

Hyderabad
4th March, 2015

PRESS NOTE

Government of Telangana has constituted a cabinet committee headed by Sri Tummala Nageshwara Rao Hon'able Minister to look into the existing A.P. municipalities Act 1965 and propose new Act for Telangana. Forum for Good Governance welcome the move.

It is reported that by 2050, about 50% of the population of the country lives in Towns. This mass migration to cities will put heavy pressure on urban services. The urban governance in India is very poor and Telangana is not an exception. For a common man the local municipality which is supposed to provide basic services is more importance than the Assembly or Parliament.

A.P. Municipalities Act 1965 is defective in many respects. There is no space for taxpayer to demand for services. The service now being provided by municipalities such as roads, drainage, street lights, drinking water are mostly on the likes and dislikes of the concerned local officials. The short comings in Municipalities Act give enough scope for arbitrariness leading to corruption and nepotism.

Forum for Good Governance is of the opinion that the following points should be taken into account while drafting new Telangana Municipalities Act.

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1. After enactment of A.P. Municipalities Act 1956, lots of charges have taken place. Decentralization, empowering the local people in decision making, transparency etc. are the issues at present. Constitution 74th amendment Act 1992 passed by Indian Parliament has elevated the status of municipal bodies from statutory to constitutional. Article 243-U of constitution says “An election to constitute a municipality shall be completed before the expiry of its duration”. It implies that there is no scope for keeping the municipality under special officer without conducting elections. whereas Sec. 62-A of A.P. Municipalities Act says “Government may appoint Special Officer to any municipality for a period not exceeding 10 years.
2. **Assessment of property tax:** The rules made to assess property tax are complicated and gives too much power to valuation officer. The arbitrary power breeds corruption. Sec. 130 of the municipalities Act needs clarity and simplification. The outdated provisions like imposing tax on animals (sec.113) registration and payment of tax on bicycles, tricycles, carts etc (sec. 105, 111) to be abolished.
3. **Timely according various permissions:** Permission for construction of a house has so many conditions which forces the applicant to bribe the concerned authority to get the work done. The procedure should be simplified, if required by notifying licensed (private) engineers who can process the applications before they are submitted to concerned authorities. Once such application is received the concerned authority should automatically accord permission with in a stipulated period of say 4 weeks.
4. **Accountability:** At present there is no accountability on the staff of municipality. It is reported that there are more than 60 thousand unauthorized constructions in GHMC violating rules – who is to be blamed.
5. Deletion of certain sections like sec. 13 B “A person having more than two children shall be disqualified for elections or for continuing as a member.

These are only suggestive. Forum for Good Governance requests the government to prepare draft “Telangana Municipalities Act put it for discussion among general public, duly incorporating the amendments, if any suggested by citizen’s new Telangana State municipalities Act may be brought out. Here it is not out of place to mention that Kerala government while enacting new police Act for the state has prepared draft, put it in public domain and after detailed discussions the state legislature has passed Kerala Police Act which is supposed to be the best Police Act in India.

Yours Sincerely

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Secretary
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