incurred by him in so doing from the owner and may deduct the amount thereof from the rent which from time to time becomes due by him to the owner
19	Limitation of liability of agent or trustee of owner. No person who receives the rent of any premises in any capacity described in clause (a) of sub-section (46) () of section 2 shall be liable to do anything which is by this Act required to be done by the owner, unless he has sufficient funds of or due to the owner to pay for the same.

SCHEDULE VII

Compensation u/ section 225

Clause	Section
1.	Compensation for damages may be paid by the Commissioner. In any case not otherwise expressly provided for in this Act, the Commissioner may, with the previous approval of the Standing Committee, pay compensation to any person who sustains damage by reason of the exercise of any of the powers vested by this Act in the Commissioner or in any municipal officer or servant.
2.	Compensation to be paid by offenders against this Act for any damage caused by them. (1) If, on account of any act or omission any person has been convicted of an offence against any rule or byelaw made thereunder, and, by reason of the same act or omission of the said person, damage has occurred to any property of the Corporation, compensation shall be paid by the said person for the said damage notwithstanding any punishment to which he may have been sentenced for the said offence. (2) In the event of dispute, the amount of compensation payable by the said person shall be determined by the Magistrate before whom he was convicted of the said offence, and on non-payment of the amount of compensation so determined, the same shall be recovered under a warrant from the said Magistrate as if it were a fine inflicted by him on the person liable therefor.
3.	In cases falling under clause 13 of Schedule VI disputes to be determined by the Judge.- (1) If, when the Commissioner demands payment of any expenses under clause 13 of Schedule VI his right to demand the same or the amount of the demand is disputed, or if, in the case of expenses incurred by the Commissioner in taking temporary measures under sub-section (3) of section 173 the necessity for such temporary measures is disputed, the Commissioner shall refer the case for the determination of the Judge. (2) Pending the Judge's decision the Commissioner shall defer further proceedings for the recovery of the sum claimed by him and, after the decision, shall proceed to recover only such amount, if any, as shall be thereby ascertained to be due.
4.	Amount of expenses or compensation to be determined in all cases of dispute by the Judge. If, in any case not falling under clause 13 of Schedule VI any person is required by this Act, or by any rule or bye-law framed under this Act, to pay any expenses or any compensation, the amount to be so paid and, if necessary, the apportionment of the same, shall, in case of dispute, be determined, except as is otherwise provided in clause 3 of this

	Schedule by the Judge of the Small Causes Court on application being made to him for this purpose at any time within one year from the date when such expenses or compensation first became claimable.
5.	Expenses or compensation to be recovered as if they were due under a decree of the Court. If the amount of any expenses or compensation ascertained in accordance with the last preceding section is not paid by the person liable to pay the same on demand, it shall be recoverable as if the same were due under a decree of the Court.
6.	Persons liable for expenses or compensation may be sued for recovery thereof. Instead of proceeding in any manner aforesaid for the recovery of any expenses or compensation of which the amount due has been ascertained as hereinbefore provided, or after such proceedings have been taken unsuccessfully or with only partial success, the sum due, or the balance of the sum due, as the case may be, may be recovered by a suit brought against the person liable for the same in any Court of competent jurisdiction.

SCHEDULE VIII

Offences which may be registered at dedicated police station u/ sub-section (3) of Section 241

The following offences under Bharatiya Nyaya Sanhitha (BNS), 2023 may be registered at a dedicated police station which may be established by the Government for this purpose-

1. Sec.121 Voluntarily causing hurt or grievous hurt to deter public servant from his duty.
2. Sec.132 Assault or criminal force to deter public servant from discharge of his duty.
3. Sec.279 Fouling water of public spring or reservoir.
4. Sec.287 Negligent conduct with respect to fire or combustible matter.
5. Sec 288 Negligent conduct with respect to explosive substance.
6. Sec 289 Negligent conduct with respect to machinery.
7. Sec 290 Negligent conduct with respect to pulling down, repairing or constructing building etc.

SCHEDULE IX

Miscellaneous and Supplemental Provisions u/s section 315

Clause	Provision
1.	Code of Civil Procedure to Apply.-- (1) Save as expressly provided by this Chapter, the provisions of the Code of Civil Procedure, 1908 (Act No. 5 of 1908) relating to appeals from original decrees shall apply to appeals to the Judge from the orders of the Commissioner and the provision of the said Code relating to appeals from Appellate Decrees shall apply to appeals to the High Court. (2) All other matters for which no specific provision has been made under this Act shall be governed by such rules as the Government may from time to time make after consultation with the High Court.
2.	Assessment etc. not to be questioned. (1) No assessment or demand made, and no charge imposed under the authority of this Act shall be questioned or effected by reason of any clerical error or by reason of any mistake: (a) in respect of the name, residence, place of business or occupation of any person or (b) in the description of any property or thing or (c) in respect of the amount assessed, demanded or charged; provided, that the provisions of this Act have been, in substance and effect, complied with; and no proceedings under this Act shall, merely for defect in form, be quashed or set aside by any court: Provided that the person or property so assessed or charged is reasonably ascertainable. (2) Notwithstanding anything contained in sub-clause (1), no suit shall be entertained by any court of law unless the assessee pays fifty percent of the tax levied and demanded.
3.	Limitation.- (1) In computing the period of limitation fixed for an appeal or application referred to in this Act the provisions of sections 5, 12, and 13 of the Indian Limitation Act, 1908 (Act No. IX of 1908) shall so far as may be, apply. (2) When no time is fixed by this Act for the presentation of an appeal or application such appeal or application shall be presented within thirty days from the date of the order in respect of or against which the appeal, or application is presented.
4.	Execution of the orders of the Judge and the High Court.

	(1) All orders of the Judge shall be executed in the same manner as if they were decrees of the Court of Small Causes passed under the Telangana Small Causes Court Act, 1330 F. (2) All orders of the High Court shall be executed as if they were decrees of the High Court.
5.	Application of the Bharatiya Nagarik Suraksha Sanhita, 2023 The provisions of the Bharatiya Nagarik Suraksha Sanhita, 2023 (Act No. 46 of 2023) shall, so far as may be, apply to all matters investigated, inquired into, tried, appealed against and otherwise dealt with under this Act before Magistrates.
6.	Oath of allegiance to be taken by Member. (1) Every person who is elected to be a Member shall, before taking his seat, make at a meeting of the corporation an oath or affirmation of his allegiance to the Constitution of India in the following form, namely:- — “I, ... having become a Member of the Corporation swear in the name of the God/solemnly affirm, that I will bear the true faith and allegiance to the Constitution of India as by Law established, that I will uphold the sovereignty and integrity of India and that I will faithfully discharge the duty upon which I am about to enter.” (2) Any such Member who fails to make, within three months from the date on which his term of office commences or at one of the first three meetings held after the said date, whichever is later, the oath or affirmation laid down in sub-clause (1), shall cease to hold office and his seat shall be deemed to have become vacant. (3) No such Member shall take his seat at a meeting of the Corporation or do any act as such Member unless he has made the oath or affirmation as laid down in this clause. (4) Where a person ceases to hold office under sub-clause (2) the Commissioner shall report the same to the Corporation at its next meeting and on application of such person made within thirty days of the date on which he has ceased to be a Member under that sub-clause the Corporation may grant him further time which shall not be less than three months for making the oath or affirmation and if he makes the oath or affirmation within the time so granted, he shall, notwithstanding anything in the foregoing sub-clauses, continue to hold the office.
7.	Provisions respecting Institution, etc of Civil and Criminal actions and obtaining legal advice. (1) The Commissioner may— (a) take, or withdraw from, proceedings against any person who is charged with— (i) any offence against this Act;

	(ii) any offence which affects or is likely to affect any property or interest of the Corporation or the due administration of this Act; (iii) committing any nuisance whatsoever; (b) compound any offence against this Act, which under the law at the time in force may legally be compounded; (c) defend any election petition brought under section 226 (d) correct or revise a property tax assessment, under sub-section (2) of section 78, after giving the owner or occupier a reasonable opportunity to be heard; (e) take, withdraw from, or compromise proceedings under sub-clause 2 of clause 2, clause 3, clause 4 and clause 5 of Schedule VII for the recovery of expenses or compensation claimed to be due to the Corporation; (f) withdraw or compromise any claim for a sum not exceeding rupees five hundred against any person in respect of penalty payable under a contract entered into with such person by the Commissioner, or, with the approval of the Standing Committee any such claim for any sum exceeding rupees five hundred; (g) defend any suit or other legal proceedings brought against the Corporation or against the Commissioner or a Deputy Commissioner or a Municipal Officer or servant in respect of anything done or omitted to be done by them respectively, in their official capacity; (h) with the approval of the Standing Committee, admit or compromise any claim, suit or legal proceeding brought against the Corporation or against the Commissioner or a Deputy Commissioner or Municipal Officer or servant, in respect of anything done or omitted to be done as aforesaid; (i) with the like approval, institute and prosecute any suit or withdraw from or compromise any suit or any claim, other than a claim of the description specified in clause (f), which has been instituted or made in the name of the Corporation or of the Commissioner; (j) obtain such legal advice and assistance as he may from time to time think it necessary or expedient to obtain or as he may be desired by the Corporation or the Standing Committee to obtain for any of the purposes mentioned in the foregoing clauses of the section or for securing the lawful exercise or discharge of any power, or duty vesting in or imposed upon any Municipal Authority or any Municipal Officer or servant: Provided that the Commissioner shall not defend any suit or legal proceedings under clause (g) without first of all taking legal advice with regard thereto, and shall institute and prosecute any suit which the Corporation shall determine to have instituted and prosecuted.
8.	Members, etc. deemed to be public servants.

	The Commissioner and Deputy Commissioner and every member and every officer or servant appointed under this Act and every contractor or agent for the collection of any Municipal Tax and every servant or other person employed by any such contractor or agent, shall be deemed to be a public servant within the meaning sub-section 28 of section 2 of the Bharatiya Nyaya Sanhita, 2023 (Act No. 45 of 2023).
9.	Co-operation of Police. (1) The Commissioner of Police shall, as far as may be, co-operate, by himself and through his subordinates, with the Commissioner for carrying into effect and enforcing the provisions of this Act and for the maintenance of good order in the Corporation area. (2) It shall be the duty of every Police officer in the Corporation area to communicate without delay to the proper municipal officer any information which he receives of a design to commit or of the commission of any offence against this Act or against any rule, order or bye-law made under this Act, and to assist the Commissioner, or any Municipal officer or servant, reasonably demanding his aid for the lawful exercise of any power vesting in the Commissioner or in such Municipal officer or servant under this Act.
10.	Assistance for the recovery of rent on land. For the purpose of the recovery of any amount due on account of rent from any person to a Corporation in respect of any land vested in or otherwise held by such Corporation, the Corporation shall be deemed to be a superior holder and every such person an inferior holder of such land, within the meaning of sections 72 and 73 of the Telangana Land Revenue Act, 1317 F (Telangana Act No. VIII of 1317 F) and the Corporation as superior holder shall be entitled, for the recovery of every such amount, to all the assistance to which under the said section a superior holder is entitled for the recovery of rent or land revenue payable to him by an inferior holder.
11.	Measurement of distances. The distance mentioned in this Act shall be measured in a straight line on a horizontal plane.
12.	Informalities and errors in assessments etc. not to be deemed to invalidate such assessments. (1) Any informality, clerical error, omission or other defect in any assessment made or in any distress levied or in any notice, bill, schedule, summons or other document issued under this Act, or under any rule, order or bye-law made thereunder, may at any time, as far as possible be rectified. (2) No such informality, clerical error, omission or other defect shall be deemed to render the assessment, distress, notice, bill, schedule, summons or other document invalid or illegal, if the provisions of this Act and of the rules and bye-laws made thereunder have in substance and effect been complied with; but any person who sustains any special damage by reason of any such

	informality, clerical error, omission or other defect shall be entitled to recover compensation for the same by suit in a Court of competent jurisdiction
13.	Protection of persons acting under this Act against suits. (1) No suit shall be instituted against the Corporation or against the Commissioner or a Deputy Commissioner or against any officer or servant, appointed under this Act, in respect of any act done in pursuance or execution or intended execution of this Act or in respect of any alleged neglect or default in the execution of this Act — (a) until the expiration of one month next after notice in writing has been, in the case of the Corporation, left at the Chief Municipal Office and in the case of the Commissioner or of a Deputy Commissioner or of a Municipal Officer or servant delivered to him or left at his office or place of abode, stating with reasonable particularity the cause of action and the name and place of abode of the intending plaintiff and of his attorney or agent, if any, for the purpose of such suit; or (b) unless it is commenced within six months next after the accrual of the cause of action. (2) At the trial of any such suit— (a) the plaintiff shall not be permitted to go into evidence of any cause of action except such as is set forth in the notice delivered or left by him as aforesaid; Protection of persons acting under this Act against suits. (b) the claim, if it be for damages, shall be dismissed if tender of sufficient amends shall have been made before the suit was instituted or if, after the institution of the suit, a sufficient sum of money is paid into Court with costs. (3) Where the defendant in any such suit is a Municipal Officer or servant, payment of the sum or of any part of any sum payable by him in or in consequence of the suit, whether in respect of costs, charges, expenses, compensation for damages or otherwise, may be made, with the previous sanction of the Standing Committee from the Municipal Fund.
14.	Savings in respect of certain provisions of the Telangana Land Revenue Act. Notwithstanding the provisions of sections 50, 57, 61 and 62 of the Telangana Land Revenue Act, 1317 F (Telangana Act No. VIII of 1317 F).— (a) the use of any land for any purpose to which it may lawfully be put under the provisions of this Act, shall not be prohibited; (b) it shall be sufficient for any occupant of land assessed or held for the purpose of agriculture to show to the satisfaction of the Collector that she has complied with all the requirements of this Act and of the rules, regulations and bye-laws to entitle such occupant to permission under section 61 of the said Land Revenue Act subject to the condition of the payment of altered assessment and fine, if any, for the use of his holding or part thereof for any purpose unconnected with agriculture.

15.	Construction of references in other Acts. Any reference to the Greater Hyderabad Municipal Corporations Act, 1955 (Telangana Act No. II of 1956) in any law for the time being in force in the State of Telangana shall be construed to be a reference to the Telangana Core Urban Region Bill, 2026.
16.	Disclosure of information to the general public. (1) The Corporation shall maintain and publish all its records duly catalogued and indexed in a manner and form which facilitates the municipal authority to disclose the required information at quarterly, half yearly, yearly intervals to the public in such manner as may be prescribed. (2) The manner of disclosure of information to general public and other stakeholders shall be,- (a) by publishing important information through news papers; (b) through internet; (c) by placing the information through the notice boards of the Corporation; (d) by placing the information through the notice boards of the Ward Committee Offices; (e) through printed material; and (f) any other mode as may be prescribed. (3) The following information shall be disclosed by the Municipal Corporation, namely:- (a) basic particulars of the Corporation; (b) statement showing the composition of the Corporation; (c) mode of accessibility of the minutes of the meeting of the Corporation; (d) directory containing the designations of officers and employees; (e) particulars of officers who are competent to grant concessions, permissions, permits and authorizations for each branch of activity relating to Corporation; (f) particulars of officers responsible for delivery of various services and their contact phone numbers; (g) financial statements of balance sheet, income and expenditure and cash flow on a quarterly basis within two months of the end of each quarter; (h) statutory audited financial statements of the financial year within six months of the end of the financial year; (i) service levels being provided for each of the services, namely, water supply, drainage, sewerage, solid waste management, roads, parks and play grounds, street lights by the Corporation; (j) particulars of all plans, proposed expenditures, actual expenditures on major services provided or activities performed;

	(k) details of subsidy programmes and the manner and criteria of identification of beneficiaries for such programmes; (l) list of beneficiaries of all welfare and subsidy programmes; (m) particulars of Master Plan, Development Plan or any other plan concerning the development of Corporation area; (n) particulars of major works together with information on the value of works, time of completion and details of contracts; (o) details of Corporation funds,- (i) income generated in the previous year from taxes and non-taxes, i.e., water charges, rents from Corporation buildings, fees from markets and slaughter houses, fees from various categories of licences, building permit fee, betterment charges, other town planning receipts, encroachment fee, parking fee and other miscellaneous items; (ii) taxes and non-taxes remained uncollected during the previous year and the reasons therefor; (iii) list of defaulters who have arrears of property tax exceeding one lakh of rupees per annum; (iv) assigned revenues transferred from State Government, i.e., entertainment tax surcharge on stamp duty and profession tax during the previous year; (v) plan and non-plan grants released by Government during the previous year; (vi) grants released by Government for implementation of schemes, projects and programmes, assigned or entrusted to the Corporation, the nature and extent of utilization during the previous year; (vii) money raised through donations or contributions from the public during the previous year; (viii) annual budget; (ix) budget allocations made during the year for the welfare of Scheduled Castes, Scheduled Tribes, Women and Children together with the extent of utilization in the previous year; (x) budget allocation made during the year for the slum areas together with the extent of utilization in the previous year; and (xi) such other information, as may be determined by the Government.
--	---