



తెలంగాణ రాజపత్రము
THE TELANGANA GAZETTE
PART IV-B EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 11] HYDERABAD, WEDNESDAY, OCTOBER 9, 2019.

**TELANGANA ACTS, ORDINANCES AND
REGULATIONS Etc.**

The following Act of the Telangana Legislature received the assent of the Governor on the 8th October, 2019 and the said assent is hereby first published on the 9th October, 2019 in the Telangana Gazette for general information:-

ACT No. 11 OF 2019.

AN ACT TO CONSOLIDATE AND PROVIDE FOR THE CONSTITUTION OF MUNICIPALITIES (MUNICIPAL COUNCILS AND MUNICIPAL CORPORATIONS) OTHER THAN THE GREATER HYDERABAD MUNICIPAL CORPORATION IN THE STATE OF TELANGANA IN TERMS OF PART - IX A OF THE CONSTITUTION OF INDIA AND FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.

Be it enacted by the Legislature of the State in the Seventieth Year of the Republic of India as follows:-

CHAPTER-I

PRELIMINARY AND DEFINITIONS

1. (1) This Act may be called the Telangana Municipalities Act, 2019.

(2) It extends to the whole of the State of Telangana.

(3) It applies to the Municipal Councils and Municipal Corporations in the State and save as otherwise provided under this Act, it does not apply to the Greater Hyderabad Municipal Corporation (constituted under the Greater Hyderabad Municipal Corporation Act, 1955).

Short title,
extent
application
and
commence-
ment.

Act II of 1956.

(26) "election authority" means such officer or authority as may be appointed by the State Election Commission under this Act to exercise such powers, functions incidental therewith for the conduct of elections to the Municipalities;

(27) "election tribunal" means a Tribunal constituted for disposal of election petitions under section 233 of this Act;

(28) "energy conservation building code" means the energy code adopted by the Bureau of Energy Efficiency as revised from time to time, stipulating the minimum requirements for energy-efficient building design and construction;

(29) "factory" means any premises including the precincts thereof,-

(i) wherein any industrial or manufacturing process is carried on with the aid of steam, water, oil, gas, electrical or any other form of power which is mechanically transmitted, and it is not generated by human or animal agency; or

(ii) wherein twenty or more workers are working or were working and in any part of which a manufacturing process is being carried on without the aid of power or is ordinarily so carried on but does not include a mine subject to the operation of Mines Act, 1952 or a railway running shed or a hotel or restaurant or an eating house;

Central Act 35
of 1952.

(30) "Finance Commission" or "State Finance Commission" means the Finance Commission constituted by the Governor under article 243-I of the Constitution of India;

(31) "filth" means,-

(i) night-soil and other contents of latrines, cesspools and drains;

(ii) dung and the refuse or useless or offensive material thrown out in consequence of any process of manufacture, industry or trade; and

(iii) putrid and putrefying substances;

(32) "financial year" means the year beginning on the first day of April or such other date as the Government may by notification appoint;

(33) "food" includes every article used for food or drink by man, other than drugs or water, and any article which ordinarily enters into, or is used in the composition or preparation of human food, and also includes confectionery, flavoring and coloring matters, spices and condiments;

(34) "garbage" means rubbish or waste, especially domestic or otherwise refuse;

(35) "Government" means the State Government of Telangana;

(36) "green cell" means a cell constituted at each Municipality to enhance greenery, plantation, parks and afforestation under envision Haritha Telangana or otherwise and to develop own nurseries and ensure supply of saplings and provide necessary care within the Municipal area;

(37) "height of building" means height measured from the road and in case of undulated terrain, height can be considered as average of the corresponding ground level. The parapet wall, staircase headroom, lift room and water tank are excluded from the height of the building;

(38) "high-rise building" means and includes all buildings with 18 meters or more in height 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 topmost floor and architectural features are excluded from the height of such building;

23. (1) The Chairperson shall be the Presiding Officer of the Municipal Council. The Chairperson shall get himself acquainted with the provisions of the Act within a period of three months on assumption of office and thereupon be responsible to,-

Duties and Responsibilities of the Chairperson.

(a) convene the meeting of the Municipal Council once in a month and at such other times as requisitioned in writing by not less than 50% of total members of council;

(b) set the agenda for the council meeting;

(c) refer any resolution of the Council for its reconsideration which, in his opinion, is in excess of the powers of the Council or inconsistent with any law.

(2) The Chairperson shall also be responsible to,-

(a) maintain sanitation, water supply and proper street lights in the town;

(b) ensure door-to-door garbage collection from all residential and commercial establishments; and scientific process and disposal of municipal solid waste and liquid waste;

(c) constitute green cell and earmark 10% of funds in the budget and take up plantation and cause development of nurseries and species in the Municipality as decided by the District level committee headed by the District Collector and take up plantation in his / her ward and ensure survival of 85% of such plantations;

(d) development and maintenance of parks and protection of water bodies;

(e) protection of Government land and open spaces;

(f) take action for closure of annual accounts and audit of accounts every year;

(g) take action for removal of encroachments on municipal properties;

(h) take action to reduce non-revenue water and transmission loss of water and reduce usage of power bores, wherever not required;

(i) encourage construction of rain water harvesting structures and compliance with energy savings buildings including ECBC and cool roofings as prescribed;

(j) exercise the powers and perform the functions specifically conferred or imposed on him by this Act and rules made thereunder;

(k) sign the minutes of the council meeting immediately thereafter within 24 hours; and

(l) exercise any other power and perform any other function, as directed by Government from time to time.

24. (1) A District Level Committee headed by the District Collector and consisting of District Forest Officer (Social Forestry) or equivalent level officer in charge of Haritha Haaram and respective Commissioners shall draw up ward-wise and Municipality wise "green action plan" year wise for a period of 5 years which will clearly specify number of plants to be planted, keeping in mind the area, topography and availability of all possible spaces available for taking up plantations. The committee shall accordingly decide the size and location for setting up the municipality nursery which will be sufficient to meet the requirements of the municipality. The committee shall also decide the district specific plants and species to ensure maximum survival and growth of these plants. A campaign to propagate plantation involving all possible advertising means such as hoardings, cinema slides and other such means shall be taken up to keep up the momentum.

Municipality wise "Green Action Plan".

Scheme/ Local Area plan, the said portion of the land shall be surrendered to local body free of cost and the applicant shall be compensated by the equivalent built up area in the balance portion of the land or by Transferable Development Rights as prescribed.

(2) If the construction or reconstruction of any building is not completed within the specified period, the permission shall stand lapsed and a fresh application shall have to be made, duly paying revised charges, as prescribed.

(3) All buildings of all sizes should have on-site treatment systems (septic tank with soak away / twin leach pit / decentralized treatment system / faecal sludge and septage) or connected to sewerage system, wastewater treatment and recycling system, as prescribed.

(4) **Energy Conservation Building Code** or Green Building Code or any other Energy and Water conservation measures as deemed appropriate by the State Government, shall be made applicable to buildings, as prescribed, on plots above certain size and/or built-up area beyond a certain area, as prescribed by the Government.

(5) Certain number of trees shall be planted in the open area in the plot where building is being constructed, as prescribed.

(6) It shall be mandatory to provide for the requisite parking place, while constructing, depending upon the use of building. Parking in buildings, places of public convenience, commercial complexes, cinema halls and other such places, as notified from time to time, shall be provided free of charge to the users, as prescribed.

(7) All parking places except individual independent / residential buildings shall be provided with Electric Vehicle Charging infrastructure.

(8) No external roof, veranda, wall of a building shall be constructed or reconstructed of grass, leaves, mats or other inflammable materials, except with the permission of the Commissioner.

(9) The Commissioner may revoke the Building permission whenever it is found that it was obtained by making false statement or misrepresentation of any material fact or violation of rules, by duly following the procedures, as prescribed.

177. The onus to ensure authenticity of self-declaration and compliance with the self-Certification lies with the owner, applicant and Licensed Technical Personnel. He/she will be held personally responsible and accountable in case of false declaration, the applicant and the Licensed Technical Personnel will be liable for punishment which includes imprisonment up-to three years, levy of penalty, demolition or taking over or sealing of the property without any notice besides cancelling the Licenses of License Technical Personnel (LTP) and forfeiting the mortgaged plots in case of layout or mortgaged built up area flats in case of buildings.

Penalty for misrepresentation of the facts.

178. (1) Government may constitute special task force at the district level to detect and monitor the unauthorized constructions and take timely enforcement action in the manner as prescribed.

Enforcement.

(2) Upon detection of construction or reconstruction of any building which has been commenced without obtaining the permission of Commissioner or carried out or completed otherwise than in accordance with the sanctioned Master Plan or Detailed Town Planning Scheme or Local Area Plan or in breach of any of the provisions of this Act, or any rule or regulation or bye laws made under this Act, the