



Template

On

**Implementation of 74th Constitutional
Amendment**

(State Level Questionnaire)

**Ministry of Urban Development
Government of India, New Delhi**

**Template
On
Implementation of 74th Constitutional Amendment
(State Level Questionnaire)**

PART - I

(Please furnish a copy of State's conformity legislation with up-to-date Amendments).

PART - II

Article 243Q : Constitution of Municipalities.

Demographic data of all metropolitan areas, municipal corporations, municipal councils, nagar panchayats in the State.

Proforma I

(Article 243Q) - Demographic Data as per 2001 Population.

SI No	Category of ULB	Total Population (2001 Census)	Growth Rate-1991-2001	M	F	SC	ST	No of households
1	Municipal Corporation in respect of Metropolitan Cities/ Million Plus Cities							
2	Other Municipal Corporations							
3	Municipal Councils							
4	Nagar Panchayats/Town Panchayats							

Note: Please provide consolidated information and provide information of 2011 Census also if available in a separate statement.

Article 243R(2) : Composition of Municipalities.

What is the provision in conformity legislation about representation in a Corporation/Municipality of:

Proforma II

A consolidated list for Urban Local Bodies may be annexed with each of the Municipal Corporation/ Municipality.

Category	Legislative Provision	Whether Implemented or not ?	
		Yes	No
Persons having special knowledge or experience in municipal administration			
The members of the Council of States and the members of the Legislative Council of the State registered as electors within the municipal area.			
Other categories like minorities, if any.			

- The Chairpersons of the Committees constituted under Clause (5) of article 243S (That is, Committees other than the wards Committees):

Proforma III

Name of the Committee	Chairperson	Members

Article 243T : Reservations of Seats

Please give information about reservation of seats for SC / ST / OBC / Women in Proforma II.

Proforma- IV

Provide data as per the Latest Municipal Elections

Year of Election:-----.

Sl No	Category of	Total No. of Wards	Total No. of Ward Committees	Un-Reserved Seats	Seats Reserved						Total Women [@]	
					SC		ST		BC			Women of General category
					T [*]	W ^{\$}	T [*]	W ^{\$}	T [*]	W ^{\$}		
1	Municipal Corporations											
2	Municipal Councils											
3	Nagar Panchayats											

Note: Please provide consolidated information only.

* Pl. mention total no. of seats reserved in the category.

\$ Pl. mention total no. of seats reserved for women in the category.

@ Pl. mention total no. of seats reserved for women including the number of seats reserved for women belonging to SC, ST and BCs.

Article 243R(2)(b) read with 243T (4) and 243T(6) : Election of the Chairperson

1. What is the provision for election of the Chairperson/mayor of Corporation/Municipality as per conformity legislation?
2. What are the provisions and implementation regarding reservation of the Office of Chairpersons/mayors in the Municipalities for SCs / STs / BCs/ Women?

The above information may be provided in Proforma V given below;

Proforma V

Category	Legislative Provision	Whether Implemented or not ?	
		Yes	No
SCs			
STs			
BCs			
Women			

3. What is the term of the chairperson/mayor of Municipalities?

Article 243S : Constitution and Composition of Wards Committees.

1. Please state criteria for delineation of wards as per municipal corporation/council act or conformity legislation.
2. Which authority is empowered to delimit the wards? With what periodicity are the ward limits revised?
3. Criteria for deciding budget provision for the wards committees?
4. What is the composition of wards committee as per the conformity legislation?
5. What powers, authority and functions are delegated to wards committees?
6. Please give information regarding years of election of municipal corporation(s), municipal council(s), Nagar Panchayat(s) (Proforma III).

Note: Please provide consolidated information only.

Article 243U : Dissolution of Municipalities.

1. Has any ULB in the State been dissolved?
2. If yes, please give reasons for the dissolution.
3. Was the ULB reconstituted by holding election within six months?

Article 243V: Disqualification for membership.

1. Which is the authority for disqualifying an elected member of a Corporation/Municipality?
2. What is the procedure for the same? (ref. Conformity legislation)

Article 243W: Powers, authority and responsibilities of Municipalities.

Main Functions (12th Schedule)

1. Which of the 18 functions listed in the 12th Schedule have been entrusted to the ULBs?

Proforma VI

Sr. No.	Functions	Yes	No	Remarks
1.	Urban planning including town planning			
2.	Regulation of land-use and construction of buildings			
3.	Planning for economic and social development			
4.	Roads and bridges			
5.	Water supply for domestic, industrial and commercial purposes			
6.	Public health, sanitation, conservancy and solid waste management			
7.	Fire services			
8.	Urban forestry, protection of environment and promotion of ecological aspects			
9.	Safeguarding the interests of the weaker sections of society, including the handicapped and the mentally retarded			
10.	Slum improvement and up-gradation			
11.	Urban poverty alleviation			
12.	Provision of urban amenities and facilities such as parks, gardens, play-grounds			
13.	Promotion of cultural, education and aesthetic aspects			
14.	Burial and burial grounds; cremation and cremation grounds and electric crematorium			
15.	Cattle pounds and prevention of cruelty to animals			
16.	Vital statistics including registration of births and deaths			
17.	Public amenities including street lighting, bus-stops, public conveniences			
18.	Regulation of slaughter houses and tanneries			

2. Have any terms and conditions been specified while entrusting any of these functions to ULBs?
3. Have any additional functions been entrusted to ULBs (please list them).
4. Whether any notification is issued for transferring functionaries and funds to ULBs?
If yes, give details.

Article 243X : Power to impose taxes by, and Funds of the Municipalities.

7. Which taxes, duties, tolls and fees have ULBs been authorized to levy, collect and appropriate before, the 74th CAA, after the 74th CAA and in the post-JnNURM period (provide the information separately)?

Proforma VII

List of taxes, Duties and tolls	Before 74 CAA Conformity Legislation	After 74 CAA Conformity Legislation	In the Post JnNURM Period

8. Which taxes, duties, tolls and fees are levied and collected by State Government and assigned to ULBs?

Proforma VIII

List of taxes, Duties and tolls	Before 74 CAA Conformity Legislation	After 74 CAA Conformity Legislation	In the Post JnNURM Period

9. What are the provisions for making grants-in-aid to the ULBs from consolidated fund of the State Government?

Article 243 : State Finance Commission (SFC)

1. Provide following details about the SFCs constituted so far in the state:

Proforma IX

S.N	Item of Detail	1 st SFC	2 st SFC	3 st SFC	4 st SFC
1	Date of Constitution				
2	Composition along with designation				
2 (a)	Whether qualifications of Chairpersons & Members of SFC are prescribed				
3	Brief details of recommendations				
4	Period of Recommendations.				
5	Date of submission to the Governor				
6	Placing the Report and ATR before the Legislative Assembly				
7	Action Taken Report				

2. Devolution of Funds to the ULBs based on the SFCs.

Proforma X

Amount in Rs lakhs	1 st SFC Period	2 nd SFC Period	3 ^d SFC Period	4 th SFC Period

3. Is there a permanent SFC Cell in the State Secretariat? If yes, give details of the Cell. (Proforma VII & Proforma VIII)

<i>Article 243Z : Audit of accounts of Municipalities.</i>

1. What is the present arrangement for maintenance of accounts of ULBs and their audit?
2. Is the same in consonance with 13th CFC recommendations?

<i>Article 243ZA : Elections to the Municipalities.</i>

1. When was the State Election Commission (SEC) constituted?
2. What is the composition of SEC?
3. Please provide a list of municipal corporations, municipal councils, nagar panchayats in the State where elections have not been held since last 10 years or 5 years.

Article 243ZC : Part not to apply to certain areas.

1. What arrangements have been made in the conformity legislation as regards scheduled areas referred to in clause (1) and tribal areas referred to in clause (2) of Article 244?

Article 243ZD : Committee for District Planning.

1. Whether district planning committees have been constituted?
2. If yes, when were district planning committees constituted? (please give details district wise)
3. What is the composition of district planning committee (DPC)?
4. What are the powers given to the DPC?
5. What are the functions related to district planning, which are assigned to DPC? (please list them)
6. How is the chairperson of DPC chosen?
7. What kind of recommendations have been received from DPC? (please give details)
8. How many District Development Plans (DPPs) have been prepared?
9. Are these DPPs based on consolidation of Local Body Plan?
10. What is the procedure adopted to incorporate these recommendations of DPC or District Development plans in State Plan?

243ZE: Committee for Metropolitan Planning.

1. Whether the legislation and rules for setting-up metropolitan planning committees are made in the state? If yes, when?
2. Whether committees for metropolitan planning have been constituted?
3. If yes, when were committees for metropolitan planning constituted? (please give details for all the metropolitan areas)
4. What is the composition of committee for metropolitan planning?
5. What are the powers given to the committee for metropolitan planning?

6. What are the functions related to metropolitan planning, which are assigned to committee for metropolitan planning? (please list them)

7. How is the chairperson of committee for metropolitan planning chosen? How many Metropolitan Development Plan (MDPs) have been prepared in the state? Are these MDPs based on local plans?

8. What kind of recommendations have been received from committee for metropolitan planning? (please give details)

9. If yes, what is the procedure adopted to incorporate these recommendations of committee for metropolitan planning in State Plan?
