

**THE TRIPURA
MUNICIPAL(Procedure &
Conduct of Business)
RULES 1996**

**GOVERNMENT OF TRIPURA
URBAN DEVELOPMENT DEPARTMENT AGARTALA**

No. F. 14 (1)- UDD/96

Dated, Agartala, the 22nd May, 1996.

NOTIFICATION

In exercise of the powers conferred by section 274 of the Tripura Municipal Act, 1994, the Governor hereby makes the following Rules, namely :-

**CHAPTER I
Preliminary**

1. Short title & commencement :

(1) These rules may be called the Tripura Municipal (Procedure & Conduct of Business) Rules, 1996.

(2) They shall come into force at once.

2. Definition & Interpretation :

(1) In these rules, unless the context otherwise requires ;

(a) "Act" means the Tripura Municipal Act, 1994 (Act No. 7 of 1994) ;

(b) "Section" means a Section of the Act ;

(c) "Form" means a form appended to these rules and includes a translation thereof in Bengali.

(2) The words or expressions used but not defined in these rules shall have the same meaning as respectively assigned to them in the Act.

(3) The General Clauses Act, 1966 shall apply for the interpretation of these rules as it applies for the interpretation of Acts of the State Legislature.

CHAPTER II**Procedure and Functions of the Municipality****3. Meeting & its validity :**

- (1) Meeting of the Municipality May be,—
 - (a) ordinary meetings ; or
 - (b) extra-ordinary meeting.
- (2) A meeting of the Municipality shall be deemed to have duly held when,—
 - (a) the meeting is duly convened ;
 - (b) there is necessary quorum including the nominated.
 - (c) the meeting is held within the Municipal premises ;
 - (d) the meeting is presided over by a person authorised under the Act and these rules ; and
 - (e) the proceedings of the meeting are duly recorded.

4. Ordinary meetings :

(1) The Chairperson, or in his absence, Vice-Chairperson shall convene a meeting of the Municipality for the transaction of normal business not less than once in every month.

(2) Seven day's notice to the members shall be necessary for such meeting.

(3) If there is no business to be laid before the members at any such meeting, the Chairperson or, in his absence, the Vice-Chairperson shall, instead of convening the meeting give notice of the fact to each member at least three days before the date appointed for the meeting.

(4) The Chairperson may, at a meeting, fix the date or dates and time for holding the next meeting or meetings.

5. **Extra ordinary meeting :**

(1) In an extra-ordinary meeting, no matter, other than the one for which the meeting has been convened, shall be discussed Such meetings may be—

- (a) an emergent meeting ; or
- (b) a special meeting.

(2) An emergent meeting for transaction of business of an emergent nature, may be convened, at any time, by the Chairperson or, in his absence, by the Vice-Chairperson, after giving twenty-four hours' notice to the members.

(3) (a) A special meeting may be convened by the Chairperson or, in his absence, by the Vice-Chairperson suo-moto after giving not less than three days notice to the members.

(b) A special meeting may also be convened after giving not less than three days notice to the Members, on a requisition containing specifically the agenda signed by not less than one-third of the total members of the Municipality, by—

(i) the Chairperson within fifteen days from the date of receipt of such requisition ; or on his failure to do so

(ii) the Vice-Chairperson within seven days thereafter ; or, on his failure to do so,

(iii) any Member of the Chairperson-in Council/Nagar Committee or any three members of the Municipality within further seven days thereafter.

(c) Notwithstanding anything contained in these rules, if the situation so demands owing to stalemate condition prevailing in the functioning of the Municipality, the Executive Officer may, in the interest of public service, convene a special meeting of the Municipality with at least three days notice to the members, specifying the agenda and venue of the meeting.

6. **Adjournment of meeting :**

If at the time appointed for a meeting or within an hour thereafter there is no quorum, the meeting shall stand adjourned to some future date to be appointed by the Chairperson, or in his absence, by the Vice-Chairperson and three days notice of such adjourned meeting shall be given to the members. The Members present at such adjourned meeting shall form a quorum, whatever their number may be :

Provided that a requisitioned meeting shall fail automatically if there is no quorum at the meeting.

7. **Motions and questions :**

(1) As and questions, if any, accompanied by verbatim drafts of such motions and questions, shall be sent by a member to the Chairperson or, in his absence, to the Vice Chairperson at least five days in advance for being included in the list of business for the next meeting

(2) A Notice Book shall be kept by the Chairperson in which all notices of motions and question shall be entered. All such notices shall be dated and numbered as soon as received.

8. **Persons to preside at meeting :**

(1) Save as otherwise provided in these rules, meetings of the Municipality shall be presided over normally by the Chairperson or, in his absence, by the Vice-Chairperson.

(2) In the case of special meeting for removal of the Chairperson, the meeting shall be presided over by the Vice-Chairperson or, in his absence, by an elected member present in the meeting.

(3) In the case of special meeting as referred to in Clause (c) of sub-rule (3) of rule 5, the Executive Officer shall conduct the proceedings of the meeting. He shall, at the commencement of the meeting record the attendance of the members present in the meeting and shall, for presiding over the meeting invite the Chairperson of the Municipality or, in his absence or failure to do so, the Vice-Chairperson of the Municipality for the purpose. In case of absence of the Vice-Chairperson or his failure to preside over the meeting the Executive Officer shall invite the members present in meeting to elect a President for that meeting only.

Provided that the proceedings of the meeting till the Chairperson or the Vice-Chairperson or the President so elected as the case may be, takes over, be recorded by the Executive Officer in the minute book of the Municipality and thereafter by the person presiding over the meeting. A copy of the proceedings of the meeting so held shall be sent to the District Magistrate and the Director of Urban Development, Government of Tripura by the Executive Officer and the person presiding over the meeting respectively.

9. Preparation of list of business :

(1) A list of business to be transacted at every meeting of a Municipality except at adjourned meeting shall be sent to each member of the municipality, at least three days before the time fixed for such meeting and no business shall be brought before or transacted at the meeting other than business for which notice has been so given, except with the approval of the majority of the members present at such meeting.

(2) A list of business to be transacted at every meeting of a Municipality except an adjourned meeting shall be prepared by the Executive Officer in consultation with the Chairperson or, in his absence, the Vice Chairperson of the Municipality. The list or lists of business shall be entered in the Register of List of Business to be maintained for the purpose. The list or lists of business shall be countersigned by both the executive Officer and the Chairperson or in his absence, the Vice Chairperson of the Municipality. The list of business shall be conducted at an ordinary meeting in the following order :—

- (a) the minutes of the last ordinary meeting and of any extraordinary meeting held thereafter, shall be read and, if confirmed as correctly entered, shall be signed by the person presiding over the meeting as a token of such confirmation.. In the event of any objection raised about any resolutions as recorded, the person presided over the meeting shall decide the question and may makes necessary correction in the minute book, if required ;
- (b) business postponed from the last ordinary meeting shall be considered ;
- (c) the minutes of the meetings of the Chairperson-in-Council/Nagar Committee held after the last ordinary meeting of the Municipality shall be considered ;
- (d) other matters, if any, shall be considered ; and
- (e) motions, of which due notice has been given shall be considered.

10. **Notice of meeting to members :**

(1) There shall be at least one meeting of the Municipality in each month to transact its business. The meeting of the Municipality shall be summoned by a notice in Form- I.

(2) Notice to the Members for the meeting may be issued by the Executive Officer or by any other officer under instruction of the Chairperson of the Municipality.

(3) The Executive Officer or the Municipality, shall arrange delivery of notice to all Members either by post or by messenger or otherwise. A copy of the notice shall be displayed on the Notice Board of the office of the Municipality.

11. **Attendance Register :**

(1) The Executive Officer of the Municipality shall maintain an Attendance Register of Members and all Members shall sign in it before commencement of the meeting.

(2) When a meeting of the Municipality is not held for want of quorum, the Chairperson or, in his absence, the Vice Chairperson of the Municipality and the Executive Officer shall make a note to that effect in the Attendance Register.

12. **Minute Book :**

As far as practicable, minutes of every meeting of Municipality shall be entered by the Executive Officer in a Minute Book to be kept for the purpose which shall be signed by the Executive Officer before the meeting is concluded and thereafter the persons who presides over the meeting shall sign the minutes.

13. **Resolution pressed for division :**

(1) If any difference of opinion arises in taking decision, it shall be put to vote and the vote shall be by show of hands. Every such resolution/decision shall be recorded in full in the Minute Book together with the number of Members voting for or against the resolution.

(2) All matters required to be decided at any meeting shall be determined by the majority of votes of the Members present and voting. The Presiding Member shall be entitled to vote.

(3) No resolution of the Municipality at a meeting shall be modified or cancelled within six months after passing thereof except at a meeting specially convened in that behalf and by a resolution of the Municipality passed by two third number of Members of the Municipality.

(4) The Chairperson or, in his absence the Vice Chairperson of the Municipality shall ensure that no Member shall —

- (i) Comment on any matter on which a judicial decision is pending;
- (ii) Make a charge against officers of the municipality or of government in relation to his conduct in his official capacity.
- (iii) Use offensive language about the conduct or proceeding of the parliament or of the legislature of any state or autonomous District council or Zila parishad or Panchayat Samiti or gram Panchayat;
- (iv) Use defamatory words;
- (v) Use his right of speech for the purpose of obstructing the business of the municipality.

14. **Quorum :**

The majority of members including the nominated members of the municipality shall form the quorum. Provided that no quorum shall be necessary for an adjourned meeting.

15. **Resignation of Chairperson, Vice-Chairperson, Member of Chairperson in council/Nagar Committee or Member of the Municipality :**

- (1) In case of any vacancy in the office of the chairpersons caused by resignation—

Within seven days or as soon or thereafter as may be but not later than fifteen days of resignation by the chairperson, a meeting of the municipality shall be convened by the chairperson within seven days thereafter or on his failing to do so, by any other three of the elected members within further seven days thereafter for acceptance of the resignation or otherwise. Such meeting shall be presided over by the chairperson or, in his absence, by a member elected by members of the municipality as president for that meeting only. The resignation letter shall be placed before the members of municipality and after such a discussion as the president of the meeting permits, the issue shall be decided on the basis of majority of vote. In case of equality of vote, the president of the meeting shall decide the issue by lot.

- (2) A member of municipality may resign his office by writing under his hand addressed to the chairperson or in his absence to the vice chairperson and handing it over either in person or by sending it by the registered post to the concerned authority. On receipt of the written resignation, the chairperson or, in his absence, the Vice-Chairperson

shall accept the resignation letter after such an inquiry as he deems fit and inform the Members of the Municipality and Director of Urban Development.

(3) The Vice-Chairperson or a Member of the Chairperson-in-Council/Nagar Committee may resign his office by writing under his hand. The Vice-Chairperson or a Member of the Chairperson-in-Council/Nagar Committee shall address his resignation to the chairperson.

16. Procedure for removal of Chairperson and Vice-Chairperson :

(1) On receipt of a notice in form-2 signed by at least one third of the existing elected members of the municipality, the Director of Urban Development or District Magistrate & Collector as the case may be shall convene a meeting of removal of Chairperson. The notice shall be delivered in person to the director of urban development or to the District Magistrate & Collector, as the case may be, by any one of the Members signing the notice or shall be sent by registered post.

(2) In case of removal of the Vice-chairperson, the Chairperson on receipt of a notice in Form-2 (a) signed by atleast one-third of the existing elected members of the municipality shall convene a meeting for removal of vice chairperson. The notice shall be delivered in person to the chairperson of municipality by any one of members signing the notice or shall be sent by registered post.

(3) In case of removal of both the chairperson and the vice-chairperson simultaneously in the same meeting the directly elected members present shall elect a member present from amongst them in the meeting as presiding officer.

(4) The Presiding Officer shall forthwith forward the minutes of the meeting to the Director of Urban Development Department or as the case may be District Magistrate & Collector and on receipt the Director of Urban Development Department or as the case may be District Magistrate & Collector shall issue the removal order and intimate the same to the executive officer of the Municipality and Secretary to the Government of Tripura , Urban Development Department.

(5) The presiding officer shall declare the result of voting after recording it in the minute's book. The motion for removal shall be deemed to have been carried only when it has been passed by the majority of the existing elected members of the municipality.

(6) In case of removal of the Chairperson, the Presiding Officer shall forthwith forward minutes of the meeting to the Director of Urban Development or District Magistrate

& Collector or , as the case may be, and on receipt of the report the Director of Urban Development Department or the District Magistrate & Collector as the case may be shall issue the removal order with an intimation of the same to the government of Tripura.

7) In case of removal of the Vice-Chairperson the meeting shall be presided over by the Chairperson and results of the meeting shall be recorded in the minutes book by the executive officer. On the basis of this resolution the Chairperson shall issue the removal order of the Vice-Chairperson and intimate the same to the members of the municipality and also to the Director of Urban Development Department or District Magistrate & Collector, as the case may be.

(8) In case of removal of the Chairperson the charge of the Chairperson will be taken over by the Vice-Chairperson and in case of removal of the Vice-Chairperson, the charge, will be taken over by a member of the Chairperson in Council to be nominated by the Chairperson till a Vice-Chairperson is appointed by the Chairperson. In case of removal of the Chairperson and the Vice-Chairperson simultaneously the charge of the Chairperson or the Vice-Chairperson will be taken over by a member of the Chairperson in Council of a Municipal Council or Nagar Committee, as the case may be, to be appointed by the Director of Urban Development or District Magistrate & Collector as the case may be, till a Chair person is elected and he assumes office.

17. Report on the vacancy in the office of Chairperson :

In case of any vacancy in the office of the Chairperson caused by death, resignation, removal or otherwise the Vice-Chairperson shall not later than seven days from the date of such vacancy, send a report to the District Magistrate & Collector in case of Nagar Panchayat and to the Directorate of Urban Development in case of Municipal Council. In the absence of the Vice-Chairperson for any reason whatsoever, such report shall be sent by the executive officer or any other officer of the Municipality.

CHAPTER III

Meeting of the joint committee.

18. President and Secretary of Joint Committee :

(1) The President of the Joint Committee shall be nominated by the State Government by a Notification from among members.

(2) (a) One of the officers of the Municipality/local authorities shall be appointed by the State Government as Secretary of the Joint Committee.

- (b) The Secretary shall record the minutes of the meetings and take such other action as the President may direct.

CHAPTER IV

Procedure and functions of standing Committees

19. Function of Finance Committee :

- (1) (a) The Finance Committee shall perform the functions relating to establishment matters, General Administration and the finance and plan of the Municipality.
- (b) It shall be obligatory for the Finances Committee to ensure strict compliance with all guidelines and rules relating to delegations of financial powers issued by the Government from time to time.
- (c) The Finance Committee shall ensure proper utilisation of all funds including funds received as Grants-in-Aid from the Government and to ensure the utilisation of the fund earmarked for the specified sector.
- (d) The Finance Committee shall ensure that the expenditure in no case exceeds the budgetary grants and no diversion of funds provided by the Government for specific purposes shall be made without prior concurrence from the Government.
- (e) The Finance Committee shall, comply with the order of the State Government on Audit Reports.
- (f) The Finance Committee shall, as soon as may be, after first day of April every year and not later then fifteenth day of April, submit to the State Government a report on the Administration of the Municipality during the preceding year in such form, with such details, as the State Government may direct. A copy of the report shall be submitted to the Director Urban Development in case of Municipal Council and to the District Magistrate and Collector in case of Nagar Panchayat.
- (g) The Finance Committee shall ensure that no Municipal authority/ officers/ staff violate financial norms, rules and regulations and for any such irregularities misappropriation etc., the concerned Officers shall be made personally liable in such case of violation.

Function of Public Health Committee :

- (2) The public health committee shall—
- a) perform the functions relating to water supply, medical and health services (Hospital, Dispensary, Maternity, and Child health); and
 - (b) educational, environmental and sports activities.

Function of Public Work Committee :

(3) The Public Works Committee shall perform the functions relating to Public Works, non-conventional energy, lighting and electricity, stores and allied matters. While performing the functions relating to Public Works, the Committee shall follow CPWD/ State PWD Code.

(4) The Standing Committees shall perform the functions referred to in sub-rules (1) to (3) to the extent powers are delegated/assigned to them by the Municipality.

20. Removal of Members of Standing Committee :

(1) Any Member of a Standing Committee, other than the President, who fails to attend five consecutive meetings, shall cease to be a Member of such standing committee.

(2) A Member who has been declared disqualified from being a Member of a Municipality and removed from the membership, shall cease to be Member of the Standing Committee.

(3) If a written resolution for removal of a Member of a Standing Committee is passed by the majority of the Members of the Municipality, the District Magistrate & Collector shall remove him from the Membership of the Standing Committee.

21. Meeting of Standing Committee :

Every Standing Committee shall hold a meeting in the office of the Municipality once in a month on such date and at such time as may be fixed by the President.

Provided that if the President fails to convene the meeting in time, the Chairperson of the Municipality shall convene the meeting of the concerned Standing Committee on such date and at such time as may be fixed by him.

Provided further that a President of the Standing Committee may convene an emergent meeting as occasion may require with the prior approval of the Chairperson or, in his absence, the Vice-Chairperson of the Municipality.

22. Preparation of list of business :

(1) A list of business to be transacted at every meeting of the Standing Committee except at an adjourned meeting shall be sent to each Member of the Standing Committee atleast seven days before the time fixed for such meeting and no business shall be brought before the meeting or transacted at the meeting other than the business for which notice has been so issued except with the approval of the majority of the Members present at such meeting.

(2) A list of business to be transacted at every meeting of a Standing Committee except an adjourned meeting shall be prepared by the Secretary of the Standing Committee in consultation with the President of the Standing Committee. The list of business shall be entered in the Register of the List of Business to be maintained for this purpose. The list of business shall be countersigned by both the Secretary and the President. The first item of the list of business shall be confirmation of the minutes of the previous meeting and the second item shall be report on the action taken on those resolutions of all previous meeting on which action is yet to be taken. The last item of the list of business shall be to fix the date and time for the next meeting.

23. Notice of meeting :

(1) There shall be at least one meeting of the Standing Committee in each month to transact its business. The meeting of the Standing Committee shall be summoned by a notice in Form-3. The notice shall accompany the list of business. For an emergent meeting of the Standing Committee at least 24 hours notice in Form -3 shall be given to all Members of the Standing Committee for a meeting.

Provided that only the listed business shall be discussed in an emergent meeting.

(2) The notice to the Members for the meeting may be issued by the Secretary of the Standing Committee or by any other officer under instruction of the President of the Standing Committee or, in his absence, by the Chairperson of the Municipality.

(3) The Secretary of the Standing Committee shall arrange delivery of the notice to all Members either by post or by messenger or otherwise. A copy of the notice shall be displayed on the Notice Board of the office of the Municipality.

24. Attendance Register. :

(1) The Secretary of the Standing Committee shall maintain an Attendance Register of Members and all Members shall sign it before commencement of the meeting.

(2) When a meeting of the Standing Committee is not held for want of quorum, the President of the Standing Committee or, in his absence, the Chairperson of the Municipality and the Secretary of the Standing Committee shall make a note to this effect in the Attendance Register.

25. Minutes Book :

As far as practicable, minutes of every meeting of the Standing Committee of the Municipality shall be entered by the Secretary of the Standing Committee in a Minute Book to be kept which shall be read out before the meeting is concluded and thereafter the person who presides over the meeting shall sign the minutes.

26. Resolution pressed for division :

(1) All matters before the Standing Committee shall be decided by consensus. In case there is difference of opinion, views of all members including invitees shall be recorded and the matter shall be referred to the Municipality.

(2) In case one or more Standing Committees pass conflicting resolution, such conflicts shall be resolved at a joint meeting of the Standing Committee to be convened by the Chairperson or, in his absence the Vice-Chairperson of the Municipality at a reference from the President of the Standing Committees or suo moto.

27. Quorum :

The majority of Members including the nominated Members of the Standing Committee shall form the quorum.

Provided that no quorum shall be necessary for an adjourned meeting.

28. Absence of official members from the meeting :

If any official Members nominated under Clause (b) of sub-section (2) of Section 16 does not attend two consecutive meetings of the Standing Committee, the matter shall be brought to the notice of the concerned department of the government by the President through the Chairperson or, in his absence, the Vice-Chairperson of the Municipality under intimation to the Urban Development Department.

29. **Officers other than member of Standing Committee to be invited to attend the meeting. :**

Any officer of the State Government at the Sub-Divisional level who is concerned with any item of the list of business of the meeting of the Standing Committee may be invited to attend such meeting.

Provided that the Sub-Divisional Officer of the Sub-Division may depute an officer to represent him in the meeting.

30. **Adjournment for want of quorum :**

If there is no quorum, the meeting shall stand adjourned. The meeting shall be convened again in the same manner on a date to be fixed by the President of the Municipality.

CHAPTER V

Transaction of business of the chairperson - in -council/Nagar committee.

31. **Allocation and disposal of business :**

(1) The powers and functions of the Municipal Council as laid down in the Act shall be assigned amongst the Sections specified in the First Schedule appended to these rules.

(2) All executive powers of the Municipal Council shall be exercised by the Chairperson-in-Council over and above the powers mentioned in the second Schedule.

32. **Action to be deemed to have been taken in the name of the Chairperson in Council or Chairperson in Nagar Committee :**

Action taken by a Member of the Chairperson-in-Council or, as the case may be, the Chairperson-in-Nagar Committee in respect of business allocated to him shall be deemed to have been taken in the name of the Chairperson-in-Council or as the case may be, the Chairperson-in-Nagar Committee.

Provided that all formal orders shall be issued under the signature of the Executive officer, save as provided in the Act.

33. **Executive actions to be expressed to be taken in the name of the Municipality :**

All executive action of the Chairperson-in-Council or, as the case may be, the Chairpersons-in-Nagar Committee shall be expressed to have been taken in the name of the Municipality.

34. Placing of Officers :

Subject to the provision of the Act and these rules, the Executive Officer of the Municipality shall place Officers in different Section.

35. Officers & Staff to be under the Supervision of the Member-in-Charge :

The Officer heading a Section or Sections and the staff shall be subject to the primary supervision of the Member-in-Charge to whom the particular Section has been allocated by the Chairperson of a Municipal Council.

36. Procedure in financial orders :

(1) No Section shall, without previous consultation with the Accounts & Cash Section, authorise issue of any order other than an order pursuant to any general delegation made by the Accounts and Cash Section which either immediately or by implication will affect the finance for assets of the Municipality.

(2) Proposal for Re-appropriation shall be moved to the Chairperson-in-Council by any Section through the Accounts and Cash Section for approval of the Municipal Council.

37. Secretary to the Chair person in-Council /Nagar Committee :

The Executive Officer of the Municipality shall be the Secretary to the Chairperson-in-Council and Chairperson-in-Nagar Committee, as the case may be.

38. Matters to be submitted to the Chairperson-in-Council by Secretary :

All matters referred to the Chairperson-in-Council in case of Municipal Council and the Chairperson-in-Nagar Committee in case of Nagar Panchayat shall be submitted by the Secretary to the Chairperson and, if so approved by the Chairperson, shall be included in the agenda of the meeting of the Chairperson-in-Council or, as the case may be, Nagar Committee.

39. Matters not referred to the Chairperson-in-Council :

The Chairperson may direct that any matter not referred to the Chairperson-in-Council in case of Municipal Council or Nagar Committee in case of Nagar Panchayat under rule 38 shall also be included in the Agenda.

40. Meeting of the Chairperson-in-Council and Nagar Committee :

(1) The Chairperson-in Council or Nagar Committee shall meet at regular intervals on the date fixed by the Chairperson-in-council/ Chairperson-in-Nagar Committee the Municipal office.

(2) The secretary shall send a notice indicating the date time and agenda of the meeting of the Chairperson-in-council or, as the case may be Nagar Committee to the Members before the Meeting.

41. Preparation of Memorandum for the meeting :

(1) When it has been decided to bring a matter before the Chairperson-in-Council or, as the case may be Nagar Committee, the section to which the matter relates or the Executive officer shall prepare a memorandum stating with sufficient precision the salient facts of the matter and the points for decision. Such memorandum and such other papers as are necessary to enable the matter to be disposed of shall be circulated to the members of the Chairperson - in Council or, as the case may be Nagar Committee before the meeting. If the matter concerns more than one section, the members of the Chairpersons-in Council supervising the work of the concerned Section shall attempt by previous discussion, to arrive at a consensus.

(2) If consensus is reached the memorandum shall contain the joint recommendations of the members of the Chairpersons in Council. If no consensus is reached the memorandum shall state the points of differences and the recommendations of each of the concerned members of the Chairpersons in Council. The Chairperson of a municipality may consider any other item in the meeting in addition to agenda items finalised and circulated earlier in the Chairperson in Council/Nagar Committee meeting.

42. Inclusion of matters in the Agenda :

(1) Any matter of emergent nature not included in the agenda and circulated before the meeting of the Chairperson-in-Council or Nagar committee may be taken up for discussion at the meeting with the permission of the Chairperson of the Municipality.

(2) The Chairperson or in his absence the Vice-Chairperson shall preside over the meeting of the Chairperson in Council or as the case may be the Nagar Committee. If both the Chairperson and the Vice-Chairman are likely to remain absent, the Chairperson may nominate another member of the municipal council or as the case may be Nagar Committee to preside over the meeting.

(3) The Head of the Section or any other officer or any other officer of the section authorised in this behalf by the head of the section shall attend the meeting, if so required by the Chairperson.

(4) The secretary shall attend every meeting of the Chairperson in council /Nagar Committee and shall prepare a record of the decision and with the approval of the Chair person or the of the Vice-Chairperson or the presiding member as the case may be, he shall forward copy of such record to each of the Member including the Chairperson and the Vice-Chairperson.

43. Amendment of Resolution :

A decision taken at the meeting of the Chairperson-in-Council/Chairperson-in-Nagar Committee may be amended only at another meeting of the Chairperson-in-Council or, as the case may be, the Chairperson in Nagar Committee.

44. Issue of order for execution or implementation :

All order for execution or implementation of the resolution or policy decision of the Chairperson-in-Council or, as the case may be, the Nagar Committee shall be issued by the Executive Officer of the Municipality.

CHAPTER VI REMUNERATION AND ALLOWANCES

45. Payment of remuneration to the Chairperson :

Every Chairperson of a municipal Council or, as the case may be, Nagar Panchayat shall be entitled to receive remuneration as specified below.

(a) Chairperson (Municipal Council)	-RS. 1200/- Per month
Sumptuary Allowances	-RS. 250/-
(b) Chairperson Nagar Panchayat	-RS. 1000/- Per month.

(2) The Chairperson of the Municipal Council only shall be entitled to a vehicle for the discharge of official duties.

(3) In the event of death, resignation or removal of the Chairperson, Vice Chairperson who will discharge the duties and exercise all powers of the Chairperson shall be entitled to remuneration as admissible to the Chairperson for the period during which he shall discharge the functions of the chair person.

46. Remuneration of Vice-Chairperson :

(1) Every vice Chairperson of a municipal Council or as the case may be Nagar Panchayat shall be entitled to remuneration as specified below:

a) Vice Chairperson (Municipal Council)	RS. 1000/- per month
b) Vice Chairperson (Nagar Panchayat)	RS. 850/- per month

(2) In the event of death, Resignation or removal of the Vice-Chairman, the member of the Chairperson - in-Council or, as the case may be, Nagar Committee who shall discharge the powers and function of the Vice-Chairperson shall be entitled to remuneration as admissible to the Vice-Chairperson for the period during which he shall discharge the functions of the Vice-Chairperson.

47. Sitting fees of the members :

(1) Every member including the nominated members of a municipality other than the Chairperson and the Vice-Chairperson shall be entitled to sitting fees @ RS.50/-per sitting.

(2) Subject to the provision in sub-rule (3) every president and member, including the nominated members of standing Committee other than the Chairperson and Vice-Chairperson shall be entitled to sitting fee @ RS. 50/-per sitting of the standing Committee.

(3) An Office of the State Government nominated as member of a standing Committee or an office of a Municipality shall not be entitled to any sitting fees.

48. Travelling allowances and Dearness Allowance of Chairperson ,Vice-Chairperson and members of the Chairperson-in-Council and Nagar Committee .

The Chairperson, the Vice-Chairperson and the members of the Chairperson-in-Council or, as the case may be, Nagar Committee when travelling on duty beyond eight kilometer from his Headquarters shall be entitled to draw TA and DA at the maximum rate applicable to a Group-B Gazetted Officer of the State Government

CHAPTER VII

Officers and other employees of the Municipality

49. Officers and Staff of Municipality :

(1) A Municipal Council shall have the following employees besides a Municipal Secretary and an Executive Officer:

- (a) An Executive Engineer for looking after the work of public Health Engineering.
- (b) An Executive Engineer for looking after the works of buildings, roads and bridges;
- (c) A Health Officer,
- (d) Two Sanitary Inspector; and
- (e) Such other staff as may be necessary to be decided by the Municipality with prior approval of the State Government ;

(2) A Nagar Panchayat shall have the following officers and employees, namely :-

- (a) an Executive Officer,
- (b) an Assistant Engineer;
- (c) such other Officers and Employees as may be decided by the State Government.

50. Powers of the Executive Officers :

(1) The Executive Officers shall be the Principal Administrative Officers of the Municipality. All other Officers shall be subordinate to him. He shall have the right of being present at all meeting of the Chairperson-in-Council or, as the case may be, the Nagar Committee or any standing Committee or Special Committee of the Municipal Council or , as the case may be, the Nagar Panchayat and take part in the discussion. He may also attend the meeting of the Municipality and take part in the discussion.

(2) The Executive Officer shall obtain orders from the Chairperson in writing on important issues arising out of the sactions and discussion of the Municipal Council or, as the case may be, Nagar Panchayat and its standing Committees and on matters whitin the powers of the Chairperson.

(3) The Executive Office shall submit a quarterly statement of account which shall after examination by the Finance and Audit Standing Committee, be laid before the municipal council or, as the case maybe Nagar Panchayat.

(4) All correspondence of the municipal council or, as the case may be, Nagar Panchayat shall normally be made by the executive officer or by an officer authorised by him in this behalf.

(5) The Executive Officer shall—

- a) be the custodian of the records of the municipality and furnish such information/reports as may be required by the state Government from time to time;
- b) be responsible—
 - i) For proper maintenance of accounts of the Municipal Council or, as the case may be, the Nagar Panchayat;
 - ii) For management of the office of Municipal Council or, as the case may be Nagar Panchayat;
 - iii) For effecting co-ordination among the officers and employees in all matters relating to the executions of schemes and works approved by the standing committies of the Municipal Council or, as the case may be, Nagar Panchayat;
- (c) for issuing necessary directions for execution of the schemes and works according to the decision of the Municipal Council or, as the case may be the Nagar Panchayat and its standings committees;
- (d) for obtaining progress report about the executions of such schemes and works and submit the same to the Municipal Council or, as the case may be, to Nagar Panchayat or standing committee with his comments.

(6) The Executive Officer shall be responsible for efficient performance of the following functions, namely :—

- a) preparation of budget;
- b) maintenance of records accounts etc. of grants / received from central or state Government or other local authorities;

- c) maintenance of loan accounts;
- d) Custody of the fund of the municipal council or, as the case may be, Nagar Panchayat in treasury/ bank;
- e) Maintenance of records and accounts revenue receipts including tolls, rates, fees and levy of the municipal council or, as the case may be, the Nagar Panchayat at all other sums received by or on behalf of the Municipal Council or, as the case may be Nagar Panchayat;
- f) Progress of expenditure;
- g) Framing of regulations;
- h) Imposition of fines and penalties by the Municipal Council or, as the case may be the Nagar Panchayat.

(7) The Executive Officer with the permission of the Chairpersons shall on request supply any information or make available for perusal any record to any Member of the Municipal Council or as the case may be the Nagar Panchayat or any of its Standing Committees.

(8) The Executive Officer of the Municipality shall initiate Annual Confidential Report of officers and staff immediately subordinate to him and shall review/ accept annual confidential reports of other officers and staff of a Municipality including officers and staff whose services have been placed at the disposal of the Municipality.

(9) The Executive Officer shall inspect the institutions under the management of the Municipality and all works undertaken by the Municipality. He shall also carry out internal inspection of the Municipality. The Executive Officer shall submit report of his inspection to the Chairperson of the Municipality and to the Director, Urban Development, Government of Tripura.

(10) Every order or instruction of the Municipality shall be issued under the signature of the Executive Officer.

51. Delegation of powers, functions and duties by the Executive Officer :

Notwithstanding anything contained in Rule 50, the Executive Officer may, by order in writing, delegate such functions except those relating to financial matters, to any other suitable officer of the Municipality.

Provided that the Executive Officer may at any time withdraw all or any of such powers and functions delegated to any officer of the Municipality.

52. **Sanction of leave of the Executive Officer :**

Casual Leave of the Executive Officer shall be sanctioned by the Chairperson of the Municipality. All other types of leave shall be granted by the State Government on the recommendation of the Chairperson.

53. **Removal of difficulty :**

(1) The State Government may issue such general or special direction as may, in its opinion, be necessary for the purpose of giving effect to these rules.

(2) If any difficulty arises in giving effect to the provisions of these rules, the State Government may as occasion requires issue such order/ instructions as may be necessary for the purpose of removing the difficulty.

FIRST SCHEDULE**(See rule 31)**

List of the sections and allocation of business among the members of the Chairperson in Council

I. General administration section:

- 1) Office of the Chairperson.
- 2) Recruitment, Control and management of officers.
- 3) Delegation of powers to officers.
- 4) Vigilance and anti corruption.
- 5) Grievance, Redressal and staff welfare.
- 6) Administrative reforms including organisational method.
- 7) Management and consulation Service.
- 8) Determination of ceremonial procedure and proceedings.
- 9) Conduct of Activities involving relations with the central and the state Government and local bodies.
- 10) Computer and data processing.
- 11) Discharge of functions not specifically allotted to any other department.
- 12) Local matters.
- 13) Information and public relations.
- 14) Establishment and administration of commercial projects and enterprises like municipal market and shopping Complex.
- 15) Establishment and stuff matters.
- 16) Auction.

II. Accounts and Cash Section :

- 1) Municipality Fund including cash.
- 2) Annual Interim and Revised Budget.
- 3) Grants and Loans.
- 4) Maintenance of accounts.
- 5) Audit including Internal Audit.
- 6) Treasury and Bank.
- 7) Provident Fund of officers and employees.
- 8) Group Insurance and Salary Insurance.
- 9) Pension and retirement benefits of officers and employees.

III. Revenue Section :

- 1) Assessment including assessment of Central State Government properties and railway properties.
- 2) Collection of property tax and service charges including those in relation to central Government and railway properties.
- 3) Collection of Advertisement tax and other taxes.
- 4) Granting of licences.
- 5) Collection fees and services charges.
- 6) Collections or rents from municipal properties and tolls from municipal ferries and bridges.

IV. Public work section :

- 1) Construction and maintenance of all buildings, roads, pathways, drains and sewerage.
- 2) Execution and maintenance of general development works.
- 3) Road rolling service.
- 4) Plan sanctioning.
- 5) Unauthorised buildings and insecure building.
- 6) Appeals against order relating to buildings.
- 7) Survey.
- 8) Preparation and maintenance of records of Municipal Map.
- 9) Maintenance of records of municipal properties including land.
- 10) Town planing.
- 11) Land and land use control.
- 12) Regulation of building uses.
- 13) Urban renewal area development, spot development and commercial housing.
- 14) Bustee development.
- 15) Development of fringe areas.
- 16) House drainage and sewerage connection.
- 17) Beautification of the municipal Area including municipal properties.

V. Water supply section :

- 1) Production of filtered water including filtration, chlorination and silt clearing, storage and distribution.
- 2) Management of unfiltered water including laying of pipelines and maintenance of supply thereof.
- 3) Operation of pumping and boosting stations.
- 4) Laying of primary and secondary grids of filtered water and maintenance thereof.

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- 9) Maintenance of records of municipal properties including land.
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- 3) Operation of pumping and boosting stations.
- 4) Laying of primary and secondary grids of filtered water and maintenance thereof.

- 5) Water connection domestic, non-domestic and community.
- 6) Sinking maintenance of tube wells.
- 7) Water supply of the neighbouring areas.
- 8) Supply of extra drinking water on special occasions.

VI. Public health and convenience section:

- 1) Medical services (Hospital, Dispensary, Maternity and Child Health).
- 2) Health services :—
 - a) Health establishment.
 - b) Conservancy and solid waste management.
 - c) Drainage and sewerage.
 - d) Vaccination.
 - e) Registration of Birth and Deaths.
 - f) Burning Ghat, burial Ground and dumping ground.
 - g) Other sanitary requirements.
- 3) Health immunisation programme and nutrition programme.
- 4) Family welfare and planning.
- 5) Food adulteration.
- 6) Slaughterhouse.
- 7) Motor vehicles and ambulance.
- 8) Control of environmental pollution.

VII. Lighting and Electricity Section :

- 1) Street lighting.
- 2) Area lighting.
- 3) Maintenance of all types of pumps and motors (in relation of clean water and turbid water).
- 4) Lighting of Municipal Park, Building and other installations.
- 5) Electrical plants and machinaries including photo electronic and non-conventional energy sources.
- 6) Maintenance of electric crematorium/ crematoriums.

VIII. Education Section :

- 1) Primary and Secondary Education.
- 2) Technical Education.
- 3) Adult and Non-Formal Education.
- 4) National Literacy Programme.

- 5) Cultural Development including music and art education
- 6) Sports and physical Culture
- 7) Library.
- 8) Crèche.

IX. Stores Section :

- 1) Purchase and maintenance of stores
- 2) Supply of stores of various sections.
- 3) Disposal of un-serviceable stores.

SECOND SCHEDULE

See rule 31(2)

Powers of the Chairperson in Council

1. All executive actions of the Chairperson in Council to be expressed to be taken in the name of the Municipality.
2. All executive powers of the Municipality
3. Investment of Municipal Fund not required for immediate use
4. Action for covering the expenditure not covered by the budget Grant
5. Disposal of movable property
6. Preparation and maintenance of an inventory of movable properties and placing of annual statement of immovable properties to the state Government
7. Submission of accounts to the auditor
8. Remedy of defects or irregularities pointed out in the audit report and reporting of the same to the Director of Urban Development.
9. Compliance of the order of the State Government on audit report.
10. Exemption from property tax
11. Amalgamation or separation of lands or buildings or portions thereof.
12. Causing general valuation of all the holdings in a new municipal area and revision thereof at periodic intervals in the case of all other municipal areas
13. Determination of annual value of all holding within a municipal area, if so directed by the State Government and publication of the assessment list
14. Interim annual valuation of holding and assessment thereon
15. Imposition of fine for not paying tax on advertisement
16. Registration and numbering of carts and carriages
17. Maintenance ferry and providing safety and safety of property to be conveyed on ferry
18. Making and publishing of order specifying the municipal ferries and the rates at which toll shall be levied on such ferries.

- 19) Taking possession of all boats and other applicants used by the lease on collection of ferry lease and dealing with the same in the prescribed manner.
- 20) Causing execution of work by its own agency and recovery of expenses incurred for the same from the other on his failure to comply with requirement of upgradation of a private street.
- 21) Issue of order for stoppage of irregular work of new Private Street and allied action in case of violation thereof.
- 22) According approval or otherwise to the layout plan.
- 23) Entering into an agreement with any firm or company or other Government agency for using any post, poles or standards erected and maintained by such firm, company or other Government agency.
- 24) Demolitions of illegal building being constructed or any irregular work being carried on.
- 25) According permission for communications or connection from any main, service-main or distribution pipe or from any channel.
- 26) To ensure require the owner or the lease or the occupier of building or land to obtain proper supply of wholesome water from Municipal water.
- 27) Erection of hydrants or stand post for supply of wholesome water to the public.
- 28) Cutting off of connection of water supply.
- 29) To permit digging or construction of well, tube well tank, pond cistern of fountain and to require the owner or other person to fill up or demolish or retain such work.
- 30) To take samples of water for drinking or culinary purposes, if so directed by the State Government.
- 31) To provide for municipal drains to be cleansed flushed and emptied from time to time.
- 32) Providing for treatment and disposal of sewage.
- 33) Removal of water longing or nuisances.
- 34) Demolition, alteration, or remarking of or otherwise dealing with drain constructed without consent.
- 35) Draining of group or block of building by combined operation.
- 36) To enforce drainage of undrained premises and separate drainage in any premises.
- 37) To require the owner or the occupier of non-residential premises to remove solid wastes accumulated therein.
- 38) To grant general or special premission to use municipal market.
- 39) To impose conditions for slaughter of any animal on the occasion of any religious festival or ceremony and to require the owner or the occupier of any licensed private market to provide for various conveniences to the persons reporting to such market.
- 40) To expel persons contravening regulations in force in any municipal market, municipal slaughterhouse or municipal stockyard.
- 41) To inspect places where unlawfull slaughter of animal is suspected and to take follow up action.
- 42) To cause inspection and analysis of any food, drug or similar items of human consumption or utensil or vessel used for preparing or Storing any such thing.

- 43) To execute works where public road drain. Revetment on retarding wall is affected.
- 44) To prohibit occupation of unsafe or insanitary, buildings,
- 45) To order immediate evacuation of the inmates from imminently dangerous structures
- 46) To take temporary measures in case dangerous tank, pond, well hole, stream, dam, bank or other place to prevent any danger therefrom.
- 47) To require the owner or the occupier of a building to provide additional or emergency staircase and to provide suitable exits to any building, booth or tent, used for public entertainment, as precautions against fire.
- 48) To require the owner or other person to fill up or demolish any wall, tank, pond, cistern, fountain or the like constructed with out permission, and to permit retention of such work in exceptional circumstances.
- 49) To Enquire the owner, or the person having control, of any pool, ditch, tank, pond, swamp, quarry, hole, drain, cesspool, watercourse, collection of water or land to fill up the same, if the same is a nuisance.
- 50) To require the owner, or the person having control, to clean insanitary private tank, or well used for drinking purposes and to stop the use of water of such tank or well, if it is unfit for being used for drinking, bathing or washing purpose.
- 51) To maintain all wells, tanks, and reservoirs which are not private property, in a clean condition.
- 52) To regulate or prohibit the washing of animals, clothes, or other things or fishing in any spring, tank, well, or public watercourse.
- 53) To prohibit washing by Washermen at unauthorised places.
- 54) To require the owner, or the person claiming to be the owner, or any building or land to secure, enclose, clean or cleanse the same in case it becomes a resort of idle or disorderly persons or becomes a nuisance for remaining unoccupied for the reason of abandonment, disputed ownership or other cause.
- 55) To require the owner or the occupier of any building or room to abate overcrowding in such building or room.
- 56) To issue notice to the owner or the occupier of any land or building requiring closure, removal alteration, repair, cleansing or disinfecting of any type of latrines to put same to order and on failure of such notice, to cause the work to be done by, and to recover the expenses thereof from such owner or occupier.
- 57) Destruction of infectious building, structures, huts or sheds
- 58) Entry into any premises between the period of sunset and sunrise to stop irregular erection of any building or execution of any work, and even without notice in emergent cases.
- 59) Public notices how to be made known.

FORM 1

[See Rule-10 (1)]

Form of Notice of Ordinary/Emergency/Special Meeting of a Municipality

Notice is hereby given that to transact the under mentioned business, the next ordinary/emergent/special meeting of
..... Municipal Council/Nagar Panchayat will be held at
..... (Place) on the day of
..... 200 at
..... AM/PM.

You are requested to make it convenient to attend the said meeting.

List of Business :

(1)

(2)

(3)

(4)

Dated this day of 200

Executive Officer

..... Municipal Council/Nagar Panchayat.

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FORM 2
[See Rule-16 (1)]

Form of Notice for removal of Chairperson Municipality
To

Notice is hereby given under Section 26/34 of the Tripura Municipal Act, 1994 that meeting of Municipality may kindly be convened for removal of Chairperson of the said Municipality for reasons stated below :

Signature of the Member
delivering the Notice

Signature of Prescribed
Authority

FORM 2 (a)
[See Rule-16 (2)]

Form of Notice for removal of Vice-Chairperson of
... .. Municipality

To
The Chairperson
..... Municipality

Notice is hereby given under Rule- 16(2) of the Tripura Municipal (Procedure and Conduct of Business) Rules, 1996 that a meeting of Municipality may kindly be convened for removal of Vice-Chairperson of the said Municipality for reasons stated below :

Signature of the Member
..... Municipality

*This Notice is delivered to me by Shri... ..
Member of Municipality at my office on (Date) at (hours)... ..
and signed below before me.

Signature of the Member
delivering the Notice

Signature of the Chairperson