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P R E F A C E

Following the conversion of the erstwhile Municipal Council into a Corporation on 15-12-72 and the application of the provisions of the Bombay Provincial Municipal Corporations Act, 1949, it became imperative to frame bye-laws thereunder. Also the change in the pattern of administration necessitated formulation of set of Regulations Standing Orders. The underlying aim is to laydown framework to enable the various authorities to act within its ambit.

Organisation & Methods Cell was created within Kolhapur Municipal Corporation for undertaking the above. The first printed Booklet with the various compilations released for ready reference and use by the Corporation Authorities and General Public.

N. M. DEOSTHALLI,
Administrator,
Kolhapur Municipal Corporation

ॐ - शिवाय नमः
शिवराज मठ, कोल्हापूर

Kolhapur Municipal Corporation

The following draft of bye-laws framed by the Kolhapur Municipal Corporation under the provisions of Sub-section (45) of section 458 of the Bombay Provincial Municipal Corporations Act, 1949, regarding grant of certified copies has been confirmed by the Government under its Resolution, Urban Development Public Health and Housing Department No. K. M. C. 5373/73399-C dated 14th November 1973.

These bye-laws are hereby published for the information of all concern as required under-section (462) of the Bombay Provincial Corporations Act, 1949.

Accompaniment of Government Resolution, Urban Development Public Health and Housing Department No. KMC 5373/73399-C, dated the 6th November 1973.

Bye-laws regulating the grant of certified copies or extracts from Municipal Records, and the fees chargeable for such copies or extracts, framed by the Kolhapur Municipal Corporation and as confirmed by Government.

Whereas it is found necessary to make new bye laws for regulating the grant to certified copies or extracts from Municipal records and the fees chargeable for such copies or extracts the Municipal Corporation of the City of Kolhapur, in pursuance of the powers vested in it, under section 458 (45) of the Bombay Provincial Municipal Corporations Act, 1949 is pleased to rescind the rules relating to grant of certified copies framed under the Maharashtra Municipalities Act, 1965 and to make the new bye-laws as follows :—

1. **Short title.**—These Bye-laws may be called 'Kolhapur Municipal Corporation Bye-laws regulating the grant of certified copies.
2. **Definition.**— Unless there is anything repugnant to the subject or context.

(1) 'ACT' means the Bombay Provincial Municipal Corporations Act, 1949.

(ii) 'COMMISSIONER' shall include any Municipal Officer empowered by the Commissioner under Section 69 (1) of the Act, to exercise, perform or discharge the powers, duties and functions conferred or imposed upon or vested in the Commissioner by or under the provisions of these bye-laws;

(iii) 'CORPORATION' means the Municipal Corporation of the City of Kolhapur.

(iv) 'SCHEDULE' means the Schedule annexed to these bye-laws.

(v) Words and expressions used and not defined herein shall have the same meaning as are respectively assigned to them in the Act.

3. **Public and private documents.**—For the purposes of these bye-laws, the following documents are public documents :-

- (a) Resolutions of the Corporation;
- (b) Resolutions and Minutes of the Standing Committee;
- (c) Resolutions and Minutes of the Transport Committee.
- (d) Proceedings of the meetings of the Corporation which are duly confirmed according to law;
- (e) Assessment Books;

(f) All documents and registers maintained by the Corporation which any person has a right to inspect under the Act.

All other documents shall be regarded as private documents.

4. **Certified copies of public documents.**—(1) The Commissioner shall grant certified copies of all public docu-

ments, provided a written application duly stamped in accordance with law is made to him by any person and provided further that the applicant complies with all other provisions of these bye-laws.

(2) Notwithstanding anything contained in sub-clause (1) of this rule, the Commissioner shall not grant certified copies of such resolutions and proceedings of the meeting of the Corporation as are held in private under Rule 1 (c) Chapter II of the Schedule.

5. **Certified copies of private documents.**—(1) The Commissioner shall not grant certified copies of the following private documents-

(a) Opinions given by the Legal Advisors of the Corporation.

(b) Inter-departmental correspondence, Reports of the Heads of Departments to the Municipal Commissioner; or subordinate employees to their superiors and the orders and remarks of the Municipal Commissioner or superiors on such reports.

(c) Remarks or orders passed by office bearers such as Mayor, Deputy Mayor, Chairman of any Committees on correspondence addressed to them or made by them.

(d) Correspondence with members of the public.

(2) Notwithstanding anything contained in sub-clause (1), the Commissioner may in his absolute discretion, grant certified copies of any private document, if the exigencies of the situation so require and provided further that the grant of certified copies will not, in the opinion of the Commissioner, affect the interest of the Corporation.

(3) No person shall claim as a matter of right that certified copies of private documents should be granted to him by the Commissioner.

6. **Destruction of papers.**— Certified copy of any document shall not be issued after the expiry of the period fixed for its destruction, though the documents may not have been actually destroyed.

7. **Fees to be charged for the copies.**— The fees chargeable for certified copies shall be such as are specified in the Schedule annexed to these bye-laws or as may be revised by the Corporation from time to time.

Provided that if the copies are required by any Department of the Corporation for official use, they shall be supplied free of charge.

8. **Copies to be furnished within fifteen days.**— Certified copies shall ordinarily be furnished within fifteen days after the receipt of an application therefor unless delay is unavoidable in which case the cause of delay shall be endorsed on the application.

9. **Urgent copies.**— On extra payment of half of the copying fees and comparing fees an applicant shall be entitled to obtain a copy of public document within five days, provided that the document of which a copy is sought is in existence and among the records of the Corporation.

In computing the above period of five days, every Sunday and holidays on which the offices of the Corporation are closed shall be excluded.

10. **Contents of application.**— (1) The application for certified copies shall contain the name and address of the applicant, and the nature, date, month and year of the document.

(2) When the description of a document given in the application is incorrect or deficient or when the applicant is not sure of the date and other particulars regarding the document and it shall in consequence be necessary for the Record Keeper to search the record in order to find it, a fee at the rate of two rupees for each year of which the records are searched, shall be payable by the applicant for such search, whether the document

be found or not, and whether the copy for which be applied on examination of the said document, be granted or not. The applicant shall deposit in advance the search fees along with his application.

11. **Estimated cost of the copies to be deposited.**—

(1) When an application for certified copies is made the applicant or any other person authorised by him, shall make along with his request for copies, a deposit of the estimated cost for such copies. The cost will be estimated by the Record Keeper or by any other Municipal servant authorised by the Municipal Commissioner in this behalf. Unless the cost is so deposited, the copies shall not be prepared. Any balance of this deposit will be returned when the copies are furnished and any further sum due must be made up before they are furnished.

(2) Ordinarily certified copies shall be delivered to the applicant or any other person duly authorised by him in writing on the due date at the Municipal Office. But on the desire of the applicant or if it is found necessary to send certified copies by registered post, the postal charges shall be deducted from the amount of deposit paid by the applicant.

(3) If the balance of any amount to be returned to the applicant for certified copies, the same shall be sent by Money Order after deducting Money-order commission from the deposit. This will also apply to applicants whose applications for certified copies have been rejected.

(4) If the deposit paid by the applicant is insufficient to cover the charges, the applicant shall be informed stating that a further deposit is required and the copies shall not be prepared till the additional amount has been deposited.

12. **Endorsements on the certified copies.**— On every certified copy there shall be an endorsement indicating the date on which copy was applied for, the date on which it was ready for delivery and the date on which it was delivered. To prevent alterations, the date should be written in letters in different handwriting and the endorsement should be signed by some

authorised officer of the Corporation or should be signed by the Record Keeper or any other municipal servant authorised by the Municipal Commissioner in this behalf on the date on which it was made.

13. **Certified copy to bear a certificate of the Office.**—Every certified copy shall bear a certificate that it is a true copy of the document of which it purports to be a copy and such certificate shall be dated and subscribed by such officer as the Commissioner may empower in this behalf and the certified copy shall bear the seal of the Corporation.

14. **No correction etc. in certified copy.**—No correction, addition or alteration shall be made in a certified copy already issued on the ground that the charges have been subsequently effected in the original of which such copy is made and issued. A fresh application accompanied by proper fees shall be necessary under such circumstances.

15. **Period for taking away certified copies.**—The applicant or any other person authorised by him in that behalf in the application shall take away the copies within one month after the expiry of the period specified in By-law No. 8 and in case of failure to do so, the copies shall be filed and the applicant will not be entitled to get the copies or to a refund of the fees chargeable for the copies so filed without the leave of the Municipal Commissioner or other Municipal Officer authorised by him in this behalf.

16. **Recovery of charges due from the applicant.**—In case where the applicant refuses to pay the balance of the amount of the charges due from him, the Commissioner may recover the amount by attachment and sale of the moveable property of the applicant as if the amount to be recovered is arrears of a property tax.

17. **Refusal to grant certified copies to be communi- cated to the Applicant.**—Whenever any application for a certified copy is refused, such refusal and the grounds for a refusal shall be communicated to the applicant in writing.

Schedule of fees

Sr. No.	Nature of certified copy demanded	Copying charges		Comparing charges		Paper charges		Total
		3	Rs. P.	4	Rs. P.	5	Rs. P.	6
1	(a) Birth Certificate	...	0-60	...	0-15	...	0-10	0-85
	(b) Death Certificate	...	0-60	...	0-15	...	0-10	0-85
	(c) Vaccination Certificate	...	0-60	...	0-15	...	0-10	0-85
2	(a) Forms under Shops and Est. Act	...	1-10	...	0-30	...	0-15	0-55
	(b) Forms under Licence fees Act and Rules.	...	1-10	...	0-30	...	0-15	0-55
	(c) Property Inspections forms	...	1-10	...	0-30	...	0-15	1-55
	(d) Property Tax Revision forms	...	1-10	...	0-30	...	0-15	1-55
	(e) Extract of the Assessment Register	...	1-10	...	0-30	...	0-15	1-55
	(f) Extract of the Demand Register	...	1-10	...	0-30	...	0-15	1-55
3	Copies of Maps, Sketch, Plans for Buildings etc.							
	(a) Copies of blue prints—							
	(i) upto size of $\frac{1}{4}$ sq. feet (450Sq. CM).	1-00		0-50		0-50		2-00
	(ii) For the size above $\frac{1}{4}$ Sq. feet (450 Sq. CM). for every $\frac{1}{4}$ Sq. feet (450 Sq. CM) in addition to charges at (i) above.	0-80		0-10		0-30		1-20

(b) Copies of Tracing				
(i) upto a size of $\frac{1}{2}$ Sq. feet (450 Sq. CM).	1-00	0-50	0-50	2-00
(ii) More than $\frac{1}{2}$ Sq. feet (450 Sq. CM) and less than 1 Sq. feet (450 Sq. CM).	1-20	0-55	0-55	2-30
(iii) More than 1 Sq. feet (0-09 Sq. CM). but less than 3 Sq. feet (0.28 Sq. CM).	3-00	1-00	1-00	5-00
(iv) Size more than 3 Sq. feet (0.28 Sq. M) fees in addition to item (iii)	1-00	0-50	0-50	2-00
4 Building permission commencement and completion certificate.	1-00	0-50	0-50	1-20
5 Documents other than those whose rates are specified as above for every 100 words or part thereof.	0-60	0-15	0-10	0-85
6 For a copy translated into English of any of the items specified in 1 to 5 above. In case of translated copy the language in which the original document is written shall be deemed to be authentic.		Double the ordinary charges prescribed for such copy.		

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(8)

Raj Press, Kop. 1000/7-74

By Administrator Municipal Corporation

KOLHAPUR MUNICIPAL CORPORATION

Public Notice No. 128

No. GAD/O & M/W.S-2-58/63616. — The following draft of bye-laws framed by the Kolhapur Municipal Corporation under the provisions of sub-section (20) of section 458 of the Bombay Provincial Municipal Corporations Act, 1949 regarding control and supervision of all premises used as eating houses has been confirmed by the Government under its Resolution, Urban Development, Public Health and Housing Department No. KMC/5573/87316-C-II, dated 10th September 1974.

These bye-laws are hereby published for the information of all as required under Section 462 of the Bombay Provincial Municipal Corporations Act, 1949.

Eating House Bye-Laws

Under Section 458 (20) of the Bombay Provincial Municipal Corporations Act, 1949

1. Short Title and Commencement. — The bye-laws may be called the "Kolhapur City Municipal Corporation Eating House Bye-law" and they shall come into force on the day on which they are published in the official gazette in pursuance of Section 462 after they are duly confirmed by the State Government.

2. Definitions. — (1) Unless there be anything repugnant in the subject or context.

(a) "ACT" means the Bombay Provincial Municipal Corporations Act, 1949.

(b) "LICENSED PREMISES" shall mean the eating house or lodging house or both together in respect of which the Licensing Authority has granted the Licence prescribed by Section 376 of the Act.

(c) "LICENSEE" shall mean the person to whom the Licensing Authority has granted the license under Section 376 of the Act for carrying on the trade of the Eating House at the licensed premises and shall include the Manager of the Licensed premises and the Agent of the Licensee.

(d) "LICENSING AUTHORITY" shall mean the Municipal Commissioner or any Municipal Officer or servant duly empowered by the Municipal Commissioner under section 65 (1) of the Act to exercise, perform or discharge any of the powers, duties and functions conferred or imposed upon or vested in the Municipal Commissioner under any of the provisions of the Act, or these By-laws.

(f) "Words and Expressions" which are used and not defined herein shall have the same meaning as are respectively assigned to them in the Act.

3. Applicants for the license to submit applications in the prescribed form etc.— Every person who desires to apply to the Licensing Authority for carrying on the trade of conducting any Eating House on any premises shall submit a written application in such form as may be prescribed by the Licensing Authority from time to time. The application shall be accompanied by a rough sketch of the premises intended to be used for the purpose of the Eating House, and also with prescribed Licence fee which in case of rejection will be returned to the applicant within one month from the date of rejection of application of licence.

4. Application for renewal of the licence.— Applications for the renewal of the licence shall be made to the Licensing Authority on or before the 31st of January every year. Such application shall be accompanied by the prescribed licence fee which will be returnable to the applicant within one month from the date of rejection of the renewal by the Licensing Authority.

5. Site — The licensed premises shall be located at a place where flies and vermin are minimum and shall not be within 30 feet from the sites where public dust-bins, public latrines and public urinals are located.

6. Building — (a) The building shall be soundly constructed and all the walls and roof shall be of suitable heat resisting materials and shall be water-proof.

(b) The premises and fixtures shall be so constructed and filed that all parts of both premises and fixtures be capable of being readily cleansed.

(c) The building shall accommodate at least a dining hall, kitchen, store-room, preparation room and separate washing places for workers and for utensils. Eating places serving more than 50 persons at one meal shall have a pantry.

7. Flooring to be paved etc.— Every part of the flooring of the licensed premises shall be paved with a stone or concrete or other equally suitable material. Such flooring shall have even and hard surface. It shall be made impervious and drained properly. The flooring shall be free from cracks or open joints. Such flooring shall at all times be kept in good order and repair.

8. Walls and ceiling to be lime washed.— The Licenses shall cause all walls and ceiling of the licensed premises to be lime-washed atleast once in a year either in April or in October. He shall also cause the wood work of the licensed premises oil-painted every three years or whenever he is called upon to do so by the Licensing Authority. Walls, if already oil painted, shall be washed every year. The room or rooms for cooking shall be lime-washed twice in every year in the first week of the months of April and October.

9. Doors and Windows.— All openings to the outer air including windows, sky-lights shall be effectively screened with tight fitting screens free from holes with not less than 16 mesh wire, and closing of the doors shall be insisted upon. Screen

doors to the outer air shall open outward. Other methods approved by the Licensing Authority shall be employed to ensure the absence of flies.

10. Lighting, Ventilation and sanitation of the licensee's premises— Every Licensed Eating House should be well lighted and well-ventilated and utmost cleanliness shall be observed in various processes of preparing food-stuff and appliances thereof shall be kept in a thoroughly cleaned and sanitary condition. The Licensee shall not employ or permit to be employed in the handling and preparation of food any practice which may lead to food being contaminated. The Licensee shall not put up or shall be allowed to be put up "Fan-shop" at the entrance of the Eating House in such a manner as to obstruct light and ventilation of the place. Such Fan-shop shall only be fixed in a definite position approved by the Licensing Authority.

11. Fire place to be provided with smoke outlets— The licensee shall provide the room used for the preparation of the articles of food with suitable smoke outlets and shall cause them to be maintained at all times in good order and efficient action. In cases in which a construction of the same is impossible or impracticable the licensee shall have smokeless appliances.

12. Provision of dust-bins for the temporary deposit of filth or refuse— The licensee shall provide and maintain in good repair one or more metal sanitary dust-bins with a close fitting lid. He shall use this dust-bin of approved pattern daily for the storage of waste-food and sweepings of the floor and shall cause all such dust-bins to be emptied into the nearest municipal dust-bin twice at least everyday before 8-00 a. m. in the morning and 5 p. m. in the afternoon. The licensee shall once at least everyday cause the dust-bin used for the temporary deposit of filth or refuse to be thoroughly cleansed.

13. Provision of good and wholesome water supply.— The licensee shall provide in such licensed premises a sufficient and good supply of wholesome water by means of a separate

water connection through the meter. He shall also provide a clean receptacle for the storage of water during non-supply hours. This receptacle shall be made of galvanised iron or other equally suitable material and shall be provided with a cock for drawing water. The receptacle shall always be kept properly covered with a tight fitting cover and shall be placed on a stand or raised platform at least 38 Cm. above the ground level. The Licensee shall cause such receptacle to be daily cleaned and shall not allow it at any time to remain uncleaned or filthy state. This receptacle shall be placed in a definite position approved by the Licensing Authority.

14. Drainage.— (a) Sufficient means of drainage shall be provided. All liquid waste shall be drained into sewers through the intervention of gully traps. No surface drains be allowed in kitchen, dining rooms, preparation rooms and the store-room.

(b) Where no sewers exist, a catch-pit is to be provided for liquid waste which will not be drained directly into the public surface drains. Catch-pits shall be properly covered with suitable cover and should be cleansed daily or often.

(c) The gradient of the drains should be such that no water stagnates anywhere in the premises. Where no sewer is provided for the final out-fall, soak-pits or cess-pools to the satisfaction of the Licensing Authority should be provided.

(d) All drains are to be constructed to the satisfaction of the Licensing Authority or any person authorised by him on his behalf.

15. Kitchen.— (a) Kitchen shall be sufficiently spacious and should be of a size in proportion to the average minimum number catered for at one meal 0.37 Sq. m. per diner on the above basis shall be considered the minimum and 0.56 Sq. m. as desirable.

(b) The minimum size of the kitchen should not be less than 9.35 Sq. m. and none of the sides less than 2.44 m.

(c) Adequate and satisfactory ventilation of the kitchen shall be provided. For adequate alternative means for the removal of steam, fumes, smell, intense heat from the cooking range or stoves, smoke from fuel used by exhaust fans or otherwise shall be provided in addition to natural ventilation, whenever required by the Licensing Authority.

16. Dining hall — The floor area of the dining hall excluding the area occupied by the service counter and any furniture and fixtures except tables and chairs shall not be less than 0.93 square metres per dinner. The surface of every table or board on which refreshments are served shall be covered with non-absorbent impervious materials and without cracks.

17. Provision of fly-proof safes for keeping meat etc.— The Licensee shall provide and use a freely ventilated fly-proof safe or safes of perforated zinc for keeping meat or milk. All other articles and food shall be so kept by the licensee that they shall be well protected from contamination on account of dust, insects or other contaminating agencies.

18. Except tea coffee and other beverages and milk all other articles of food shall be cooked and served in different rooms.— (1) The room used for cooking shall be adequately separated from the room used for serving. All cooking operations shall be carried out only in cooking room and they shall not be carried out elsewhere.

(2) Notwithstanding anything contained in clause (1) tea, coffee and beverage may be prepared in the very room in which the articles of food are served.

19. Utensils & equipments — (a) Surface of all utensils which food or drink comes in contact with shall be smooth and not readily scorable and be easily accessible for cleansing.

(b) All display cases, windows, counters, shelves, tables, refrigeration equipment, stoves, boards rollers, meat grinders and other apparatuses shall be so constructed as to be easily cleaned and shall be in good repair.

(c) No utensils containing or plated with cadmium or lead shall be used, provided that the solder containing lead may be used for jointing.

20. Tinnings of brass and copper utensils— The copper and brass cooking utensils shall be tinned at least every two months or whenever the license is called upon to do so by the Licensing Authority.

21. Provision for storage of coal, coke etc.— A metal bin or metal-lined wooden box in sound condition shall be provided and used for the storage of fuel such as coal, coke or charcoal. Such bin or box shall be located at a place approved by the Licensing Authority.

22. Provision of washing place for cleaning utensils— The Licensee shall provide an adequate and proper washing place for cleaning dishes, cups etc. and all other utensils in business. Such washing place shall not be in the room where food is served and it shall be properly drained. The Licensee shall keep the crockery washed in running water after every use and also shall keep it scrupulously clean.

23. Articles of Food to be kept in properly covered Receptacles.—(a) The Licensee shall keep all articles of food in storage in properly covered receptacles. He shall keep all vegetables in covered baskets, crates shall be kept by him in gunny bags or closed metal receptacles. He shall not allow any article that shall be a constituent of food to lie on the floor.

(b) All cooked food or drink supplied to private residence from an eating house shall be conveyed properly covered with a plate or lid.

24. Storage and Handling Equipments:— (1) All containers and utensils shall be stored at a height of not less than 30-48 cms. above the floor in a clean, dry place protected from flies, dust overhead leakage and other contamination. Whenever practicable, containers and utensils shall be covered or covered on a clean surface.

and mental. He shall also provide accommodation to the satisfaction of the Licensing Authority. Resident servants shall be provided with separate rooms.

(b) He shall provide room or rooms of not less than 9,2903 sq. Metres each in floor area, not less than 2,440 sq. Metres on any side and not less than 3,050 sq. Metres in height, for the use of lodgers.

The number of lodgers accommodated in each room shall be such as to have for each lodger a floor space not less than 2,3226 sq. metres and air space not less than 7,0766 sq. Metres.

(c) The room or rooms so provided shall be well lighted and well ventilated. The flooring of the rooms shall be paved and shall have smooth and even surface. The rooms shall be lime-washed at least twice a year and the wood work oil painted every 3 years.

(d) A clean bed and bed-sheet be provided to each lodger.

(e) Water-closets, washing places and bath-rooms shall be provided for the exclusive use of the lodgers on or in the proximity of the licensed premises at the rate of one water-closet, one washing place and one bath-room for 16 lodgers or part thereof. The sanitary conveniences shall be kept in a clean, sanitary and working condition at all times. Separate sanitary conveniences at the same rate as mentioned above shall be provided for the use of the resident and non-resident servants.

31. To maintain a white book. Every Licensee shall maintain a white book supplied by Corporation on payment of fee, prescribed in this behalf in good condition, for recording therein any remarks by the Municipal Officer who has been duly authorized in this behalf. The Licensee shall comply with the suggestions and directions given by such officer and as recorded by in the white book within the period given for them.

32. **Sanitation of employees.** - (a) The garment of all persons including dish washers, engaged in handling food or

utensils shall be reasonably clean and used for no other than Eating House duty. Clean uniforms, coats, or aprons shall be considered satisfactory. The use of caps is required.

(b) The hands of all persons shall be cleaned while engaged in handling food, drink, utensils, or equipment.

(c) There shall be no evidence of spitting or of the use of any form of tobacco or pan by employees in rooms in which food is prepared or served.

(d) Eating House employees should have some knowledge of food borne disease and modes of transmission, should be thoroughly acquainted with the requirement of the bye-law, should not work when ill or discharging or presumably infected sources or wounds and should be meticulous about personal hygiene particularly cleanliness of hands and nails.

33. **Medical examination.** - (a) Food handlers should be medically examined twice a year.

(b) No food handlers be employed unless they produce a medical certificate of fitness approved by Medical Officer affirming that they are free from any communicable disease.

34. Persons suffering from infectious disease not to be employed. The Licensee shall not employ any person suffering from any contagious or infectious disease in the licensed premises in any capacity nor shall be allow any person who is suffering from a discharging wound, sore-on hand or arms, any skin disease, discharging ears or who is suffering from any attack of diarrhoea or vomiting to take part in handling preparation or serving of food in licensed premises.

35. Person suffering from any obvious infectious disease not to be admitted in eating house. No person suffering from any obvious infectious or contagious disease shall -

(a) be served or allowed to be served in the eating house or portion therein, or

(b) be permitted to enter or occupy the licensed premises or any portion therein.

36. Disease control.—(a) No person who is affected with any disease in a communicable form or is a carrier of such disease shall work in any Eating House and no Licensee shall employ such person. If the Licensee suspects that any employee has contracted any disease in communicable form or has become a carrier of such disease, he shall notify the Licensing Authority immediately.

(b) The Licensing Authority may at any time require any person working in any Eating House to submit to physical examination to determine if such person has any disease in a communicable form or is a carrier of such disease. When the possibility of transmission of infection is established, the Licensing Authority shall take the following measures—

(1) Immediately exclude the employee from the Eating House.

(2) Immediately close the Eating House concerned until no further danger of outbreak of disease exists.

37. Insecticidal Treatment of the Premises.—The Licensee shall take measure to have the Licensed premises treated with insecticide to rid it of any insect pest once in four months. The Licensee shall arrange for insecticidal treatment through the Insecticide Department of the Corporation and produce a certificate to that effect when demanded for the inspection of Licensing Authority.

38. Displaying of the Licence in a conspicuous place in the Licence Premises.—The Licensee shall cause his licence to be affixed in some conspicuous part of the licensed premises.

39. Vacation or possession during the currency of licence to be intimated forthwith.—If the Licensee decides to vacate or give up possession of the said premises during the period of the licence, he shall forthwith inform the Licensing Authority that he is about to do so or within a fortnight he has done so.

40. Licence not transferable.—The Licence granted to the Licensee is not transferable.

41. Gradation.—The Municipal Commissioner or his authorised representative may allot one or three grades to the licensed premises in accordance with the Standing Orders framed by him with previous sanction of Standing Committee and the grade determined by him for licensed premises shall be mentioned in the licence, and changed if necessary on merits of the Licensed Premises from time to time.

42. Fixing of Board of Grade in Premises.—The Licensee shall exhibit a board in a conspicuous part of the entrance of the Eating House premises showing thereon the grade of the licensed premises currently allotted or altered by the Licensing Authority. The contents of the size of letters on the board shall be approved by the Licensing Authority.

43. Penalty.—Every person who shall commit any of the foregoing bye-laws shall—

(a) be punishable with fine which may extend to one hundred rupees and in the case of a continuing breach with fine which may extend to five rupees every day during which the breach continues after conviction of the first breach.

(b) be punishable with fine which may extend to five rupees for every day during which the breach continues after receipt of a written notice from the Licensing Authority to discontinue the breach. Provided that the Licensing Authority may give a warning to any person for commitment of omission or breach of any of the foregoing bye-laws if in his sole discretion he deems the breach to be of a minor nature.

D. N. CAPOOR,
Administrator,
Kolhapur,
11th October 1974. Kolhapur Municipal Corporation
Kolhapur.

Raj P. K. 2003/3 75

Kolhapur Municipal Corporation

Accompaniment to Government Resolution Urban Development, Public Health and Housing Department No. K. M. C. 5373/92065-C dated, January 1974.

Bye-laws regulating the disposal of dead and Maintenance of all places for the disposal of the dead in good order and in a safe sanitary condition, as confirmed by Government.

1. **Short Title.**—These bye-laws shall be called "Bye-laws of the Kolhapur Municipal Corporation regulating the disposal of dead and maintenance of all places for the disposal of the dead in good order and in a safe sanitary condition."

2. **Definitions.**— Unless there be anything repugnant in the subject or context—

(a) "Act" means the Bombay Provincial Municipal Corporations Act, 1949;

(b) "Medical Officer of Health" means Medical Officer of health of the Corporation appointed under Section 45 of the Act and shall include any other Municipal officer authorised in writing by the Medical Officer of Health to exercise the powers and to perform the duties conferred upon him under these bye-laws :

(c) "Section" means section of the Act;

(d) All words and expressions used herein and not defined shall be deemed to have the meanings respectively assigned to them in the Act.

3. **Responsibility for the disposal of the dead.**— When a person has died in any place within the limits of the

(2)

Corporation, the occupier of such place or in his absence the owner of such place shall, to the best of his ability, arrange through the relatives of the deceased or estate - fellows for the corpse to be buried, burnt or otherwise disposed off according to the custom of deceased's estate - fellows within 24 hours of the occurrence of death or if he is unable to make such arrangement, shall report the fact to the Medical Officer of Health within the same period.

Exception — This bye - law will not apply to a case in which it is necessary for the purpose of a police or judicial enquiry to keep the dead body undisposed for over 24 hours.

4. Information about a corpse uncared for to be given.— Every person who becomes aware of a corpse lying uncared for in any place within the limits of the Corporation shall report the fact immediately to the Police and the Medical Officer of Health.

5. Information Regarding Places of disposal of death. The owner or a person in charge of every place in use for the disposal of the dead shall within one month from the date on which these bye-laws come into force, supply to the Medical Officer of Health with detailed written information, so far as the same is within his knowledge, on the following points—

(a) Name, situation and area of the place, with plan and sketch attached;

(b) Date from which it has been used for the disposal of the dead,

(c) Class of persons by whom it is used;

(d) System of management.

(e) Names and addresses of the owners and care-takers and such further information about the place as in each case may be demanded by the Medical Officer of Health.

(3)

2

(1) If a place is the burial ground, the owner shall at the same time report how many corpses can still be buried in the place having regard to the provisions of these bye-laws.

6. Conditions necessary to the opening of any new place for the disposal of the dead.— No person shall take for the disposal of the dead any place other than the places fixed by the Corporation except with the previous approval of the Corporation.

7. Enclosing of a Burial Ground.— Every owner care taker shall enclose the burial ground by means of a wall not less than 6 ft. (1.83 metres) high or by a fence of suitable material and of such height as the Medical Officer of Health, in consideration of the situation of the site, direct to close the ground from the public view keeping a door of not less than 3 (0.91 metres) x 5 feet (1.52 metres) on the side of the wall leading to the burial ground.

Provided that it shall be within the discretion of the Medical Officer of Health to relax this condition wholly or partly if the ground is so situated that it is not open to public view or is quite out of the inhabited part of the City.

8. Corpses to be buried at the Burial Ground — Every person shall after bringing or causing to be brought to a burial ground any corpse or part of a corpse fall to bury or cause same to be buried within 6 hours from the time of arrival there at such ground.

Provided that the Medical Officer of Health may grant extension of time beyond six hours on sufficient and good grounds.

9. Provision of Sanitary arrangements.— It shall be the duty of the owner or care-taker of every place for the disposal of the dead to provide for sanitary arrangements such as earthenware, washing sheds, burning sheds, watering and lighting arrangements.

at the said place as directed from time to time by the Medical Officer of Health to keep them in proper condition and good order.

10. **Drainage arrangements.**— Every owner or caretaker of a burial ground shall, at all times, take all necessary measures within his power to prevent the drainage thereof from flowing into any source of water used for drinking or washing purposes.

11. **Distance of Graves from the Human Habitation.**— No person shall bury a dead body or suffer it to be buried within a distance of 150 feet (45.87 metres) from any human habitation. In the case of existing burial grounds already registered, a distance between the place of human habitation and the limit of burial ground may be minimum 20 feet (6.11 metres).

12. **Depth of Graves.**— No person shall cause or suffer the body of a person to be buried in a grave with any part of the body or covering in which the body is enclosed at a depth of less than,

(a) three feet (0.91 metres) below the level of the surface of surrounding ground in the case of a person whose age at the time of death did not exceed 12 years;

(b) four feet (1.22 metres) below the level of the surface of the surrounding ground in the case of a person whose age at the time of death exceeds 12 years.

13. **Superficial area of Graves.**— The owner of every burial ground shall separately demarcate and assign for the grave of a person, whose age at the time of the death did not exceed 12 years, an area of at least 6 ft x 3 ft. (1.83 metres x 0.91 metres) and for that of a person whose age at the time of death exceeded 12 years, an area of at least 7 ft. (2.14 metres) x 4 feet (1.22 metres) and the sites so demarcated shall as far as possible be in a line.

14. **Distance between Graves.**— No person shall bury a dead body or suffer it to be buried within a distance of 3 feet (0.91 metres) of the adjoining grave.

15. **Mounds to be Raised over Grave.**— Every person who buries a corpse shall make a mound over the grave raising for not less than 1 foot (0.3 metre) above the surface of the ground unless he erects a monument or structure over it.

16. **Owner to report when Burial Ground is nearly full.**— Every owner or caretaker of a burial ground shall when the burial ground contains space for not more than ten new graves, forthwith report the fact to the Medical Officer of Health.

17. **Burial of not more than one Body in one Grave.**— No person shall cause or suffer more than one body to be buried at any one time in one grave except with the permission of the Medical Officer of Health. Such permission may be granted only if the dead bodies are of members of the same family.

18. **When Graves may be reopened.**— No person shall re-open or suffer to be re-opened a grave within period of—

(a) Two years after the burial of a dead body without coffin in an unlined wooden coffin and

(b) Seven years after the burial of a dead body in a coffin composed of tin, lead or other metal.

Provided that no grave covered by a pucca monument shall be re-opened except under an order of a Magistrate empowered in this behalf.

19. **Burial ground to be kept clean.**— Every owner or a person in charge of a burial ground shall cause the same to be kept clean, and in good order and shall cause all rank vegetation to be regularly removed.

20. **Prohibition of masonry construction.**— No masonry work shall be constructed in any burial or burning ground belonging to the Corporation.

21. **Decency to be observed.**— No person shall, by any violent or indecent behaviour prevent, interrupt or delay the decent and solemn burial of a dead body.

22. **Notice of intended burial to be given :—** Every person or care-taker of a burial ground or in his absence, the person in charge of the dead body, shall give at least 3 hours notice of the intended burial before commencing the digging of grave to the Medical Officer of Health to enable him to visit the burial ground or to depute a sub-ordinate officer with a view to see that all bye-laws with the regard to the interment of a dead body are duly observed.

23. **Certificate of cause of death.**— No persons in charge of any place for the disposal of dead shall permit the disposal of any dead body at such place except on the production of the certificate, showing the cause of death signed by the Registered Medical Practitioner or no objection certificate signed by the Municipal Councillor of the Corporation residing in the locality or the Municipal Officer authorised in that behalf by the Municipal Commissioner.

24. **penalty.**— Any person offending against any of these bye-laws shall be punishable with a fine which may extend upto Rs. 50.

Kolhapur,
15th April 1974.

D. N. Capoor,
Administrator,
Kolhapur Municipal Corporation,
Kolhapur.

Raj P. K. 1000 / 6-74

By Administrator

KOLHAPUR MUNICIPAL CORPORATION

Public Notice No. 174

No. GAD/O & M/WS-2-16/71/674.- The following draft of bye-laws framed by the Kolhapur Municipal Corporation under the provisions of sub-section (18) of section 458 of the Bombay Provincial Municipal Corporations Act, 1949 regarding prescribing qualifications and experience for license surveyors, Architects, Engineers, Clerks of works, structural Designers and Plumbers has been confirmed by the Government under its Resolution, Urban Development, Public Health and Housing Department No. KMC/5374/25575-C-II, dated 20th December, 1974

These bye-laws are hereby published for the information of all as required under section 462 of the Bombay Provincial Municipal Corporations Act, 1949.

KOLHAPUR MUNICIPAL CORPORATION

Bye-laws framed under Section 458 (18) of the Bombay Provincial Municipal Corporations Act, 1949 for prescribing the qualifications and the experience for licensed surveyors, Architects, Engineers, Clerks of works, Structural designers and Plumbers.

at the said place as directed from time to time by the Medical Officer of Health to keep them in proper condition and good order.

10. **Drainage arrangements.**— Every owner or caretaker of a burial ground shall, at all times, take all necessary measures within his power to prevent the drainage thereof from flowing into any source of water used for drinking or washing purposes.

11. **Distance of Graves from the Human Habitation.**— No person shall bury a dead body or suffer it to be buried within a distance of 150 feet (45.87 metres) from any human habitation. In the case of existing burial grounds already registered, a distance between the place of human habitation and the limit of burial ground may be minimum 20 feet (6.11 metres).

12. **Depth of Graves.**— No person shall cause or suffer the body of a person to be buried in a grave with any part of the body or covering in which the body is enclosed at a depth of less than,

(a) three feet (0.91 metres) below the level of the surface of surrounding ground in the case of a person whose age at the time of death did not exceed 12 years;

(b) four feet (1.22 metres) below the level of the surface of the surrounding ground in the case of a person whose age at the time of death exceeds 12 years.

13. **Supervisory area of Graves.**— The owner of every burial ground shall separately demarcate and assign for the grave of a person, whose age at the time of the death did not exceed 12 years, an area of at least 6 ft x 3 ft. (1.83 metres x 0.91 metres) and for that of a person whose age at the time of death exceeded 12 years, an area of at least 7 ft. (2.14 metres) x 4 feet (1.22 metres) and the sites so demarcated shall as far as possible be in a line.

14. **Distance between Graves.**— No person shall bury a dead body or suffer it to be buried within a distance of 3 feet (0.91 metres) of the adjoining grave.

15. **Mounds to be Raised over Grave.**— Every person who buries a corpse shall make a mound over the grave raising for not less than 1 foot (0.3 metre) above the surface of the ground unless he erects a monument or structure over it.

16. **Owner to report when Burial Ground is nearly full.**— Every owner or caretaker of a burial ground shall when the burial ground contains space for not more than ten new graves, forthwith report the fact to the Medical Officer of Health.

17. **Burial of not more than one Body in one Grave.**— No person shall cause or suffer more than one body to be buried at any one time in one grave except with the permission of the Medical Officer of Health. Such permission may be granted only of the dead bodies are of members of the same family.

18. **When Graves may be re-opened.**— No person shall re-open or suffer to be re-opened a grave within period of—

(a) Two years after the burial of a dead body without coffin in an unlined wooden coffin and

(b) Seven years after the burial of a dead body in a coffin composed of tin, lead or other metal.

Provided that no grave covered by a pucca monument shall be re-opened except under an order of a Magistrate empowered in this behalf.

19. **Burial ground to be kept clean.**— Every owner or a person in charge of a burial ground shall cause the same to be kept clean, and in good order and shall cause all rank vegetation to be regularly removed.

20. **Prohibition of masonry construction.**— No masonry work shall be constructed in any burial or burning ground belonging to the Corporation.

21. Decency to be observed.— No person shall, by any violent or indecent behaviour prevent, interrupt or delay the decent and solemn burial of a dead body.

22. Notice of intended burial to be given:— Every person or caretaker of a burial ground or in his absence, the person in charge of the dead body, shall give at least 3 hours notice of the intended burial before commencing the digging of grave to the Medical Officer of Health to enable him to visit the burial ground or to depute a subordinate officer with a view to see that all bye-laws with the regard to the interment of a dead body are duly observed.

23. Certificate of cause of death.— No persons in charge of any place for the disposal of dead shall permit the disposal of any dead body at such place except on the production of the certificate, showing the cause of death signed by the Registered Medical Practitioner or no objection certificate signed by the Municipal Councillor of the Corporation residing in the locality or the Municipal Officer authorised in that behalf by the Municipal Commissioner.

24. Penalty:— Any person offending against any of these bye-laws shall be punishable with a fine which may extend upto Rs. 50.

Kolhapur,
15th April 1974.

D. N. Gaoor,
Administrator,
Kolhapur Municipal Corporation,
Kolhapur.

Raj P. K. 1000/6-74

By Administrator

KOLHAPUR MUNICIPAL CORPORATION

Public Notice No. 174

No. GAD/O & M/WS-2-16/7/1674.- The following draft of bye-laws framed by the Kolhapur Municipal Corporation under the provisions of sub-section (18) of section 458 of the Bombay Provincial Municipal Corporations Act, 1949 regarding prescribing qualifications and experience for licensed surveyors, Architects, Engineers, Clerks of works, structural Designers and Plumbers has been confirmed by the Government under its Resolution. Urban Development, Public Health and Housing Department No. KMC/5374/225575-C-II, dated 20th December, 1974

These bye-laws are hereby published for the information of all as required under section 462 of the Bombay Provincial Municipal Corporations Act, 1949.

KOLHAPUR MUNICIPAL CORPORATION

Bye-laws framed under Section 458 (18) of the Bombay Provincial Municipal Corporations Act, 1949 for prescribing the qualifications and the experience for licensed surveyors, Architects, Engineers, Clerks of works, Structural designers and Plumbers.

1. **Short title and Commencement:**— These bye-laws may be called "Bye-laws of the Kolhapur Municipal Corporation" prescribing the qualifications and the experience for Licensed Surveyors, Architects, Engineers, Clerks of works, Structural designers and Plumbers and shall come into force on the date of their final publication in the official gazette.

2. **Definitions:**— Unless there be anything repugnant to the subject or context.

(a) "Act" means the Bombay Provincial Municipal Corporation Act, 1949

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

(c) Words and expressions which are used herein but not defined shall have the same meanings as are assigned to them in the Act.

3. **Qualifications etc. for Licensed Surveyors:—**

(1) No person shall be granted a licence by the Commissioner as required by Section 372 of the Act unless the said person possesses the qualification and experience as prescribed below:—

(a) A degree in Civil Engineering of University with one Year's practical experience of building construction and drawing of plans etc. under a licensed Surveyor's firm or

(b) Associate Membership or any Institution which is considered by the Commissioner to be equivalent to a University degree in Civil Engineering and Architecture; with one year's experience of building construction and drawing of plans etc. under a Licensed Surveyor's Firm or

(c) A Diploma in Civil Engineering of any University of recognised Institution with one year's practical experience of building construction and drawing of plans etc. under a Licensed Surveyor's Firm.

(2) Any Surveyor who has been granted continuously for a period of five years immediately preceding the date on which these bye-laws come into force a Surveyor's Licence by the Corporation of the City of Kolhapur or who has at least five years' experience of work connected with the Survey and building construction work, may be granted Surveyor's Licence by the Municipal Commissioner provided he possesses the practical examination held by the City Engineer of the Corporation for testing merits.

4. **Qualifications and experience for Architects and Engineers.**— No Architect or Engineer shall be granted a licence by the Municipal Commissioner as required by Section 372 of the Act unless the said person possesses the qualifications and experience as prescribed below:—

(a) A degree in Civil Engineering or a Diploma in Architecture of any University or an Institution recognised by the Government, or

(b) Associate membership or membership of any institution which is considered by the Municipal Commissioner to be equivalent to and University degree in Civil Engineering or Architecture, or

(c) A diploma holder in Civil Engineering holding Surveyor's Licence for at least ten years before these bye-laws came into force, if he is able to produce sufficient evidence of his having done structural engineering works for the ten years.

5. **Qualification and experience for the licensed structural designers.**— No person shall be granted a Licence by the Municipal Commissioner to work as a structural designer for carrying out the works of design and execution of R. C. C. or steel structures under section 372 of the Act unless he possesses the following qualifications and experience.

(a) A degree in Civil Engineering or Structural Engineering of any University, or

(b) Associate membership of Structural Engineering Institute or Associate member of Institute of Engineering (India) with Structural Engineering as special subject, or

(c) A Diploma holder in Civil Engineering who is already holding Surveyor's Licence continuously for the last ten years previous to the passing of these bye-laws.

6. **Qualifications for clerk of works.**— Any person who intends to work as a clerk of works may obtain a Licence from the Municipal Commissioner under section 372 of the Act if he produces a certificate from a Licensed Surveyor of having worked under him for a period of five years to the satisfaction of such Licensed Surveyor.

7. **Qualifications and Experience for the Licensed Plumbers.**— (1) No person shall be granted a licence by the Municipal Commissioner as required under Section 372 of the Act to work as Plumber unless the said person holds a degree or diploma in Civil Engineering or Sanitary Engineering of any University or an Institute recognised by the Government.

(2) Notwithstanding anything contained in clause (1) in clause (1) may be given a plumber's licence by the Municipal Commissioner if—

(a) He was granted a plumber's licence by the Municipal Corporation of the City of Kolhapur continuously for a period of five years immediately preceding the date on which these bye-laws come into force, or

(b) he has extensive practical experience of not less than five years and also possesses the licence given by the Public Health Department of the Government;

Provided that the Municipal Commissioner may before granting such licence to such a person require him to pass a theoretical test.

8. **Application to be made for Licence.**— Every person desirous of getting licence to work as Licensed Surveyor, Architect Engineer, Clerk of work, Structural Designer or Plumber shall submit an application in writing to the Municipal Commissioner with following details and enclosures—

(a) Qualification of applicant;

(b) Documents proving his experience in the works in respect of which licence is required.

(c) Location of the recognised office of the applicant or the firm.

(d) Details of staff as mentioned below appointed by the applicant or firm and their qualification for the works to be executed.

(i) Draftsman.

(ii) Tracer.

(iii) Inspector of Works.

(iv) Mistry.

9. **Form of Licence.**— The Municipal Commissioner may after due verification and examination of the details of application and documents enclosed alongwith application grant the licence in form 'A' appended to these bye-laws.

Provided that the applicant shall pay before getting the licence the necessary fees prescribed by the Municipal Commissioner with the sanction of Corporation from time to time in this behalf as provided in section 386 (2) of the Act.

(6)

10. **period of Licence:** - Every licence granted shall be for a period of one year only beginning from 1st April to 31st March and shall be renewed every year in the first week of April on payment of prescribed fees.

11. **Duplicate copy of Licence:** - A duplicate copy of Licence may be issued on payment of Re. two in case of completion of entries as regards to its renewal and its loss.

12. **Penalty:** - A breach of any of these bye-laws shall be in addition to the cancellation of licence, be punishable with a fine which may extend to rupees fifty.

FORM 'A'

(See bye-law 9)

Licence

Licence No.for the period ending 31st March.

The Corporation of the City of Kolhapur hereby grant a licence to the following person / firm for practising as..... in pursuance of bye-laws framed under Section 458 (18) of the Bombay Provincial Municipal Corporations Act, 1949.

This licence will remain in force till 31st March.....
The licence shall be liable for cancellation for breach of any of the conditions of the bye-laws.

Name and address of Licensee / firm

Details of staff appointed by the Licensee / Firm for drawing plans etc.

Signature of the Licensing Authority.

(7)

This licence is hereby renewed upto

- 1. The 31st March
- 2. Do.
- 3. Do.
- 4. Do.
- 5. Do.

(i) This Licence must always remain with licensee.../ firm and must be shown on demand.

(ii) This licence must be surrendered to the Corporation, when Licensee ceases to work and also at the time of renewal and cancellation of licence.

Date of issue: Kolhapur Municipal Corporation.
City Engineer,

Kolhapur, (Illegible)
57th January 1975. Administrator,
Kolhapur Municipal Corporation,
Kolhapur.

By Administrator

KOLHAPUR MUNICIPAL CORPORATION

Public Notice No. 178

No. GAD/O&M/WS-2.52/7-2215.—The following draft of bye-laws framed by the Kolhapur Municipal Corporation under the provisions of sub-section (36) of Section 458 of the Bombay Provincial Municipal Corporations Act, 1949 regarding protection of public parks and gardens have been confirmed by the Government under its Resolution, Urban Development, Public Health and Housing Department No. KMC-5374/66396-C-II dated 3rd January 1975.

These bye-laws are hereby published for the information of all as required under section 462 of the Bombay Provincial Municipal Corporations Act, 1949.

KOLHAPUR MUNICIPAL CORPORATION

By - laws framed under Section 458 (36) regarding securing the protection of public parks, gardens, public parking places and open spaces vested in or under the control of the Corporation from injury or misuse, regulating their management and the manner in which they may be used by the public and providing for the proper behaviour of persons in them.

1. *Short title and Commencement.*— These bye-laws may be called as "Bye-laws of the Kolhapur Municipal Corporation regarding control of public parks, gardens, parking places and open spaces and shall come into force from the date of their final publication in the official gazette. "

2. *Definition.*— (1) Unless there is something repugnant to the subject or context,

(a) "ACT" means the Bombay Provincial Municipal Corporations Act, 1949.

(b) "SECTION" means section of the Act.

(2)

(2) Words and expressions used herein and not defined shall have the same meanings assigned to them in the Act

3. *Acts Prohibited for the purpose Security Protection.*— No person shall commit any of the following acts in any municipal park, garden parking place or open spaces, namely—

(a) Removing, damaging, or injuring any fountain, statue, monument, bust, post, chain, railing, fence, seat, barrier, gate, lamp, notice-board or plate, watch-box, house, building, shed, urinal or water closet or latrine or disfiguring or defacing the same by passing thereon or affixing thereto or defacing the same by passing thereon or affixing thereto many way bill, placard, or notice by calling or writing or stamping, printing, drawing or making any matter thereon.

(b) Removing plucking, damaging or injuring any timber, tree, plant, shrub, leaf, fruit, flower or grass.

(c) Taking, digging, cutting, damaging or removing any gravel, sand, cath, clay, turf, mould, soil or any other substance.

(d) Going or attempting to go into any plantation or any permanent or temporary enclosure or any building which is marked private or reserved permanently or temporarily by the Corporation without the permission of Garden Supdt. of the Corporation.

(e) Taking or allowing therein any animal except dogs led by a chain or string or other sufficient fastening and allowing any animal to stay therein.

(f) Lighting a fire, cooking food or burning paper, rubbish or other substance.

(g) Taking or allowing any vehicle therein.

(h) Entering or leaving except by a gate, wicket, passage or opening provided for the purpose.

(i) Bringing any carriages except children's perambulator which shall not be driven on the grass or flower beds.

(3)

(j) Shooting birds or animals with weapons, or by other means.

(k) Holding a public meeting or delivering address of any kind or causing a crowd to collect or to form a procession of any kind without the permission of the Municipal Commissioner.

(l) Pathing or washing himself or his clothes or committing nuisance by answering calls of nature.

(m) Playing games or dance or giving musical performances without the permission of the Municipal Commissioner.

(n) Carrying any business or trade without the permission of the Municipal Commissioner.

(o) Using them for picnic or garden party without the permission of the Municipal Commissioner.

(p) Leaving back glass, paper or letter of any kind after the picnic or garden party.

4 *Hours when the Parks etc. shall remain open.*— The Municipal parks, gardens, open spaces etc. shall be open free to the public daily from 8 a. m. to 11 a. m. and 3 p. m. to 8 p. m. or during such hours as may be fixed by the Municipal Commissioner with the approval of the Standing Committee.

5 *Power to close.*— The Municipal Commissioner may with the approval of the Standing Committee close any municipal park, garden etc. for the entry of the public for a period of not exceeding three days at a time.

Provided that before such closure a notice of such closure shall be pasted on a conspicuous part of such park or garden three days prior to the day of closing.

Provided further that the Municipal Commissioner for any special reason may close any municipal park or garden for a period exceeding three days with the approval of the Corporation by publishing a notice as prescribed in proviso above.

6. *Prohibited behaviours.*— No person shall commit any of the following acts of misbehaviour in any municipal park, garden etc. namely:—

- (a) Any public nuisance.
- (b) Going or attempting to go into any way water closet, urinal, latrine or place of convenience provided for the opposite sex.
- (c) Lying upon or occupying any seat or lying about in an offensively filthy condition or in any indecent manner.
- (d) Entering on being in a state of intoxication.
- (e) Brawling, fighting, quarrelling, cursing swearing, using indecent or improper language.
- (f) Begging or soliciting alms.
- (g) Refusing to leave the premises after the closing hours.

(h) Interfering with assaulting, resisting or aiding or inciting any person to interfere with assault or resist any of the municipal servants employed in the park, garden or open space.

7 *Penalty.*— Any person who commits any breach of any of the foregoing bye-laws shall be liable to be expelled from the garden, park or open space as the case may be and shall also be punishable with fine which may extend to Rs. 50 and in case continuation of breach with fine which may extend to Rs. 5 for every day after the first day during which the breach is proved to have been persisted on.

8 *Sale of plants etc.*— The plants or other garden produce may be sold in the manner and at the price that will be prescribed by the Municipal Commissioner with the approval of the Standing Committee from time to time.

D. N. CAPOOR,
Administrator,
Kolhapur Municipal Corporation,
22nd January 1975

श्री. न. च. पाठक
श्री. न. च. पाठक

By Administrator
KOLHAPUR MUNICIPAL CORPORATION
Public Notice No. 187

No. GAD/O & M/WS-2-187-3984 - The following draft of bye-laws framed by the Kolhapur Municipal Corporation under the provisions of sub-section (30) of section 458 of the Bombay Provincial Municipal Corporations Act, 1949 regarding licensing hand-carts, have been confirmed by the Government under its Resolution, Urban Development, Public Health and Housing Department No. KMC/5374/65787-C-11, dated 6th January 1975.

These bye-laws are hereby finally published for the information of all as required under section 462 of the Bombay Provincial Municipal Corporations Act, 1949.

Bye-laws framed under Section 458 (30) of the Bombay Provincial Municipal Corporations Act, 1949 for the licensing of hand-carts and the seizure and detention of any such carts that have not been duly licensed.

1. *Short title Commencement.*— These bye-laws may be called "the Kolhapur Municipal Corporation Licensing of Hand-Carts Plying in the City bye-laws" and shall come into force on their final publication in the official gazette.

2. *Definitions* — (a) Unless there be anything repugnant in the subject or context.

(1) "Act" means the Bombay Provincial Municipal Corporations Act, 1949.

(ii) "Licensing Authority" means the Municipal Commissioner or any other Municipal Officer authorised by him in this behalf.

(iii) "Section" means the section of the Act.

(b) Words and expressions used herein and not defined shall have the same meaning as assigned to them in the Act.

3. Hand-carts not to be without License:— No person shall use any hand-cart for the hawking or sale of any goods, or for the carriage of goods or merchandise, except under and in accordance with a license granted under these bye-laws:

4. Type of Licences:— (1) There shall be two types of licences: namely-

(a) for roving hand-carts, and

(b) for stationary hand-carts,

(2) A license for a stationary hand-cart may be granted in such part or parts of the Municipal area as the Corporation may from time to time approve in this behalf.

3. The Licensing Authority may also grant a combined license for a roving-cum-stationary hand-cart and such a hand-cart shall be subject to the respective provisions of these bye-laws according as the hand-cart is used as stationary hand-cart.

Procedure for Application — (1) Every person who desires to get a license for a hand-cart shall apply in the form prescribed by the Municipal Commissioner from time to time which will be available on payment of prescribed fee and shall state therein the articles which he proposes to sell from or carry on such hand-cart and in the case of a license for stationary hand-cart, the part or parts of the Municipal area in which he desires to carry on his business.

(2) An applicant for a license or any license who applies for the approval of a new hand-cart, shall if so required, produce the hand-cart for inspection at the Chief Municipal Office or at such other Place as the Licensing Authority may require.

6. Requirement for the grant of License:— No hand-cart shall be licensed under these bye-laws unless the Licensing Authority is satisfied that:—

(i) The hand-cart together with any board, tray or any other part projecting from such hand-cart does not exceed one metre and fifty Centi - metres in length and one metre in breadth.

(ii) in cases where the hand-cart is to be used for the sale of any sweetmeats, ice-fruit, ice-candies, fruits or any other articles of food or drinks, which are to be consumed without being cooked, it is properly enclosed with wire-grating or glass so as to protect such articles from dust, flies, or any other contamination.

(iii) that in cases where any articles of food or drinks are to be served from the hand-cart, there is a storage tank with a capacity of not less than twenty litres and with tap for washing cups, saucers, plates, spoons and other articles used for the service of articles of food or drink.

7. Restriction on Plying — The Corporation may, at any time by a public notice, prohibit such class or classes of hand-carts as may be specified in the notice from using any public street or place during such hours as may be specified in the notice.

8. Conditions to be observed by Licensees:— (1) In the case of a hand-cart licensed for hawking or for sale of goods, the licensee—

(i) Shall not use the hand-cart for hawking or selling any articles except during the hours specified in license.

(ii) shall not, in the case of stationary hand-cart, park such hand-cart at any place other than that specified in the licence.

(iii) shall not load the hand-cart in such a manner that any goods, articles or fixtures project beyond the frame of such hand-cart.

(iv) shall not use the hand-cart for the sale of any article other than those specified in the licence.

(v) shall always keep the hand-cart clean and shall not allow any articles of food or drink to be exposed to dust flies or any other contamination.

(vi) shall always disclose to any authorised officer the source from which any articles of food or drink meant for human consumption are procured by him.

(vii) shall not, as far as possible touch by hand any articles of food or drink.

(viii) shall cause all plates, cups, saucers, glasses, spoons and such other materials used for serving any articles of food or drink to be kept clean.

(ix) shall wash all cups, saucers, plates, glasses, spoons and the like in the running water from the storage tank fitted to the hand-cart.

(x) shall not, under any circumstances, wash such cups, saucers, plates, spoons, glasses etc. by dipping them in a bucket or such other vessel.

(xi) shall cause all brass or copper vessels kept on the hand-cart for keeping any articles of cooked food or sweetmeats or for serving any such article, to be linned at least once in two months or whenever required by the Licensing Authority.

(xii) shall not hawk, sell or expose for sale any goods from the hand-cart when suffering from any loathsome or dangerous disease.

(xiii) shall not employ any person as an assistant on the hand-cart for hawking articles when suffering from any loathsome or dangerous disease.

(xiv) shall, whenever required by the Licensing Authority, allow himself or any person assisting him to be examined by the Medical Officer of Health or an officer authorised in the behalf by the Municipal Commissioner.

(xv) shall, except in the case hand-cart licensed as stationary hand-cart, always keep such hand-cart on the move and shall not halt it in any street or other public place so as to cause danger, obstruction or inconvenience to the public.

(xvi) shall not use any bell or horn or any other instrument for the attraction of customers.

(xvii) shall not sell or expose for sale any goods within 180 metres of any market or school.

(2) If the source of any articles meant for human consumption as disclosed by the licence, is on inspection found to be unhygienic, the Licensing Authority may require the licensee to discontinue the sale or supply of any articles derived from such source and the licensee shall forthwith comply with any such order issued by the Licensing Authority.

Provided that the licensee may appeal against such order to the Standing Committee whose decision shall be final in this respect.

9. Conditions to be observed while using hand-cart exclusively for the carriage of goods or merchandise-- (1) No licensee shall ply or cause to be plied any hand-cart licensed for use for the carriage of goods or merchandise which contains in load in excess of the following scale: namely--

(6)

- (a) for a hand-cart drawn . . . 150 Kilogrammes of weight of any goods, by one man
 - (b) For a hand-cart drawn . . . 150 Kilogrammes of weight by more than one man of any goods per individual.
 - (2) Any Licensee carrying stones, bricks, tiles, coal or road metal and the like in his hand-cart shall be responsible forthwith to remove any materials falling from his hand-cart on any municipal street.
 - (3) The Licensee shall on the occurrence of any accident, truly state his name and address and the name and place of abode or business of the owner of the vehicle and shall further render all possible assistance to any person injured, and if there be no police present, shall forthwith give information of the accident to the nearest Police Station.
 - (4) The Licensee shall not halt his hand-cart or allow it to be halted in any public street or place for the purpose of loading or unloading of goods or merchandise for any period longer than which may reasonably be necessary for such purpose.
 - (5) The Licensee shall, if he is required to wait for loading or unloading goods or materials in his hand-cart, park his hand-cart parallel to and along the side of the street.
 - (6) No Licensee shall move a hand-cart in any public place half an hour after sun-set till half and hour after sun-rise, unless such hand-cart has been provided with a lamp showing a red light to the rear of the hand-cart.
10. Responsibility of and for Servants etc.-- In the absence of the Licensee, his servant or any person employed by him as assistant to be in charge of the hand-cart shall be responsible for the due observance of the conditions of the license and the Licensee shall be held responsible for any neglect or breach of the conditions of the license by any one servant or other person acting on his behalf.

(7)

11. Form of license.-- (1) The License shall be in such form as the Licensing Authority may from time to time approve and shall specify *inter-alia*.
- (a) name and address of the Licensee.
 - (b) the goods that may be carried in the hand-cart or material or articles of food and drink that may be hawked, sold or exposed for sale from such hand-cart.
 - (c) the hours during which the hand-cart shall be used for carrying on the business.
 - (d) in the case of a roving hand-cart intended for hawking, the part or parts of the municipal area in which the hand-cart may be plying.
 - (e) in the case of a stationary hand-cart intended for hawking, the place or places where it may be allowed to be parked.
- Provided that the area mentioned under clause (d) shall be subject to any orders issued under clause (2) of by-law 4.
- (2) The Licensing Authority shall affix a number plate to each hand-cart showing the number and the year of license. The license shall not transfer such number plate to any other hand-cart.
 - (3) The Licensing Authority may issue one pass per hand-cart for any servant or other person other than the Licensee who may ply the hand-cart in the absence of the Licensee. Every such pass shall state *inter alia* the number of the license and the goods that may be hawked from or carried on the hand-cart.
12. Term of license.-- (1) A license shall be issued for one year and shall terminate on the 31st March of the year.
- (2) The application for the renewal of license shall be made before the 1st day of March every year.

13. **Display of licence and inspection of Hand-cart**— The licensee shall always carry with him the licence when the hand-cart is not in charge of any person other than the licensee. Such person shall also carry with him the pass issued to him under clause (3) of bye-law 11. The licensee or such other person shall produce the licence and pass on demand by the Licensing Authority or any other officer or person of the Corporation authorised by him in this behalf. He shall also allow such officer or person to inspect at all reasonable times, the licensed hand-cart and any vessel, goods or articles on such hand-cart used for the purpose of trade or business.

14. **Suspension of Licence**— If there is any breach of any of these bye-laws, the licence may be suspended by the Licensing Authority for such period, as may be necessary to ensure compliance with the bye-laws.

15. **Refusal of Licence etc.**— The Licensing Authority may withdraw or refuse to grant or renew a licence.

(a) if the applicant is found guilty of frequent breach of the conditions of the Licence, or,

(b) for any other reason which may be deemed sufficient by the Licensing Authority and which shall be recorded in writing.

16. **Appeal**— The licensee may appeal to the Standing Committee against any order issued by the Licensing Authority under bye-law 14 or 15 whose decision shall be final.

17. **Transfer of Licence**— A licence shall not be transferable.

Provided that if the licensee dies or becomes permanently incapacitated to carry on the business, the Licensing Authority may on application transfer the licence.

(i) in the case of death, to any legal heir of the licensee as it deems fit.

(ii) in the case of incapacitation, to any member of his family as may be nominated by the licensee.

Provided further that the licensee may at any time substitute a new hand-cart for the licensed hand-cart after getting it approved under bye-law 5.

18. **Seizure of unlicensed Hand-Carts**— (1) Any person empowered under bye-law 13 to inspect hand-carts may seize any hand-cart which is being used for the hawking or sale of any articles or for the carriage of goods or merchandise without a licence together with the articles being hawked or sold on them or carried on it and detain it.

Explanations— For the purposes of the bye-law a hand-cart shall be deemed to be without licence if it is without a number plate affixed under clause (2) of bye-law 11 or if the person plying such hand-cart is unable to produce on demand, the licence or the pass issued under clause (3) of bye-law 11.

(2) The owner of any hand-cart seized under clause (1) shall be entitled to get it back within seventy-two hours of the seizure if

(i) He tenders the cost of seizure and detention of the hand-cart and

(ii) Produces the licence or pass issued under bye-law 11 or if it is an unlicensed hand-cart, gives in writing not to ply it again without a licence.

(3) If the owner of the hand-cart fails to take action as required in clause (2) the hand-cart together with any goods or material if any, may be sold by auction under the orders of the Licensing Authority and the proceeds of the sale shall, after deducting therefrom the cost of seizure, detention and sale be paid to any person lawfully entitled to claim it, provided the claim is made within three months of the date of the sale.

Provided that if any goods seized with the hand-cart are liable to speedy decay the Licensing Authority may order such goods to be sold by auction before the expiry of the period of seventy-two hours specified in clause (2).

(4) Nothing contained in this bye-law shall affect the powers of the Municipal Commissioner to prosecute any person for a breach of any of these bye-laws or power to suspend or withdraw any licence issued.

(5) The cost of seizure, detention and sale shall be determined according to the rates fixed by the Licensing Authority with the approval of the Standing Committee from time to time.

(6) The Corporation shall not be responsible for any damage to the hand-cart or to any goods contained therein on account of the seizure, detention or sale of the hand-cart.

19. Fees:— For a licence issued under these bye-laws a fee shall be charged as fixed by the Municipal Commissioner from time to time in accordance with the provisions contained in sub-section (2) of section 386 of the Act in respect of following types of licence.

(a) Licence for roving hand-cart.

(b) Licence for stationary hand-cart.

(c) Licence for stationary-cum-roving hand-cart.

(d) In case a pass is issued under clause (3) of bye-law 11 a reasonable fee shall be charged as prescribed by the Municipal Commissioner from time to time in addition to the licence fee.

20. Penalty:— Any person who commits breach of these bye-laws or sections prescribed therein shall on conviction

(a) be punished with fine which may extend to one hundred rupees and in the case of continuing breach with fine which may extend to ten rupees for every day during which the breach continues, after conviction for the first breach.

(b) be punished with fine which may extend to ten rupees every day, during which the breach continues, after receipt of written notice from the Licensing Authority or any Municipal Officer duly authorised in that behalf to discontinue the breach.

21. Repeal:— Any rules or bye-laws corresponding to these bye-laws in force in The Municipal area immediately before the date of commencement of these bye-laws, shall stand repealed except as regards things done or omitted to be done under the rules or bye-laws as so repealed.

D. N. CAPOOR,

Administrator,

Kolhapur,
7th February 1975

Kolhapur Municipal Corporation.

Kolhapur.

BY ADMINISTRATOR
KOLHAPUR MUNICIPAL CORPORATION
 Public Notice No. 79, dated 3rd September 1976

1. No. GAD / O&M / WS-2-374-12/2885. — The following draft of bye-laws framed by the Kolhapur Municipal Corporation under the provisions of sub-section (48) of section 458 of the Bombay Provincial Municipal Corporations Act, 1949, regarding regulating use of Municipal vehicles has been confirmed by the Government under its Resolution, Urban Development and public Health Department, No. KMC/5376/354-UD-2, dated 5th August 1976.

These bye-laws are hereby published for the information of all as required under section 462 of the Bombay Provincial Municipal Corporations Act, 1949.

Accompanyment to Government Resolution, Urban Development and Public Health Department, No. KMC-5376/354-UD-2, Dated : 5th August 1976

Bye-laws of the Kolhapur Municipal Corporation regarding regulating the use of Municipal Motor Vehicles and as confirmed by the State Government.

1. Short title and commencement. — 1) These bye-laws may be called the "Kolhapur Municipal Corporation Bye-laws, 1976 regarding regulating use of Municipal Vehicles."

2) The bye-laws shall come into force on the day of 1976.

1. Definitions:—1) In these bye-laws, unless the context otherwise requires—

4) "ACT" means the Bombay Provincial Municipal Corporations Act, 1949;

b) "FORM" means Form appended to these bye-laws,

c) "OFFICER - IN - CHARGE" means the officer to whom the work of maintenance and custody of vehicle is entrusted under bye-law 4;

d) " MUNICIPAL MOTOR VEHICLE " means the motor vehicle belonging to the Corporation.

2) Words or expressions used in these by-laws, but not defined therein shall have the meanings respectively assigned to them in the Act.

3) Exhibition of name plate.—A plate bearing the words "Kothapur Municipal Corporation", in Marathi shall be exhibited prominently on each Municipal Motor Vehicle

4) Maintenance and custody of vehicle.—The maintenance and custody of every municipal motor vehicle shall be entrusted to such officer of the Corporation as the Corporation may authorise in this behalf.

5) Use of vehicle.—1) A Municipal motor vehicle shall be used exclusively for work in connection with the efficient performance of the duties and functions of the Corporation within the Municipal area only.

Provided that any such vehicle may be used outside the Municipal area for such work with the written permission of the Municipal Commissioner and nature of work should be mentioned in such permission.

2) a) Use of such vehicle for any private purpose except in accordance with a written permission of the Municipal Commissioner shall be prohibited. Where such permission is granted the period for which and the special circumstances under which the permission is granted shall be clearly stated therein;

Provided that, no such permission shall be granted—

1) unless due inquiry is made that the vehicle is not likely to be needed in connection with municipal work during the period of the permission;

ii) in favour of a councillor who is contesting candidature in any election from the date of the nomination to the date of polling; or

iii) if there is likelihood that the vehicle will be used whether directly or indirectly, in connection with any propaganda in any election by any person whatsoever.

b) Where any municipal vehicle is permitted to be used for any private purpose, the hire charges of the vehicle at such rate as may be decided by the Corporation shall be recovered from the person concerned; and such hire charges shall on receipt thereof be credited to the Municipal Fund, without any delay;

Provided that the rate of hire charges shall not be less than those laid down for similar use of motor vehicles belonging to the Municipal Corporation.

c) Before allowing the vehicle for private use, an advance equal to 50 per cent of the expenses approximately shall be taken.

6) Prohibition for driving of vehicle by unauthorised drivers.—A municipal motor vehicle shall be driven only by an authorised municipal driver. The municipal Commissioner may, in exceptional circumstances by writing under his hand, permit any other person (being a person holding a driver's licence) to drive the vehicle and in such case a note to that effect shall be kept in the Log Book stating the reasons and the circumstances in which such permission was granted.

7) Maintenance of vehicles.—Every municipal motor vehicle shall be maintained in good condition by the officer-in-charge thereof.

8) Parking of vehicles.—Every municipal motor vehicle shall, when not in use, be parked in the garage of the Municipal Corporation wherever they are provided or at the municipal premises designated for that purpose.

9) Carrying of loads in vehicles, Jeep, Car etc. prohibited
No municipal motor vehicle which is intended for the carriage of persons like Cars, Jeep and Station wagons shall be used or permitted to be used for the carriage of heavy goods and no vehicle which is intended to be used for the transport of goods or material, shall be used or allowed to be used in contravention of the provisions of the Motor Vehicles Act, 1939 and the rules made thereunder.

56 (4)

10) Maintenance of Account etc.—Every Officer-in-charge of Municipal motor vehicle shall be responsible for—

- a) properly maintaining a Log-Book in Form : A
- b) filling particulars of the petrol and oil consumed in Forms B and C;
- c) keeping true and proper accounts of the cost of repairs or replacement of parts in Form D,
- d) maintaining an inventory of equipment received or purchased, in Form B,
- e) complying with instructions contained in Appendices I and II to these bye laws,
- f) getting licences from the Regional Transport Officer of the area for the vehicle and its driver on payment of the usual fees,
- g) economic use of the vehicles and avoiding wasteful trips,
- h) maintaining an accurate account of the hire charges recovered in Form F and crediting the same to the Municipal Fund.
- 11) Repair and saving. — On the date on which these by-laws come into operation any rules or by-laws concerning these bye-laws are in force on such date shall stand repealed, except in respects of things done or omitted to be done before such repeal.

Appendix I

[See by-law 10 (e)]

Instructions for the proper Maintenance of Log-Books

1. The officer-in-charge of any Municipal motor vehicle should ensure that a Log-Book is properly maintained and kept up-to-date. It should give complete record of all journeys made by the vehicle and the petrol and lubricating oil supplied for its use. It should be filled in daily and immediately after the journeys are completed and the entries therein should be attested by the driver and officer making the journey and also by the officer-in-charge.

(5)

2. The Log-book should be kept in the custody of the driver of the vehicle, who should produce it before the Municipal Commissioner or an officer authorised by him in this behalf for inspection once in a month.

3. The following irregularities in maintaining the Log-Book should be avoided.

- a) Lump-sum entries in respect of purchase of petrol should not be made. Entry should be made on every occasion when petrol is purchased;
- b) The purpose of journey should be clearly specified. The use of vague terms such as " Office work " " Inspection work " should be avoided ;
- c) Supply of petrol and/or lubrication oil should be obtained over the signature of the officer-in-charge. It should not be obtained over the signature of a driver or any other servant;
- d) It should be ensured by the officer-in-charge that the milemeter remains in proper working condition and readings are recorded properly and the Log-Books are written immediately after journeys.

Appendix II

[See By-law 10 (e)]

Instructions for proper Maintenance and upkeep of Vehicles

1. The spare part and other equipment with every Municipal motor vehicle should be checked every month and any loss arising out of negligence or other default, made good by recovery from the person concerned.

2. The officer-in-charge should maintain in office :

- a) a duty account of fuel and oil supplied to the vehicle and the kilometres run by it and at the end of the month a statement of the average kilometres per litre run by it;
- b) a stock list of tyres, tubes, tools and other accessories and detachable fittings, a record of the kilometre done by each tyre fitted on the wheels other than the spare wheel.

- e) a record of repairs and services, otherwise than minor repairs and services done by the driver of all the replacement supplied, other than those covered by sub-paragraph (a) and (b) above.
 - d) an account of all the expenditure;
 - e) an account of all the hire charges, if any, recovered and/credited to the Municipal Fund; and
 - f) a history sheet of the vehicle in Form G.
3. The Municipal Commissioner or officer authorised by him in this behalf shall scrutinise the Log book once a month. A certificate to the effect that these instructions are observed should be simultaneously recorded by him.
4. The Log-book, the daily account of fuel etc. the stock list, the record of all repairs, account of expenditure and account of hire charges required to be kept in pursuance of these instructions shall be subject to scrutiny by audit officers.
5. The accounts, list etc. maintained by the officer-in-charge shall be examined once a month by the Municipal Commissioner or such other officer as may be authorised by him in this behalf.
6. In case the driver proceeds on leave, the log-book should be handed over to the officer-in-charge to facilitate audit. He should check the correctness of the entries made therein. Erasures and overwriting in the Log-Books are prohibited.
7. The vehicle should be garaged on the premises of the office or workshop of the Municipal Corporation.
8. Where any vehicle goes out of order during any journey as to render it unfit for use temporarily, it will be the responsibility of the person at that time in charge of it or the person to whom the vehicle is let on hire to arrange for garaging of the vehicle on the premises of the office of Municipal Corporation to which the vehicle belongs.

FORM A
[See Bye-law 10 (a)]
Kolhapur Municipal Corporation
Log-Book

Registration No. of Vehicle.....

Date	Time of departure from garage	Time of return to garage	Journey		Kilometre reading at the	
			From	To	Start	End of journey
1	2	3	4	5	6	7

No. of Kilometres run	Litre of petrol drawn		Date	Purpose of the journey	Name and designation of the officer performing the journey
	Quantity	Sub-voucher			
8	9	10	11	12	13

Signature of the driver 14 Signature of the officer performing the journey 15 Remarks of officer in charge 16 Signature of Commissioner in-token of inspection 17

60

Total Kilometres in the month of _____ Kilometres.

Total petrol used _____ liters. No. of Kilometres run per litre.

FORM B
[See By-law 10 (b)]
Kolhapur Municipal Corporation
Petrol Consumption Account

(8)

Registration No. of vehicle _____

Date	Opening balance litres	Fresh receipt litres	Total litres	Used as per Log Book Register	Balance	Initial of the officer in charge
1	2	3	4	5	6	7

FORM C
[see Bye-law 10 (b)]
Kolhapur Municipal Corporation
Oil Consumption Account

Registration No. of vehicle

Date	Opening balances	Fresh receipt litres	Total litres	Used as per Log Book Register	Balance	Initial of the officer-in charge
1	2	3	4	5	6	7

(9)

FORM D
[See By-Law 10 (c)]
Kolhapur Municipal Corporation
A Register showing Record of the Repairs and Replacement of parts for the Maintenance of vehicle

Registration No of vehicle.....

No.	Date	Name of the article and part of the vehicle attended to	Repaired or replaced	Amount spent on repairing or replacement
1	2	3	4	5

62

(10)

voucher No. through which amount was drawn	Initials of the officer-in charge	Remarks
6	7	8

FORM E
 [See By-law 10 (c)]
Kothapur Municipality Corporation
An Inventory of Equipment received or purchased for the vehicle

Registration No. of vehicle.....

No	Name of article	Date of receipt	Entry in the stock register item No. and page No.	value inclusive of freight and other charges	voucher No. through which amount was drawn
1	2	3	4	5	6

(11)

Signature of officer in possession of the vehicle	No. and date of order to write off the item	Signature of the officer-in-charge
7	8	9

63

FORM F
 [See By-law 10 (b)]
Kolhapur Municipal Corporation
 Register showing the details of the hire charges recovered for the use of
 Municipal Vehicles for private purposes

64

Registration No. of vehicle.....

Sr. No.	Date	Time		Journey		Milometre reading		
		In	Out	From	To	Before	After journey	Kilometres
1	2	3	4	5	6	7	8	9
Driver's name		Name of the user			Purpose of the journey (s)			
10		11			12			
Signature of the user		Charges recovered		Challan No. and date		Receipt No.		Remarks
13		14		15		16		17

(12)

Form 'G'
 [See By-law instruction 2 (f) of Appendix II]
Kolhapur Municipal Corporation

History Sheet of Vehicle

Registration No. of Vehicle

1 History sheet of Vehicle No. _____
Registration No. _____

2 Specifications—

(i) Make

(ii) Original/depreciated value :

(iii) Chasis No.

(iv) Makers' type of vehicle

(v) Year of Manufacture

(13)

65

(Illegible)
Administrator,
Kolhapur Municipal Corporation,
Kolhapur,

Kolhapur, 3rd September 1976.

- (iii)
- (iv)

Shivkashi Printers Pvt. Ltd., Kolhapur 2000/6-77

**BY ADMINISTRATOR
KOLHAPUR MUNICIPAL CORPORATION
Notice No. 128**

No. QAD-O & M-WS-2-618-76-13-2851.-Bye-laws regarding Drainage connections etc. framed under section 458 (1) of the Bombay Provincial Municipal Corporation Act, 1949, as sanctioned by the Government of Maharashtra in Urban Development and Public Health Department No. KMC-5373-93346-UD-2, dated 28th July 1976 are hereby published under section 462 ibid. They shall come into force from the date of their publication in the official Gazette.

Accompaniment to Government Resolution, U. D. &
P. H. D. No. KMC 5373-93346-UD-2,
dated 28th July 1976

Bye-laws for regulating construction, maintenance, protection flushing, cleansing and control of drains, ventilation, shafts or pipes, water-closets, latrines, urinals, washing places, drainage works of every description whether belonging to the Corporation or other persons framed by the Kolhapur Municipal Corporation under section 458 (1) of the Bombay Provincial Municipal Corporations Act, 1949 and as confirmed by the Government.

1. Short title and commencement:-These bye-laws shall be called the "Bye-laws of the Kolhapur Municipal Corporation for regulating within the Kolhapur Municipal Corporation limits the construction, maintenance, protecting, flushing, cleansing and control of drains ventilation, shafts or pipes, water-closets, latrines, urinals, washing places, drainage works of every description" and shall come into force from the date of their publication in the official gazette.

2 Definitions:— (i) Unless there is anything repugnant in the subject or context :

(a) "Act" means the Bombay Provincial Municipal Corporations Act, 1949.

(b) "City Engineer" means the City Engineer appointed under section 45 (i) of the Act for the City of Kolhapur.

(c) "Connected latrines" means a latrine connected to a sewer system.

(d) "Municipal drain" means a drain vested in the Municipal Corporation.

(e) "Rain water pipe" means, a pipe or a drain situated wholly above ground and constructed for carrying of water directly from roof, surface or elevated Courtyard or other open surface

(f) "section" means section of the Act.

(g) "Sewage Connection" means and includes a drain connecting any water closet, latrine, privy, urinal, bath room sink, surlage, tray, manhole or trap with any drain set a part by the corporation for the sewage or other offensive matter

(h) "Site plan" means & drawing giving particulars about the location of various constructions, existing as well as proposed and showing the surrounding roads, lanes, plots and the like with their orientation and the details in full.

(i) Words and expressions which are used herein and are not defined shall have same meanings as are assigned to them respectively in the Act.

3 Particulars of applications to be made for Permission:— Every person who intends to or is required to have the drainage of his house or land connected with the Municipal drain or to

have addition or alteration in the existing pipes and fittings shall give notice to the City Engineer in Form 'A' appended to these bye-laws. Such notice shall be accompanied by—

[a] A site plan in triplicate of which two copies shall be on cloth drawn to a scale not smaller than 3 meters to 1 centimetre showing—

[i] the proposed drainage of premises with details.

[ii] the position of Municipal Sewer line and the point where connection is intended to be sought

[iii] The details of the buildings or house for which drainage connection is asked for and also showing therein internal rooms, partitions, sanitary blocks, position of every gully, soil pipe, water closet, waste pipe, ventilation pipe, bathroom, urinals sink, trap or other appliances.

(b) Cross-section of the inspection chambers, the main drainage, pipes near the junction with the Municipal Sewer and other important fittings drawn to a scale of 0.50 meters to 1 centimetre

[c] Longitudinal sections with correct levels between the last inspection chamber and Municipal Sewer line.

[d] Name and address of the Licensed Plumber who will be employed to execute the works.

4. Approval or disapproval of the plan.— Subject to the provisions of the Act and the rules made thereunder, the City Engineer shall within one month of the receipt of notice as per bye-law 3 above after rigorous checking of the site and having satisfied with the plans and information supplied approve the plans or if not satisfied shall direct the Licensed Plumber who has been named, for execution of the work to make such alterations in them as he deems necessary. After the directions being complied by the Licensed Plumber he shall approve the proposal. No notice shall be considered valid until the date on which plans, informa-

tion accomplishments as prescribed under these bye-laws are supplied or completed to the satisfaction of the City Engineer and the period of one month shall be counted from that date.

Provided that when the plans are disapproved by the City Engineer, he must state in writing the grounds on which he has disapproved the plans and inform the applicant accordingly within the period stipulated in this clause.

Provided further that the Licensed Plumber within 15 days of the receipt of the refusal order may prefer an appeal to the Municipal Commissioner whose decision shall be final in this behalf.

5. Payment of fees and costs.—The persons giving notice for the Sewer connection under bye-laws 3 shall, alongwith the notice credit full estimated cost of the work of restoration of road surface when such connection has to be given across any existing road and shall also agree to pay the excess expenditure if any over the estimated cost. He shall also credit at the same time such fees as may be prescribed by Municipal Commissioner from time to time for supervision over and inspection of the execution of works.

6. Execution of the works.—Subject to the provisions of the Act and the rules made thereunder; the works approved by the City Engineer, shall at the discretion of the Municipal Commissioner be executed either by the Corporation or by the person who has given the notice for such work.

Provided that in the event the owner is permitted to execute the work, the works shall be executed only by the Licensed Plumber nominated in the notice and under the supervision of the City Engineer.

Provided further that in the event the Municipal Commissioner has decided to execute the works by the Corporation, the person whose proposal has been approved shall pay a deposit in advance equal to the amount of estimate of the works proposed by the City Engineer as per schedule rates prescribed by the Corporation. Such deposit shall be paid by such persons within

seven days of the receipt of a notice thereto from the City Engineer. If after completion of the work it is found that the amount of deposit is less than the cost incurred the person concerned shall pay within seven days of the receipt of notice in that behalf, to the Corporation the excess amount and if the amount of deposit is more than the cost incurred, then balance of the deposit amount shall be paid to the person within one month from the date of giving completion certificate as contemplated in succeeding bye-laws.

7. Notice to be given on completion of work.—Subject to the provisions of the Act and Rules made there under every person who has been permitted sewer connection vide bye-laws 4 shall within one month from the day of completion of work and before permitting the same or any portion thereof to be filled in or covered over deliver or send or cause to be delivered or sent to City Engineer at his office a notice in writing of the completion of such work in Form B appended to these bye-laws signed by the Licensed Plumber by whom the Sewer has been executed and shall give to the City Engineer or any other Municipal Officer or servant authorised by him all necessary facilities for the inspection of such work.

Provided that :

a) Such inspection shall be made within 7 days from the date of receipt of notice of completion by the City Engineer.

b) The City Engineer may within 7 days after such inspection by written instructions addressed to the person from whom the notice of completion was received and delivered at his address as stated in such notice (i) give permission for the filling in or covering over such work or (ii) refuse such permission and require that before such work is filled in or covered over it shall be amended to the satisfaction of the City Engineer in respect of which it is not in accordance with any rules, bye-laws, specifications framed under the Act.

8. Permission of works to use as drain. **No person**

shall permit any such work to be used as drain until.—

(a) The permission referred to in proviso to bye-law 7 has been received by him or,

(b) The City Engineer has failed for 21 days after receipt of the notice of completion to intimate as aforesaid his refusal or permission for the filling in or covering over such work.

9. Drainage lines at private premises or Co-operative Housing Societies.—(a) It shall be the duty of the owner of a private property or the promotor or any other office bearer of a Co-operative Housing Colony to lay drainage lines on all internal roads of such private properties or Housing Colony respectively at his own cost. Provided that such work be executed after getting the approval from and under the supervision of the Corporation.

[b] Before commencing any such work the owner of a private property or the promotor of the Housing colony shall give notice in Form A of his intention of constructing of drainage work along with 3 copies of [1] Layout showing internal roads and drainage net work proposed in a scale 5 M to 1 cm. and [ii] 1 sections plans showing the levels of roads drainage line grades depth of cutting etc. as per standard form of the Corporation duly certified and signed by a Licensed Plumber.

[c] on the receipt of the proposal by the City Engineer it shall be scrutinised to suit the requirements of the Corporation and any modification suggested by the City Engineer shall be complied with by the owner or promotor as the case may be.

[d] The City Engineer shall within one month from the date of receipt of such proposal by the Corporation or from the date of receipt of compliance report in respect of any modification as specified in clause [e] above shall give approval to the proposal. On receipt of which the Licensed Plumber who has certified and signed the plans shall commence the construction work under the strict supervision of the Corporation.

Provided that the Corporation shall charge 5. 1/2 percent of the estimated cost of the work for the scrutiny of proposal and supervision over construction work and which shall be payable by the owner or plumber in advance before the approval of the proposal.

[e] In the event the works are to be executed by the Corporation as per directions of the Municipal Commissioner the owner or the promotor shall pay to the Corporation the cost of execution of the work as estimated as per schedule rate by the City Engineer. Such amount of cost shall be paid within 7 days of the receipt of notice there to by the owner or promotor and no permission shall be granted to put the construction works to use unless all costs have been paid by the owner or promoters to the Corporation.

[g] Notice of completion of work to be given by the owner or promotor. Inspection of the work by Corporation officials and permission to be given for usage of work, shall be given in the manner prescribed in bye-laws 7 and 8 above.

10. Maintenance of drainage lines.—The Corporation shall look after the maintenance of the drainage works which are in its possession. Maintenance of the drainage works situated in the private properties or in the Co-operative Housing Colonies shall be looked after by the owner or the promotor respectively at their own cost till they hand over their possession to the Corporation along with the roads. However, if the owner or promotor shall have any difficulty or complaint in their drainage works, the Corporation may undertake the work of cleansing and repairing of such drainage work after the payment of deposits against necessary charges fixed by the City Engineer in each case to the Corporation for the undertaking of such work

11. Terms, conditions and specifications of work.—Subject to the provisions of the Act and the rules made thereunder all the drainage works connected latrins, washing, places sink, urinals and appliances and fittings thereto shall be constructed in accordance with the terms, conditions and specifications contained in Schedule 'A' appended to these bye-laws.

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12. Penalty.— A breach of any abetment of a breach of any of the foregoing bye-laws and terms and specifications in Schedule A shall be punishable (a) with fine which may extend to fifty rupees and in the case of a continuing breach which fine may extend to ten rupees per day during which the breach continues after conviction for the first breach (b) with fine which may extend to ten rupees for each day during which the breach continues after receipt of a written notice from the City Engineer to discontinue breach.

13. Delegation of power.— Any of the powers duties or functions, conferred, imposed or vested in the City Engineer by any of these bye-laws may be exercised, performed or discharged under his direct control and subject to his superintendence and subject to such conditions and limitations if any as he may think fit to prescribe by any Municipal officer, when he may, with the previous approval of the Municipal Commissioner, generally empower in vesting in this behalf.

14. Repeat and saving.— Any rules or bye-laws corresponding to those by-laws, which may be in and force within the Municipal area immediately before the date of commencement of these bye-laws shall stand repealed in that area, except as respect of things done or omitted to be done under the rules or bye-laws so repealed.

Schedule 'A'

(See Bye-law 11)

TERMS, CONDITIONS AND SPECIFICATIONS OF WORKS

1. Rain water pipes — A rain water pipe conveying any rain water shall discharge directly or by means of a channel in to or over an inlet to a surface water drain or shall discharge freely on a compound drained to a surface water drain but in no case it shall discharge directly in to a closed drain.

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2. A rainwater pipe shall not discharge into or connect with any soil pipe, soil ventilating pipe, waste pipe or waste ventilating pipe.

3. Rainwater pipes shall be constructed of cast iron, asbestos cement, galvanised sheet or other equally suitable material and shall be securely fixed, the pipes shall be as per Indian Standard Specification,

4. Sewage Drains.— A sewage drain should be constructed of good sound pipes made of cast iron, stoneware reinforced cement concrete or other equally suitable material.

5. The cast iron pipes shall be as per IS : 1536 or IS 1537.— These shall be effectively protected against corrosion by being coated on both inside and outside with Dr. Angus Smith's solution or other equally suitable substance or by treatment in some other equally suitable manner.

6. Stone ware pipe etc.— Stoneware pipes, traps and fittings shall be of the first quality, probably glazed and shall conform to IS : 651. The thickness of the barrel and socket, the internal depth of socket, the jointing space, length of growing etc, shall be in conformity with table No. 3 attached to this schedule.

7. Reinforced cement concrete pipes — These may be used where effluent to be carried is not acid effluent and the soils in which they are to be laid are not likely to affect adversely the Quality and strength of concrete. The R. C. C. Pipes shall conform to IS : 458.

8. Size, fall and line of drains. — Every such drain shall (a) be of suitable size with a minimum internal diameter of 100 mm (b) be laid with suitable grade and where practicable in a direct line, provision of flushing and cleaning being made where minimum grade is not possible. Minimum gradients should be as follows :—

Diameter of pipe	Gradients
100	1 in 57
150	1 in 100
200	1 in 145

9. Jointing of drains.—Every joint in such drain shall be made in the manner and with jointing materials hereinafter prescribed or otherwise in an equally suitable and efficient manner and with equally suitable materials so as to preserve the continuity of the drain without any internal projection or obstruction and so as to make it perfectly air and water tight, if such drain is constructed of—

- (a) Cast iron socketted pipes, the joints shall be made with gasket of hemp of yarn and metallic lead properly caulked.
- b) Cast iron flanged pipes, the joints shall be securely bolted together with some suitable packing insertion.

c) Stoneware pipes, such pipes shall be joined with socket joints or any other suitable joint properly put together with tarrd gasket or hemp yarn soaked in thick cement slurry, and the gasket caulked tightly home so as not to fill more than 1/4th of the total depth of socket. The remainder of the socket shall be filled with stiff mixture of cement mortar in proportion on one part of cement and one part of sand. When the socket is filled a fillet shall be formed round the joint with a trowel, forming an angle of 45° with the barrel of the pipe.

(d) Reinforced cement concrete pipe — The reinforced cement concrete collar shall be adjusted centrally over the butting ends of the pipes put together. The annular space of the joint shall be filled with stiff cement mortar in proportion of one part of cement and one part of sand and caulked with tools. A fillet shall be formed round the joint with a trowel.

10. Drains to be laid on concrete — Where the bed on which the drain is to be laid is not firm, it shall be laid on a bed of concrete. The concrete bedding shall be rectangular in section and shall extend laterally at least 15 cm beyond and on both sides of the projection of the barrel of the pipe. The thickness of the concrete below the barrel of the pipe shall be not less than 10 cm for pipes under 150 mm diameter and 15 cm for pipes 150 mm and over in diameter. Where the bedding is used alone, the concrete shall be brought up at least to the invert level of the pipe to

form a cradle and to avoid line contact between the pipe and the bed. Special depression in the bed should be made for the sockets or collars, so that the main body of the pipe may have an even bearing on the concrete. If the drain is to be laid above the ground it should be of heavy cast iron or any other pipe of adequate beam strength and carried at last at each joint on adequate support.

11. Concrete haunching.— Where concrete haunching is provided, the haunch concrete shall extend to the full width of the concrete bed prescribed in clause 10 and shall be haunched upto not less than half the external diameter of the pipe.

12. Junctions and bends.— At every change in alignment, gradient or diameter or at junctions of to drains there shall be a manhole or inspection chamber.

13. Drains within or under buildings.— where any drain or part thereof is constructed with the permission of the Municipal Commissioner, within or under a building such drain or such part thereof shall be.

(a) be laid or fixed in a direct line where practicable, with a uniform gradient and be provided with adequate means of access.

(b) If constructed of a stoneware pipes, be laid on a bed of cement concrete and encased in cement concrete having at least 15 cm thickness all around the pipe. If an intercepting trap is not provided at the junction of sewer, such drain shall be of a heavy cast iron pipe of suitable size and strength but not less than 100 mm and shall be provided with caulked lean joints.

14. Protection of drain beneath wall.—where any such drain is laid beneath a wall, it shall be protected by means of a relieving arch or other effective support which shall not bear on the drain.

15. Inlets to drain within building.— Such drain shall be so constructed that there shall be no other inlet from within a building except such inlet as may be necessary from any soil fit-

ent or from any waste water fitment connected directly to such drain. The drain inlet other than those above-mentioned may be provided with the consent of the Municipal Commissioner within a building, if any external position is impracticable. In such cases such inlet shall be trapped by a suitable and efficient trap as hereinafter prescribed, fitted with a suitable cover and provided where necessary, with adequate means of ventilations to the external air.

16. Inlets to drain to be trapped.—Every inlet to a drain, other than a ventilation pipe, shall be properly trapped and such trap shall be formed and fixed so as to be capable of maintaining a waterseal of

(a) 50 mm where such inlet has an internal diameter of not more than 75 mm.

(b) 75 mm where such inlet has an internal diameter of more than 75 mm.

17. Gratings to trapped gullies.—Every trapped gully shall be covered with a grating of the bars which shall not be more than 20 mm apart or with other equally suitable cover.

18. Trapping of drains from sewers.—(a) If an intercepting trap is provided to such a drain, such trap shall be, (i) suitable and efficient, (ii) provided with a raking or cleaning arm fitted with a secure and suitable stopper as means of access to the drain between such trap and the sewer, (iii) formed and fixed so as to be capable of maintaining a water seal of at 50 mm, (iv) fixed at a point in such drain as near as may be practicable to the connection of the drain with the sewer, (v) provided with a manhole or other means of access sufficient for the purpose or cleaning, (vi) the cover of the inspection chamber shall be of cast iron, air-tight fitted with lip in to the grooved frame or of other equally suitable type and material, the cover shall be of adequate strength where subject to wheel traffic, (vii) inspection chambers shall be so placed on any pipe drain that no portion of drain more than 30 in long shall be without an inspection chamber. An inspection chamber at the point of every change of direction in any drain

shall be deemed as necessary. (viii) Every gully trap shall be connected with the pipe drain by means of 100 mm stoneware branch pipe.

(b) If an intercepting trap is not provided to such a drain any portions of such drain which may be within or under a building shall be constructed of cast iron.

19. Drains to be watertight.—The drains shall be so constructed as to be watertight and to be capable of resisting a pressure of 1.5 m. head of water.

20. Drains shall be provided with adequate means of access and every means of access shall be.

(a) Constructed so as to be watertight.

(b) Fitted with a suitable cover of the level of the adjoining surface.

(c) Provided that if such means of access is constructed within or under a building or to a drain to which an intercepting trap has not been provided it shall be furnished with a suitable screwed or bolted airtight cover and where the means of access is in the form of a manhole, such cover should be fixed to the channel at the bottom of the manhole and be in addition to the cover at the level of the adjoining surface as prescribed in sub-clause (b) above.

21. Ventilation of drain.—(a) At least one ventilating pipe shall be provided connected to the drain at a point as far distant as practicable from the sewer to which the drain is connected.

(b) Every such pipe shall be carried up vertically to such a height and position as will prevent nuisance or injury or danger to health arising from the escape of foul air from such pipe i. e. it should be opened above the eaves of the house and remote from any window.

(c) Every such pipe shall—

- (i) have an internal diameter of not less than 50 mm.
- (ii) be furnished at the foot thereof with a suitable airtight access cap or cover.
- (iii) be otherwise constructed in the same manner and of the same material and weight as if such pipe were a soil pipe or soil ventilating pipe.
- (d) Soil pipes, waste pipes and ventilating pipes used as drain ventilating pipes—

The soil pipe or waste pipe or ventilating pipe of any soil fitment or waste water fitment. Where such pipe is connected directly to such drain and where the situation and diameter are in accordance with the requirements applicable to the pipe to be carried up from the drain shall be deemed to provide the necessary means of ventilation.

(e) Grating to Openings — The open end of every ventilating pipe or other pipe providing the means of ventilation shall be fitted with a suitable grating or other cover having apertures of an aggregate area not less than the sectional area of the pipe for the purpose of preventing any obstruction in or injury to any pipe or drain connected therewith by the introduction of any substance through such open end.

22. Soil pipes and soil ventilating pipes.— A soil ventilating pipe shall—

- (a) be constructed of cast iron, asbestos cement or other equally suitable material,
- (b) be easily accessible through its course and adequately protected where necessary from damage.
- (c) be circular.

(d) have an internal diameter of not less than 100 mm in case of soil pipe and not less than 50 mm in case of ventilating pipe.

(e) be securely fixed without unnecessary bends or angles.

(f) be continued upwards without diminution of its diameter to such a height and position as will prevent any nuisance or injury or danger to the health arising from the escape of foul air from such pipe i. e. it should be opened above the eaves of the house and remote from any window.

(g) shall have the open end fitted with a suitable grating as prescribed in clause 21 (e)

(h) where the internal diameter of the outlet of the trap of any soil fitment connected to soil pipe is more than 75 mm the internal diameter of such soil pipe shall not be less than the internal diameter of such outlet

23. If such pipe is constructed of (a) asbestos cement it shall be in conformity with IS-1626 and table No. 4

(b) Cast iron it shall be protected against corrosion by being adequately treated in the manner provided for in condition No. 5 in this schedule.

24. Joints.— Every joint in such pipe shall be made in the manner and with the jointing material as prescribed in clause 28.

25. Connection with rain-water pipe, waste pipe and waste ventilating pipes, soil pipes, waste pipes or ventilating pipes shall not be connected to any rainwater pipe.

26. No. trap.— There shall not be any trap in a ventilating pipe or between such a pipe and any drain to which it is connected.

27. Soil pipe to be watertight — The soil pipe shall be constructed so as to be watertight and to be capable of resisting a pressure of 1.5 metre of water.

28. Connection of soil pipes, ventilating pipes, traps and drains — The connection of the trap of any soil fitment with

soil pipe ventilating pipe or drain or the connection of a soil or ventilating pipe with a drain shall be made in the manner and with joining materials hereinafter prescribed or otherwise in an equally suitable and efficient manner so as to preserve the continuity of the trap, pipe or drain without obstruction namely:-

(a) The connection of a lead trap with a lead pipe shall be by burned or plumbers wiped solder joint.

(b) The connection of a lead pipe or trap with an iron pipe, trap or drain shall be by means of thimble or flanged ferrule or copper brass or other suitable alloy joined with lead pipe or trap by plumbers wiped soldered joint and with the iron pipe, trap or drain by a joint made with gasket of hemp or yarn if socketted and securely bolted together with some suitable insertion if flanged.

(c) The connection of a lead pipe or with a stoneware pipe, trap or drain shall be by means of ferrules as described in clause (b) connected with lead pipe by a plumber's wiped soldered joint and with stoneware pipe with gasket of hemp, yarn and cement.

(d) The connection of an iron pipe or drain with an iron trap shall be by means of a joint made with gasket of hemp or yarn and malleable lead properly caulked or with a gasket of hemp yarn and cement.

(e) The connection of an iron pipe, trap or drain with a stoneware pipe, trap or drain and the connection of a stoneware trap with stoneware pipe or drain shall be by a joint made with a gasket of hemp or yarn and cement.

29. Slope, sinks and urinals.— A slope sink shall be constructed only with the special permission of the Municipal Commissioner but in no case for residential buildings.

30. Materials form and flushing.— A slope sink shall be constructed—

(a) of glazed earthenware enamelled fire clay, glazed stoneware or other equally suitable material.

of such shape and furnished with such flushing rim water supply and apparatus as will provide for the effective flushing and cleaning of the slope with sink and the trap and the waste pipe connected to therewith.

31. Materials, form of construction and size of waste pipe and waste ventilating pipes.— A waste pipe from any slope or any urinal and waste ventilating pipe shall be constructed of the material and in the manner prescribed in clauses 21 to 28 of this schedule for soil pipes and soil ventilating pipes. The internal diameter of the waste pipe of any urinal may not be less than 50 mm in case of a urinal having not more than two basins or 38 mm in the case of single urinal basin.

32. Trapping of waste pipes.—Every such waste pipe of slope sinks and urinals shall be trapped immediately beneath the slope sink or urinal by a suitable and efficient trap and such trap shall—

(a) be constructed of copper, cast iron coated or treated or protection against corrosion in the manner provided for in clause 5 of this schedule for sewage drains, galvanised wrought iron, galvanised malleable iron, glazed earthenware glazed stoneware or other equally suitable material.

b) have an outlet with an internal diameter not exceeding the internal diameter of the waste pipe to which it is connected.

c) be provided with adequate means for inspection and cleaning.

Provided that where two or more urinal basins or stalls are fixed in a range the waste pipe may discharge without the interposition of a trap into a semicircular and accessible open channel of glazed stoneware or other equally suitable material, formed or fixed in or on the floor immediately beneath or in front of such basins of stalls but not exceeding laterally beyond such a range and discharging into a suitable efficient trap and fixed in accordance with the provision of clause 16 of this schedule

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33. Ventilation of Traps and Antisiphonage.— If the soil pipe or waste pipe of any flment be in connection with any other such flment or waste pipe of any waste water flment be in connection with waste pipe of any other such flment, the trap of every such soil or waste flment shall be ventilated in the following manner.

A trap ventilating pipe shall— (a) be connected with a trap or the branch soil pipe or waste pipe.

- (i) at a point not less than 75mm not more than 300mm from the highest part of the trap
- (ii) on the side of the waterscal which is nearest to the soil pipe or waste pipe.

(iii) in the direction of the floor.

(b) be provided and carried into the open air to a point as high as the top of the soil ventilating pipe or waste ventilating pipe and have the open end fitted with suitable grating or other cover constructed in the manner prescribed in clause 21 (c) of this schedule or into soil or waste ventilating pipe at a point above the highest flment connected with such soil pipe or waste pipe.

(c) be continued downwards and connected with

(i) the soil pipe, waste pipe or drain at a point not less than 225 mm and not more than 600 mm below the invert of the lowest branch soil pipe or waste pipe connection with adequate means of inspection at the point connection or

(ii) a manhole in the line of such drain where the vertical distance between the invert of the outlet of the lowest trap connected with the soil pipe or waste pipe and the invert of any horizontal pipe or drain into which such soil or waste pipe discharges or connected is less than 3 metres.

34. The branch and main trap ventilating pipes shall have in all parts internal diameter of not less than (a) 50 mm where connected with a soil pipe or waste pipe having 75 mm or

more in internal diameter, (b) two-thirds of respective diameters of branch and main waste pipes where the internal diameter of such pipes are less than 75 mm with a minimum internal diameter of 30 mm.

35. Every such trap ventilating pipe shall be constructed of the material and in the manner prescribed in clauses 21 to 28 of this schedule. Provided that if the internal diameter of such pipe is less than 40 mm such pipe shall be constructed of suitable non-ferrous material.

36. Waste water flments.— A waste pipe from a waste water flment, a waste ventilating pipe, a trap ventilating pipe and a trap connected therewith shall have an internal diameter of not less than 30 mm and shall be constructed of the materials and in the manner hereinafter prescribed in clause 37 below.

37. If such pipe is constructed so as to discharge over or into a properly trapped outlay, such waste water pipe and any ventilating pipe and connected therewith shall be in conformity with the following requirements.—

(a) Material and fixing

[i] Constructed of copper, cast iron, wrought iron glazed stoneware asbestos cement or other equally suitable material provided that if the internal diameter of such pipe or trap is less than 38 mm such pipe or trap shall be constructed of a suitable non-ferrous material.

[ii] Securely fixed.

(b) Coating, thickness, weight, joints connection etc.

(i) If constructed of lead cast iron or asbestos cement it shall be in conformity with requirements prescribed in condition Nos. 23, 24 and 28 of this schedule.

(ii) If constructed of stoneware it shall be in conformity with the requirements in condition Nos. 6 and 28 of this schedule

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(c) Trapping of waste pipes.— Every such waste pipe shall be trapped immediately beneath such fitting by suitable and efficient trap and such trap shall.—

(i) be constructed in the manner prescribed in clause 32 of this schedule.

(ii) be formed and fixed so as to be capable of maintaining a water seal of at least 37 mm.

Provided that—(d) Where two or more baths or lavatory basins are fixed in a range the waste pipe may discharge without the interposition of a trap into a semi-circular and accessible open channel of stoneware or other equally suitable material formed or fixed in the floor immediately beneath such baths or lavatory basins and discharging over or into a suitable and efficient trap constructed and fixed as prescribed herein or in clause 16 of this schedule.

(e) the waste pipe of any sinks fixed in an out building need not be trapped if such waste pipe discharges over or into a suitable and efficient trap as prescribed in clause 16 of this schedule or into an open drain.

(f) Ventilation of waste pipe.— Where any waste pipe is connected with two or more such fittings fixed on different storeys of a building, it shall be constructed in a manner prescribed in clauses 22 (f) and 22 (g) of this schedule

(g) Ventilating the traps. In order to preserve the seal of the trap of any fittings, such trap shall be ventilated whenever necessary, by ventilating pipe carried to such a position as to prevent any nuisance or injury or danger to health arising from the escape of foul air from such pipe and where such pipe is connected to the traps of two or more such fittings fixed on different storeys of building it shall be carried up as high as the top of the waste ventilating pipe and have an open end fitted with a suitable grating or other cover constructed in the manner prescribed in clause 21 (e) of this schedule or connected to the waste ventilating pipe at a point above the highest fitting. Every such

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trap ventilating pipe shall be connected with the branch waste pipe.

[i] at a point not less than 75 mm nor more than 300 mm from the highest part of the trap,

[ii] on the side of waterseal which is nearest to the waste pipe,

[iii] in the direction of floor.—The branch and the main trap ventilating pipes respectively shall have in all parts and internal diameter of not less than two thirds of the respective diameter of the branch and main waste pipe, provided that where the internal diameter of the waste pipe exceeds 75 mm the internal diameter of the ventilating pipe need not be greater than 50 mm.

[h] Every such waste pipe shall be taken through an external wall of the building and shall discharge in the open air over a properly trapped gully or into such gully above the level of the water therein.

Provided that where it is impracticable to discharge such pipe in the open air it may discharge within the building into a trap constructed in the manner prescribed in clause Nos. 16 and 17 of this schedule, and above the level of water in such trap.

Such waste pipe shall not discharge into or be connected with any

[j] gutter provided or used for the conveyance of rain-water.

[k] Pipe constructed or intended to be used for conveying rain-water unless such pipe is entirely in conformity as regards the manner of construction and weight and material with requirements of clause 37 above and unless the rain-water inlets or inlets to such pipes are so situated and constructed as to prevent its entry into sewers and any nuisance or injury or danger to health arising from the escape of foul air from such pipe

38. Connected latrines.— (A) Situation : Subject to the Act and the rules made thereunder every connected latrine shall comply with the following requirements.

(a) Situations.— Every latrine shall—

- (i) be at least one and a half metre from a completely stencied well or a protected tube well.
- (ii) not be directly over or under any room other than another latrine, a washing place, a bath-room or a terrace.

(b) Entrance or Entrance Lobby.— Every such latrine shall not be situated within or entered from any room used for human habitation or as a secular, school room, office factory, workshop, place for the preparation, storage or sale of food or drinks or as a public room except through the external air or an intervening entrance lobby shall be constructed of solid and suitable materials so as to secure complete disconnection between such latrine and any room as specified above and such lobby shall be adequately lighted and ventilated.

Provided that a latrine used exclusively with a bedroom or dressing room may be entered directly from such a room.

(B) Form of construction.— Such latrine shall—

- (i) if situated wholly or partly within a building be properly celled.
- (ii) be enclosed by solid walls or portions of brick, concrete or other suitable materials and the internal surface of every such wall or partition shall be finished with a smooth impervious surface such as cement plaster 12 mm thick or glass or glazed tiles or polished marble or any suitable material to a height of not less than 0.75 m above the floor or such latrine.

(iii) be provided with an impervious floor sloping towards the soil pan,

(iv) be provided with squating steps joined to the floor.

(v) be in size not less than 1.2m x 0.9 m (internally).

(vi) have a floor level to a height so as to ensure suitable grade towards the sewage drain.

(vii) be provided with proper entrance door and fastening.

(C) Material, form of construction and trapping of soil pan.— Such latrine shall be furnished with suitable soil pan or basin.

(i) Constructed or glazed earthenware, enamelled fire-clay or other equally suitable material.

(ii) having flushing rim, provided that flushing rim be dispensed with where satisfactory provisions has been made for hand flushing.

(iii) of such shape, capacity and mode of construction as to receive and contain a sufficient quantity of water to cover the waste matter which may be deposited in such soil pan or basin and to allow all such waste matter to fall free of sides thereof. Provided that for hand flushed latrines the basin slopes shall be sufficiently sharp.

(iv) Provided with a suitable and efficient trap which should be (a) constructed of lead, copper, cast iron, glazed earthenware, enamelled fireclay or other equally suitable material with an exposed and accessible outlet for connecting to a soil or drain, (b) fixed immediately beneath such soil pan or basin, provided that where latrines are built in series and drained through connection channel the trap may be placed at the end of the channel.

(v) furnished except in the case of squating fitment with suitable seat rim or hinged seat.

(D) Flushing cistern and apparatus.—Such latrine shall be provided with a suitable flushing cistern for purpose of cleaning the soil pan or basin and shall be constructed, fitted, placed and supplied so as to comply with the following requirements :—

(i) The discharging or flushing capacity shall not be less than thirteen litres of water.

(ii) It shall be fitted with

(a) a ball valve so arranged as to refill the cistern with water within a period of not exceeding three minutes after the cistern is operated.

(b) a suitable apparatus for the effectual application of water, having a pressure head of not less than 1.5 metres for the effectual cleansing of such soil pan or basin and for effecting the prompt removal there and from the trap connected therewith of any solid or liquid matter which may be deposited therein.

(iii) Its flush pipe shall be constructed of copper, iron or other equally suitable material connected to the cistern and to the flushing rim of the soil pan or basin by a union or other equally suitable form of connection and having throughout an internal diameter of not less than 32 mm. and with as few bends and angles as possible.

Provided that this shall not apply to hand flushed latrine to which a separate flushing reservoir is attached as specified in clause (F) below.

(E) Storage reservoir.—Water for flushing such latrine shall be stored in a reservoir of capacity not less than 400 litres and shall be at a height to command adequate head. In case of latrines in series the capacity of the reservoir should not be less than 270 litres per seat.

(F) Latrines in series.—Such latrines if not provided with individual flushing cistern shall have an automatic time flushing cistern of a capacity of not less than thirteen litres per seat and placed at head of the channel, flushing not less than twice in an hour. In such case the type of the pan shall be as approved by the City Engineer.

39. Urinals.—A) Situation form of construction and clearance lobby as prescribed in clause A of condition 38 shall apply mutatis mutandis to an urinal.

(B) Materials form of construction and flushing of urinal basin stall or trough:-

Such urinals shall be provided with

(i) a basin, stall or trough constructed of glazed stone-ware, glazed earthenware, enamelled fireclay or other equally suitable material of such shape as will facilitate maintenance in a state of cleanliness.

(ii) a suitable flushing cistern so constructed fitted, placed and supplied that.

(a) it shall be separate and distinct from any cistern used for drinking water.

(b) The flushing capacity shall not be less than 4.5 litres of water for each connected basin or each width or length not exceeding 0.7 metre of stall or trough respectively.

(c) it shall be capable of being filled or charged with water within a period not exceeding 25 minutes or such less period as will permit while the urinal is in use or available for use to ensure the maintenance of such basin, stall or trough in a state of cleanliness.

(d) It shall be fitted with suitable automatic discharging apparatus connected to the urinal basin, stall or trough by an adequate pipe of lead, copper, iron or other equally suitable material having a minimum internal diameter of 12 mm and fitted with a suitable spreader or a spray pipe so as to effectively distribute the water over the internal surface of every basin stall or trough.

(e) It shall be provided with a water storage reservoir of capacity twenty times that of the flushing cistern placed at a height to command adequate head.

(40) Sinks Situations.—A sink shall be so situated that at least one of its sides shall be against an external wall or in a window recess.

(41) Materials and form of construction.—

- (a) Sink shall be constructed of glazed stoneware enamelled fire clay, or other equally suitable material.
- (b) It shall be of such shape as will facilitate maintenance in a state of cleanliness.

(c) No woodwork shall be used for the covering of any such sink.

(d) The bottom of the sink shall have slope towards the outlet.

41. Sink waste pipe:—(a) Pipe shall be joined to the sink by a bellmouth at the bottom of the sink having its internal diameter about 25 mm larger at the sink end than at the other end.

(b) The sink outlet shall be fitted with a brass grating and plug.

(c) The sink waste pipe shall be constructed of the material and the manner prescribed in conditions 36 and 37 of this schedule.

Provided that the sink trap shall preferably be a trap of drawn lead fitted with a brass cleaning screw.

Provided also that the sink shall be fitted with an overflow with shall discharge in to the trap above the watersal.

42. Baths. Traps and overflows of baths shall be constructed of the materials and in the manner prescribed in condition 41 above.

43. Bath waste pipes.—(i) The waste pipe of bath may be connected to a common waste pipe by means of a lead branch or may discharge independently over a trapped gully.

(ii) Such waste pipe shall be constructed of the materials mentioned in and in the manner prescribed in condition Nos. 36 and 37 of this schedule for waste water fitment.

44. Sullage drains.—Materials: A sullage drain shall be constructed of glazed stoneware, cement or other equally suitable materials.

45. Form.—Such drain shall be of curvilinear cross section and smooth profile such as circular demicircular or ovoidal.

46. Size fall and line.—Every such drain shall be :—

(a) of suitable size with a minimum internal dimension of 100 mm.

(b) laid with a suitable fall and applicable in a direct line.

47. Joints.—Every joint in such drain shall be made of cement or other equally suitable material and in an efficient manner so as to preserve the continuity of the drain without obstruction.

48. Drains to be laid on concrete.—Such drain shall be laid on a bed of concrete not less than 75 mm. thick and projecting on each side of the drain to a width of not less than a 50mm

Provided that if such drain is constructed of reinforced concrete above the ground and carried at least at each joint on adequate piers or other efficient supports the requirement of this condition shall not apply.

49. Junctions.—Every branch drain shall join another drain obliquely in the direction of the flow of the drain and as near as practicable to the invert thereof.

50. Exclusion of stormwater from the drains.—Such drain shall be constructed so as to exclude entrance of stormwater of the premises in to the sewage system.

51. Inlets to the drains shall be intercepted and such interceptors shall be fixed and placed so as to be capable of being removed. Interceptors shall be provided with suitable arrangements for intercepting solid matters.

52. Trapping of drains — Such drains shall be connected to the sewerage system through an efficient gully trap and interception chamber.

53. Drain inspection chamber.— Such a chamber shall be preferably 0.9 m. long and 0.45 m. wide constructed of brick-work laid in cement, rendered internally with cement plaster 12 mm. thick made of one part of cement and two parts of sand or constructed of plain of reinforced cement concrete or glazed brick. In the chamber a channel having cross section of the main drain shall be formed of the width and fall depth of the drain. The wall of the chamber shall be brought up to the surface of the ground and covered with an airtight cover of cast iron or other suitable material. The chamber shall have the benches of floor sloping towards the channel. All the corners of the chamber shall be rounded.

54. Sullage pipes.— Materials, accessibility and protections.— The sullage pipe shall be constructed of cast iron, asbestos cement or other equally suitable materials and shall be easily accessible throughout its course and adequately protected where necessary from damage.

55. Shape, size and fixing of outlet the outlet shall —

(a) be circular in section.

(b) have an internal diameter not less than 75 mm.

(c) be securely fixed without unnecessary bends.

56. Joints.— Every joint in such pipe shall be made in the manner and with the jointing material prescribed in the condition 28 its head where it joins with the outlet pipe of the waste water a deep cistern head or a cross with a cleanout plug so as to allow of both horizontal and vertical pipes being cleaned. Such

pipe shall have a free outlet over the interceptor described in condition 51 of this schedule.

Table No. 1

Cast iron Rain water Pipes (From IS : 1230-1957)

(Clause 3 of Schedule A)

Nominal diameter (mm.)	..	50	75	100	125	150
Internal diameter (mm.)	..	50	75	100	125	150
External diameter (mm.)	..	56.4	81.4	106.4	131.4	157.2
Thickness (mm.)	..	3.2	3.2	3.2	3.2	3.6
Weight per pipe—						
of 1.8 m. length (kg.)	..	7.5	11.0	14.0	20.0	26.0
of 1.5 m. length (kg.)	..	6.5	9.5	12.5	17.5	23.5

Table No. 2

Lead pipes for soil, waste flushing and ventilating pipes (Clause 22, 31, 35 and 37 of Schedule A)

Nominal Internal diameter	Wall thickness	Weight per meter
mm.	mm.	mm.
32	2.6	3.28
40	1.6	3.95
50	2.7	5.07
75	2.7	7.48
100	2.7	9.88
150	3.0	16.36

Table No. 3
Stoneware Drain Pipes (Is : 651)
(Clause 6 of Schedule A)

Internal Diameter of pipe	Minimum of mean thickness of barrel and of socket	Internal depth of socket	Minimum jointing space	Length of growing on spigot
mm	mm	mm	mm	mm
100	12	50	10	75
150	16	57	11	85.5
200	17	63	12	94.5
250	20	70	16	105
300	25	70	16	105
350	30	75	16	112.5
400	35	75	16	112.5
450	38	76	16	114
500	40	80	19	120
600	44	90	19	135

Table No. 4

Asbestos cement building pipes (Is : 1626.1960)
(Clauses 22, 31, 35 and 37 of Schedule A)

Internal diameter of pipe	Wall thickness of pipe and socket	Caulking space	Internal diameter of socket	Length of socket
mm	mm	mm	mm	mm
50	6.5	6.5	76	70
60	6.5	6.5	86	70
80	8.0	6.5	109	70
90	8.0	6.5	119	70
100	8.0	6.5	129	75
125	9.4	8.0	160	75
150	9.4	8.0	185	75

FORM A
(See Bye-law No. 3)

Form of application for house drainage and privy connection with the Municipal drain or sewer

The undersigned residing at _____ road, Kolhapur being the owner/occupier of the premises/house No. _____

_____ road Ward _____ No. _____ hereby applies for the permission to connect house drain or privy of the said premises/house with the municipal drain/sewer in _____

The sanitary arrangements and drains or privy of the same premises/building are shown in the annexed plan, and the premises/buildings are/is open to inspection of the Officer of the Corporation at a fee Rs. _____ is deposited herewith.

Dated : _____ Signature of the Applicant.

Information to be filled in by the Licenced Plumber who executed the house drainage.

Level of invert of sewer at point nearest to master trap distance of master trap from centre of sewer at its nearest point diameter of house drain.

Level of invert of house drain in master trap distance of nearest manhole from a point in sewer immediate opposite the master trap.

Date : _____ Signature of the Plumber, Address: _____

Certified that Rs. _____ have been received as fee for above mentioned premises/buildings and _____

Date : _____ Signature of the Head Clerk.

Certified that the house drain of the above premises/buildings have been inspected and approved by me and the connection may be made to an existing new junction metre from manhole.

Date : _____ Signature of the City Engineer.

Connection made and road restored.

Dated : _____ Signature of Overseer.

The information regarding size and level of sewer may be obtained from the office of the City Engineer.

FORM 'B'
NOTICE

(See Bye-law 7)

To
The Municipal Commissioner,
Corporation of the City of Kolhapur,
Kolhapur.

Sub : Notice regarding completion of drainage work.

We, the undersigned, hereby give you notice of our intention to cover up the drainage work which has been completed as per your sanction granted vide your plan No. _____ dated _____ and to request inspection of the said work and permission for filling up the same.

Date : _____ (1) Signature of Licensed Plumber.

Date : _____ (2) Signature of the owner and his address.

N. M. DEOSTHALE,
Administrator.

Kolhapur Municipal Corporation, Kolhapur.
Kolhapur, 31st December 1976.

Kolhapur Municipal Corporation

Accompaniment to Government Resolution, Urban Development, Public Health and Housing Department, No. KMC 5373/75924-CII, dated the 12 February, 1974.

Bye-laws of the Kolhapur Municipal Corporation regarding the Notification of Infectious Epidemic or Endemic disease as confirmed by Government.

1. **Short title and Commencement.**—These bye-laws may be called "the Bye-laws of the Kolhapur Municipal Corporation regarding notification of Infectious, Epidemic or Endemic diseases" and shall come into force from the date of their publication in the official gazette as required under Section 462 of the Bombay Provincial Municipal Corporations Act, 1949.

2. **Definitions.**—Unless there be anything repugnant in the subject or context :—

(a) 'Act' means the Bombay Provincial Municipal Corporations Act, 1949.

(b) 'Infectious, Epidemic or Endemic disease' means cholera, cerebrospinal fever, Leprosy, small pox, Measles Plague, Poliomyelitis, Tuberculosis of lungs and intestines, Rabies, Puerperal fever, Typhus, Relapsing fever, Kala Azar, Influenza, Yellow fever, Chicken pox, Continuous pyrexia of unknown organ of more than four days duration, Encephalitis or any other disease which the State Government may from time to time by notification in the official Gazette, declare to be dangerous disease.

(c) 'Medical Officer' means the Medical Officer of the Health of Corporation appointed under Section 45 of the Act and shall include any other Municipal Officer or servant employed in writing by the Medical Officer of Health in

exercise, perform or discharge any of the powers, duties or functions conferred or imposed or vested in the Medical Officer of Health under these bye-laws.

(d) "Section" means section of the Act.

(e) Words and expressions which are used herein and not defined shall have the same meanings as are respectively assigned to them in the Act.

3. Information to be given of the existence of the Infectious, Epidemic or Endemic diseases.

(a) Every Medical Practitioner, who knows or may have reasons to believe that any person in any dwelling, not being a hospital situated within the limits of the City, is suffering from any infectious, epidemic or endemic disease or is suspected of such disease and

(b) Every manager of any factory or educational or public institution, who knows or has reason to believe that any person, who resides in any dwelling under his management or control is suffering from or is suspected of any infectious, epidemic or endemic disease and

(c) Every head of a household or every owner or occupier of dwelling, who knows or has reason to believe that any person belonging to his family or residing in his house respectively is suffering from or suspected of any infectious, epidemic or endemic disease.

Shall, unless prevented by reasonable cause or unless to his knowledge, information of the same has already been given to the Medical Officer of Health, give such information with the least practicable delay to the Medical Officer of Health and shall on the requisition of the Medical Officer of Health furnish to him a true statement to the best of his knowledge and belief subscribed with his signature as to the name, caste, age residence of the patient, disease, the date from which he has been infected, and the places he has visited since that date and such other additional information as may be deemed necessary by the Medical Officer of Health.

4. Penalty for the breach of these bye-laws:— Every person who commits breach of any of these bye laws shall on conviction,

(a) be punished with fine which may extend to fifty rupees, and in the case of continuing breach with fine which may extend to ten rupees for every day during which the breach continues after conviction for the first breach.

(b) be punished with fine which may extend to ten rupees for every day during which the breach continues after receipt of a written notice from the Medical Officer of Health or any Municipal Officer duly authorised in this behalf to discontinue the breach.

Kolhapur Municipal Corporation

Rules regarding prescribing the mode of appointment
to the posts in the Corporation Service

GOVERNMENT OF MAHARASHTRA,
Urban Development, Public Health and Housing Department,
Resolution No. KMC-1073/54846/C,
Sachivalaya, Bombay-12. Dated the 22nd November, 1973.

Letter No. 2/7350, dated the 4th July, 1973 from the
Administrator, Kolhapur Municipal Corporation,
Kolhapur.

RESOLUTION :— Under sub-section (1) of section 455
of the Bombay Provincial Municipal Corporations 'Act' 1949,
Government is pleased to sanction the accompanying rules pre-
scribing the mode of appointment to the posts in the Corporation
service, framed by the Kolhapur Municipal Corporation, under
clause (b) of sub-section (3) of section 457 of the said Act.

By order and in the name of the Governor of Maharashtra

(H. D. Kopardekar)
Under Secretary of Government

To
The Administrator,
Kolhapur Municipal Corporation,
Kolhapur.

Accompaniment to Government Resolution, Urban Development, Public Health and Housing Department, No. KMC/1073/54946/c, dated the 22nd November, 1973.

Rules regarding prescribing the mode of appointment to the posts in municipal Service, framed by the Kolhapur Municipal Corporation, and as sanctioned by Government.

Preamble :

WHEREAS it is found necessary to make new rules for prescribing the mode of appointment to the posts in Municipal Service, the Administrator of the Municipal Corporation of the City of Kolhapur in pursuance of the powers vested in him under clause (b) of sub-section (3) of section 457 of the Bombay Provincial Municipal Corporations Act, 1949, is pleased to rescind the existing recruitment rules and to make the following new rules.

1. SHORT TITLE AND COMMENCEMENT :—

These rules shall be called "Rules of the Kolhapur Municipal Corporation prescribing the mode of appointment to the posts under the Corporation" and shall come in to force on the date of their publication in the official gazette and shall supersede the recruitment rules of the Ex-Municipal Council.

2. DEFINITION:—

Unless there be something repugnant in the subject or context

i) "ACT" means the Bombay Provincial Municipal Corporations Act, 1949 with amendments made there to from time to time.

ii) "Posts" means the posts under the Corporation other than those specified in clause (ii) of sub-sections 3 of section 457 of the Act and those which are purely of temporary nature as specified in sub-section 2 of section 53 of the Act.

iii) "Regulations"— means the Regulations No. 1 framed under clause (1) (a) of section 465 of the Act for prescribing qualifications.

iv) "Schedule" - means Schedule 'A' attached to Regulations No 1,

v) "Section" - means section of the Act;

b) Words used in these rules and not defined herein before shall have the same meaning as are assigned to them in the Bombay Provincial municipal Corporations Act, 1949 as amended from time to time

3. APPOINTMENT BY NOMINATION :

When an appointment to the post is to be made by nomination, as prescribed in the Regulations, names of the suitable candidates shall be called for from the Local Employment Exchange office and a notice calling for applications be published on the notice board of the Corporation.

Provided that if the appointing authority considers it necessary, applications may be invited by publishing an advertisement in the news papers in addition to nominations from Employment Exchange Office. The period for tendering applications in such case shall not be less than seven days from the date of publication of such advertisement.

4. ADVERTISEMENT :

If, on the requisition as prescribed in Rule 3 above, no applications are received from the Employment Exchange Office or if no candidates are found suitable for appointments from amongst the nominations received from the Employment Exchange Office, applications shall be invited by publishing an advertisement in the news paper in the same manner as prescribed in proviso to rule 3 above.

5. SELECTION :

The selection from amongst the candidates shall be made

by the Staff Selection Committee constituted from time to time under sub-section 1 of section 54 of the Act and in the manner prescribed in the rules framed under sub-section 2 of section 54 of the Act.

6. PROBATION :

The appointment of candidates selected by Staff Selection Committee shall be made by the competent authority, initially on probation for a period of not less than six months.

7. PERMANENCY :

(a) On the completion of the period of probation, the appointing authority will take a review of the work of probationer and if found satisfactory may confirm the appointment.

(b) If the work of the probationer is found unsatisfactory, the competent authority may either extend the probation period by six months more or terminate the appointment on the expiry of the probation period.

(c) If during the extended period of probation, the competent authority finds that the work of the appointee is not satisfactory, the appointment shall be terminated on the expiry of the probation period so extended and if satisfied, appointment may be confirmed on the expiry of such extended period.

8. RESERVATION FOR SCHEDULED CASTES AND SCHEDULED TRIBES ETC.

Reservation of the posts for scheduled castes, scheduled tribes etc. shall be observed according to the instructions from the Government in this behalf from time to time.

Provided that if no suitable candidates is available from the class for which reservation is fixed, appointment shall be made as if there is no such reservation.

9. GENERAL DIS-QUALIFICATION :

(a) No person who has been sentenced by a criminal Court for an offence punishable with an imprisonment for a term

exceeding six months or to transportation and such sentence is not set aside or reserved in appeal or revision, be eligible for the appointment in municipal service.

b) Any Municipal Officer or servant who has been sentenced by a Criminal Court for an offence punishable with imprisonment for a term exceeding six months or to transportation shall, if such sentence is not set aside or reversed in appeal or revision and if such officer or servant had not been dismissed, cease to be municipal servant and shall not be eligible for reemployment in the municipal service.

c) A person dismissed from the service of the Government or from the service of a local body shall not be eligible for the appointment in the municipal service.

Kolhapur Municipal Corporation

Sanction to the staff Selection Committee

(procedure) Roles of the—

GOVERNMENT OF MAHARASHTRA

Urban Development, Public Health and Housing Department,

Resolution No. KMC 1473/16347-C.

Sachivalaya, Bombay-32.

22nd November, 1973

Read :— Letter No. GAD/O & M/W-S-1/1/2/10557, dated the 14th August, 1973 from the Administrator, Kolhapur Municipal Corporation, Kolhapur.

RESOLUTION :— Under sub-section (1) of Section 455 of the Bombay Provincial Municipal Corporations Act, 1949, Government sanctions the accompanying Staff Selection Committee (Procedure) Rules framed by the Kolhapur Municipal Corporation under clause (b) of sub-section 3 of section 457 read with sub-section (2) of section 54 of the said Act.

By order and in the name of the Governor of Maharashtra

(H. D. Kopardekar)

Under Secretary to Government.

To
The Administrator, Kolhapur Municipal Corporation,
Kolhapur

Accompaniment to Government Resolution, Urban Development, Public Health and Housing Department No. KMC1473/64347-C, dated 22nd November, 1973



Rules framed by the Kolhapur Municipal Corporation under clause (b) of sub-section 3 of section 457 read with sub-section 2 of section 54 of the Bombay Provincial Municipal Corporations Act, 1949 for prescribing the procedure in which Selection of the candidates for the appointments to the posts in Municipal service shall be made by the Staff Selection Committee appointed under sub-section 1 of section 54 of the said Act, as sanctioned by Government.

1. Short Title and commencement :— These Rules shall be called "Kolhapur Municipal Corporation Staff Selection Committee (Procedure) Rules" and shall come into force on the date of their final publication in the official Gazette

2. Definition (i) Unless there be something repugnant in the subject or context :—

- (a) 'Act' means the Bombay Provincial Municipal Corporations Act, 1949;
- (b) 'posts' means posts in the Corporation other than those specified in clause (a) of sub-section 3 of Section 457 of the Act and those which are purely of temporary nature as specified in sub-section 2 of Section 54 of the Act;
- (c) 'Regulations' means the Regulations framed under clause (a) of sub-section (1) of Section 465 of the Act;
- (d) 'Section' means the section of the Act;
- (e) 'Selection Committee' means Staff Selection Committee appointed under sub-section (1) of Section 54 of the Act;

(f) 'Member' means the member of the Selection Committee.

(ii) Words used in these rules and not defined therein shall have the same meaning as are assigned to them in Bombay Provincial Municipal Corporations Act, 1949 amended from time to time.

3. Appointment by nomination :— When an appointment to any of the posts is to be made by nomination as prescribed in Regulations, the list of nominations received from the Employment Exchange Office or the list of the applications received in response to advertisement or both the lists, as the case may be, shall be referred to the Selection Committee by the Commissioner or by any other officer authorised by him in this behalf. At the same time the details regarding number of posts to be appointed, the nature of their duties and qualifications necessary for them shall be furnished to the Selection Committee.

4. Method of Selections :— The Selection Committee shall scrutinize all the nominations or applications or both, as the case may be received by it and

(a) Where qualifying written examination for the appointment is prescribed under the Regulations, hold such examination for the candidates who possess the prescribed qualifications and are prima-facie eligible and interview such of the candidates as may qualify in the written examination according to the standard laid down in such regulations, and forward to the appointing authority meritorious list of the candidates eligible for appointment and directions, if any, regarding the appointment.

(b) Where no qualifying examination is prescribed, interview such of the candidates as are eligible for the appointments.

(c) Where the Selection Committee holds the qualifying written examination under clause (a), the candidates who secure less than 33% of the total number of marks assigned to each of the papers in such examination shall not be considered eligible for appointment.

5. INTERVIEWS:-

The suitability of the candidates called for interviews shall be assessed by the Selection Committee having regard to following factors namely:—

- a) Personality 1
 b) Extra Curricular activity, 1
 c) Extra Education qualifications, 3
 d) Previous experience, 3
 e) General knowledge, 2

(i) The total number of marks for the interview shall be 100. The assignments of marks for each of the factors mentioned in clauses () to (e) in sub-rule (i) shall be as such as may be decided by the Selection Committee having regard to the educational and other qualifications prescribed for the posts and the nature of duties and responsibilities attached to the posts.

(ii) The marks obtained by the candidate in the interview shall be the average of the marks assigned to him by each of the member.

6. APPOINTMENT BY PROMOTION: (i) When an appointment is to be made by promotion as prescribed in the Regulations from amongst the candidates already in the service of Corporation, the Commissioner or a Municipal Officer authorised by him in this behalf shall, (i) subject to Regulations framed by the Corporation for qualifying written examination, prepare and forward to the Selection Committee a preliminary list of selected persons, who in his opinion, are fit for promotion to the next higher cadre or grade of officers or servants on the basis of seniority and merit.

(ii) Indicate the details of vacancies existing or likely to exist.

(iii) Furnish a complete list of persons who in his opinion are eligible to be considered for promotion and those who are considered unfit for such promotion together with full particulars of service including educational qualifications and other qualifications and up to date confidential

record of all such persons stating therein inclusion in the select list or their omission from such list, as the case may be.

(2) The selection Committee shall.

- a) examine the proposals submitted by the Commissioner or the officer authorised by him in this behalf.
- b) Consider the claims of all the candidates in the light of their record of service and recommendations of the Commissioner or the officer authorised by him in this behalf.
- c) Select the suitable candidate for the appointment and convey its selection to the appointing authority along with any directions it has to give.

(3) The Selection Committee may, for the purpose of selection of the candidate, call for such record or additional information in respect of such persons as it thinks necessary and it shall be the duty of the officer concerned to furnish the same without delay.

7. CONDUCT OF BUSINESS IN MEETING:— (a) Subject to the provisions of these rules, every issue as a meeting of Selection Committee shall be determined by majority of the votes of the members present and voting on the question and in case of an equal number of votes, the Chairman shall have a second or casting vote;

(b) The Commissioner or the officer authorised by him in this behalf shall be the Chairman of the Committee;

(c) The Labour Officer of the Corporation shall be the Secretary to the Committee and shall be responsible for maintaining and recording the proceedings of the Committee;

(d) Quorum for the meeting shall be of two members inclusive of Chairman

BY ADMINISTRATOR.
MUNICIPAL CORPORATION

KOLHAPUR MUNICIPAL CORPORATION.
CORPORATION.

Public Notice No. 120

No. GAD-O & M-WS-2-112-9-7699.—The following draft of Rules framed by the Kolhapur Municipal Corporation under the provisions of clause (a) of sub-section (3) of section 457 of the Bombay Provincial Municipal Corporation Act, 1949, regarding prescribing the Qualifications for the posts, the power of appointment to which vests in the Corporation has been confirmed by the Government under the Resolution, Urban Development, Public Health and Housing Department No. KMC-1573-32501-CII dated 29th August 1975.

Their Rules are hereby published for the information of all as required under Section 454 of the Bombay Provincial Municipal Corporation Act, 1949.

Accompaniment to Government Resolution No. KMC-1573-32501-
-MC-3, Dated 29th August 1975.

Rules framed by the Kolhapur Municipal Corporation under Section 454 read with clause (a) of sub-section (3) of the section 457 of the Bombay Provincial Municipal Corporation Act, 1949, prescribing the pay-scales and qualifications for posts, the powers of appointment to which vest in the Corporation and as sanctioned by Government.

1. Short title and commencement.—This rules shall be called as Rules of the Kolhapur Municipal Corpora-

tion regarding prescribing qualifications for, and pay-scales of the posts, the power of appointments to which vest in the Corporation and they shall come into force on their final publication in the official Gazette.

2. Definition.— Unless there be anything repugnant in the subject or context,
 - a) "Act" means the Bombay Provincial Municipal Corporation Act, 1949.
 - b) "Section" means the Section of the Act.
 - c) The words and expressions used herein and not defined shall have the same meaning as assigned to them in the Act.

3. Qualifications and Payscales.—The qualifications necessary for and the pay-scales and allowances of the posts, the powers of appointments to which vest in the Corporations shall be as follows :—

A) DEPUTY MUNICIPAL COMMISSIONER :

- 1) Payscale : Rs. 500-30-800-EB-40-920 (Unrevised) plus other allowances as admissible.

Note : A candidate appointed under clause (2)(c) below shall have pay-scales as per terms and conditions of deputation.

- 2) Qualifications— Appointment shall be made by—
 - a) nomination from amongst the candidates who,
 - i) unless already in the service of the corporation are not more than 35 years of age;
 - ii) possess a degree in Arts or Science or Commerce or Law or Engineering or Medicine and
 - iii) have administrative experience of the minimum five years in the Officer's capacity in a local body or Government department.

OR

- b) Promotion from amongst the candidates who—

- i) possess a degree in Arts, or Science, or Commerce or Law or Engineering or Medicine and
- ii) are working continuously for a period of not less than five years in an officer's post above the rank of Superintendent.

Persons who possess Diploma in Local Self Government or have taken training from Indian Institute of Public Administration may be given preference.

OR

- c) obtaining a suitable officer of the Government on deputation.
- B) ASSISTANT MUNICIPAL COMMISSIONER :**
- 1) Payscale— 500-30-800- E- B-40-920 (Unrevised) plus other allowances as admissible.

Note—A candidate appointed under clause (2)(c) below shall have pay and allowances as per terms and conditions of deputation.

- 2) Qualification—Appointment shall be made by—
 - a) nomination from amongst the candidates who,
 - i) unless already in the service of the Corporation are not more than 35 years of age;
 - ii) Possess a degree in Arts or Science or Commerce or Law or Engineering or Medicines and
 - iii) have administrative experience of minimum five years in officer's capacity in a local body or Government Department.

OR

- b) promotion from amongst the candidates who,
 - i) possess a degree in Arts, or Science or Commerce or Law or Engineering or Medicine and

i) are working continuously for a period of not less than five years in an Officer's post above the rank of Superintendent.

Persons who possess Diploma in Local Self Government or have taken training from Indian Institute of Public Administration may be given preference.

OR

c) obtaining a suitable officer of the Government on deputation.

Provided that either the appointment to the posts at clause [A] and [B] above shall be made by obtaining a suitable officer of the Government on deputation. The officer senior in rank shall be designated as Deputy Municipal Commissioner.

C] MEDICAL OFFICER OF HEALTH—

1) Pay Scale.—500-30-800-EB-40-920 [Unrevised] plus other allowances as admissible.

Note.—A candidate appointed under clause [2] [c] below shall have pay scale as per terms and conditions of deputation.

2) Qualifications.—A appointment shall be made by—

- a) nomination from amongst the candidates who,
- i) unless already in the service of the Corporation are not more than 35 years of age;
- ii) possess the degree of M. B. B. S. and Diploma in Public Health;

Provided that if no candidate is available possessing Diploma in Public Health, appointment may be made from amongst the suitable candidates possessing a degree of M. B. B. S. on the condition that the appointee will have to acquire the said diploma within a period of two years from date of his appointment on the expiry of which he shall be liable to be discharged from service and

iii) have an experience of minimum five years as Medical Officer in Local Body or in Government Hospital, or in reputed Hospital.

OR

B] promotion from amongst the candidates who,
i) possess the degree of M. B. B. S. and Diploma in Public Health and

ii) are working in the post of Assistant Medical Officer of Health, or Medical Officer continuously for a period of not less than five years.

OR

C) Obtaining a suitable officer of the Government on deputation.

D) CITY ENGINEER—

1) Pay Scale.—500-30-800-EB-40-920 (Unrevised) plus other allowances as admissible.

Note.—A candidate appointed under clause 2) c) below shall have pay scales as per terms and conditions of deputation.

2) Qualification.—Appointment shall be made by

- a) nomination from amongst the candidates who,
- i) unless already in the service of the Corporation are not more than 35 years of age,
- ii) possess the degree of B. E. in Civil Engineering, and
- iii) have experience of minimum five years in Government or Local Body or in a reputed Engineering Concern in a post at least equivalent to the rank of Deputy Engineer in Government.

OR

- b) promotion from amongst the candidates who,
- i) possess the degree of B. E. in Civil Engineering and
- ii) are working in the post of Assistant Engineer continuously for a period of not less than 5 years.

OR

c) obtaining a suitable officer of the Government on deputation.

(KOLHAPUR MUNICIPAL CORPORATION)
 RULES regarding "TAX ON ADVERTISEMENT"
 framed by the Kolhapur Municipal Corporation
 UNDER SECTIONS 127 (2) (f), 149 (1), 454 and 457 (7)
 (17) of the Bombay

PROVINCIAL MUNICIPAL CORPORATIONS ACT, 1949

1 SHORT TITLE -

These rules may be called the Kolhapur Municipal Corporation's (Advertisement Tax) Rules, 1973.

2 DEFINITIONS -

In these rules, unless the context otherwise requires-

- (a) "Act" means the Bombay provincial Municipal Corporations Act, 1949,
- (b) "Schedule" means the schedule appended to these rules.
- (c) "Section" means a section of the Act.
- (d) "Structure" includes any movable board on wheels used as an advertisement or any advertisement medium.
- (e) "Tax" means a tax levied on advertisements, other than advertisements published in the newspapers, under clause (f) of sub-section (2) of Section 127

3 LEVY OF THE TAX AND RATES THEREFOR:-

- (a) Subject to the provisions of the Act and the rules made thereunder, the tax shall be leviable on all advertisements except those which are exempted by or under the provisions of the Act, and the Rules.
- (b) The rate at which the tax shall levied on any advertisement shall be such as specified in column 3 of the Schedule.

4 PROHIBITION OF ADVERTISEMENT : (1)

No advertisement shall be displayed in any Corporation's area unless the prior permission of the Commissioner is obtained and the tax in respect of such advertisement is first paid.

LIABILITY TO PAY THE TAX AND EXEMPTIONS

Every person who creates, exhibits, fixes or retains upon or over any land, building wall hoarding or structure any advertisement or who displays any advertisement to public view in any place in the Corporation area in any manner whatsoever, shall pay, in respect of each such advertisement, the tax at the rate specified in Col. 3 of the Schedule.

PROVIDED that, no tax shall be levied on any advertisement or a notice :-

- (a) Of a public meeting.
- (b) Of any election to parliament state Legislature, Local authority, any public body, or school or Colleges.
- (c) Of a candidature in respect of any such election.
- (d) of government administration (including local Government Administration) displayed on lands or buildings belonging to Government or in the occupation of Government;
- (e) of family planning wherever displayed in any Corporation area;
- (f) which relates to the business of any Railway administration;
- (g) which relates to the name of the land or building or to the name of the owner or occupier of such land or building;

PROVIDED further that, no tax shall be levied on any advertisement which is not a sky-Sign and which

a) is exhibited on the window of any building and limited to its size.

b) relates to the trade or business carried on within the land or building or to any sale or letting of such land, building or any effects therein or to any sale, entertainment or meeting to be held upon or in the same land or building.

Provided further that, the tax in respect of only one continuous Board of the largest size of all under b of clause (g) above shall be exempted. All other Boards, if posted shall be charged at such rates prescribed in the schedule.

EXPLANATION :

For the purposes of this Rule ("Sky sign") means any advertisement supported on or attached to any post, pole, standard, frame-work or other support wholly or in part upon or over any land, building, wall, hoarding or structure which, or any part of which, sky-sign shall be visible against the sky from some point in any public place and includes all and every part of any such post, pole, standard, frame-work or other support, and also includes any balloon, parachute or other similar device employed wholly or in part for the purpose of any advertisement upon or over any land, building or structure or upon for every any public place, but does not include:

- a) any flagstaff pole, vane or weather-cock, unless adopted or used wholly or in part for the purpose of any advertisement;
- b) any sign, or any board, frame or other contrivance securely fixed to or on the top of the wall or parapet of any building or on the cornice or blocking course of any wall or to the ridges of roof :

Provided that, such board, frame or other contrivance be of one continuous face and not open work, and does not extend in height more than one metre above any part of the wall or parapet or

ridge, to, against or on which it is fixed or supported.

c) any notice of land or building to be sold or let, placed upon such land or building.

EXPLANATION 2 :— For the purposes of this rule " Public place " means any place which is open to the use and enjoyment of the public, whether it is actually used or enjoyed by the public or not.

6. BENEFICIARY FROM ADVERTISEMENT TO BE DEEMED RESPONSIBLE :

Where any advertisement shall be erected, exhibited, fixed or retained upon or over any land, buildings, wall hoarding or structure in contravention of the provisions of rule 5, the person for whom or for whose purpose the advertisement has prima facie been so erected exhibited, fixed or retained shall be deemed to be the person who has erected, exhibited, fixed or retained such advertisement in such contravention, unless he proves that such contravention was committed by a person not in his employment or under his control was committed without his convenience.

7. (1) No advertisement shall be on such places or properties which will be declared as prohibited for advertisement from time to time by the Commissioner.

2) Removal of unauthorised advertisement :—

If any advertisement be erected, exhibited, fixed or retained contrary to the provisions of rule 5, the Commissioner may, by notice in writing require the owner or occupier of the land, building, wall, hoarding, or structure upon or over which the same is erected, exhibited, fixed or retained, be taken down or remove such advertisement on or before such date, as may be specified in the notice and on his failure to do so, may enter upon any land, building or structure and have the advertisement removed.

8. LIABILITY OF OWNER OF LAND AND BUILDINGS TO FURNISH INFORMATION AND TO PAY THE TAX IN CERTAIN CIRCUMSTANCES :—

(6)

E) MUNICIPAL SECRETARY—

- 1) Pay scale—400-15-550-30-670-EB-35-810 (Unrevised) plus other allowances as admissible.

Note—A candidate appointed under clause (2) (c) below shall have pay scale as per terms and conditions of deputation.

- 2) Qualifications—Appointment shall be made by
 - a) nomination from amongst the candidates who,
 - i) unless already in the service of the Corporation are not more than 30 years of age,
 - ii) possess the degree in Arts or Science or Commerce or in Law and,
 - iii) have minimum five years experience in responsible post in a local body, Semi-Government or Government Department.

OR

- b) promotion from amongst the candidates who,
 - i) possess the degree in Arts, or Science or Commerce or Law of a Recognised University and
 - ii) are working in any posts of Superintendent's cadre or equivalent posts or above for a continuous period of not less than five years.

OR

- c) Obtaining a suitable officer of the Government on deputation.

F) MUNICIPAL CHIEF AUDITOR—

- 1) Pay scale—400-25-530-30-670-EB-35-810 (Unrevised) plus other allowances as admissible.

Note—A candidate appointed under clause 2) (c) below shall have pay scale as per terms and conditions of deputation.

- 2) Qualifications—Appointment shall be made by—
 - a) nomination from amongst the candidates who,

(7)

- i) unless already in the service of the Corporation, are not more than 35 years of age,
- ii) possess the degree in Arts or Science or Commerce; Arts Graduates with economics of Mathematics and Science graduates with Mathematics will only be eligible, preference will be given to the Commerce Graduates who have taken Accountancy and Auditing as Special Subject preference will also be given to the candidates who have passed S. A. S. or M. F. A. S. Examinations, Degree in Law will be treated as an additional qualification.
- iii) have minimum five years experience in a responsible post as an Accountant and/or Auditor in any Govt., Local body or in a private reputed firm.

OR

- b) Promotion from amongst the candidates who,
 - 1) Possess the degree in Arts with Mathematics or Economics or in Science with Mathematics or in Commerce, Preference will be given to those who possess the degree in Commerce with Accountancy and Auditing as special subjects and
 - ii) are working in any post of Superintendent's cadre or above for a continuous period of not less than five years.

OR

- c) Obtaining a suitable officer of the Government on deputation.

G) TRANSPORT MANAGER—

- 1) Pay scales—500-30-800-EB-40-920 (Unrevised) plus other allowances as admissible.

Note—A candidate appointed under clause 'C' below shall have pay scale as per terms and conditions of deputation.

- 2) Qualifications— Appointment shall be made by—
 - a) nomination from amongst the candidates who,
 - i) unless already in the service of the Corporation, are not more than 35 years of age.

ii) possess the degree in Arts or Science or Commerce or Law or Engineering.

iii) possess the Diploma of A.M. J. R. T. from the Indian Institute of Road, Transport or have taken training as Traffic Officer from Central Institute of Road Transport (Training and Research) and

iv) have experience of minimum five years in a State Transport Undertaking or in other Transport Undertaking of repute, in a responsible post not below the rank of Divisional Traffic Officer in State Transport Undertaking.

OR

b) promotion from amongst the candidates who,

i) possess the degree in Arts or Science or Commerce or Law or Engineering.

ii) possess the Diploma of A. M. J. R. T. from Indian Institute of Road Transport or have taken training as Traffic Officer from Central Institute of Road Transport/Training and Research and

iii) are working in any officer's post above Superintendent's cadre for a continuous period of not less than five years.

OR

c) Obtaining a suitable officer of the Government on deputation.

N. M. DESHTHALE
Administrator,
Kolhapur Municipal Corporation, Kolhapur,
Kolhapur, 28th October 1976.

Shrihari Printers Pvt. Ltd., Kop. 60071-77

Kolhapur Municipal Corporation

Rules Regarding Tax on Advertisements

GOVERNMENT OF MAHARASHTRA

Urban Development, Public Health and Housing Department,

Resolution No. KMC-2873/47987-C,

Sachivalaya, Bombay-32.

Date 12th July 1973

Government Resolution, Urban Development, Public Health and Housing Department No. KMC-2873/22645-C, dated the 3rd April 1973

Letter No. 2-5306, dated the 7th June 1973, from the Administrator, Kolhapur Municipal Corporation, Kolhapur,

RESOLUTION: Under Sub-sections (2) and (3) of section 149 and sub section (1) of section 455 of the Bombay Provincial Municipal Corporations Act, 1949, Government sanctions the accompanying rules for a tax on advertisements framed by the Kolhapur Municipal Corporation and specifies the 12th Aug. 1973 as the date on which this sanction becomes operative.

By order and in the name of the Governor of Maharashtra,

(M. B. DESHMUKH)
Under Secretary to Government,
The Administrator,
Kolhapur Municipal Corporation,
Kolhapur.

1) The Commissioner may, at time, Call upon the owner of any land on which an advertisement is erected exhibited, fixed, or retained, to furnish him with the name and address or the person who has erected, exhibited, fixed or retained or caused to be erected, exhibited, fixed or retained the advertisement, and so long as the owner refuses or is unable to furnish such information to the Commissioner he shall be liable to pay the tax in respect of the advertisement.

2) If the sum due on account of the tax on any advertisement remains unpaid after a bill for the same has been duly served upon the person primarily liable for the payment thereof and the said person is not the owner of the land, building or structure, where the advertisement is erected, exhibited, fixed or retained, the Commissioner may cause the bill to be served on the owner of the such land, building or structure.

3) In the owner of the land, building or structure fails to pay the amount within fifteen days of the service of the bill, the amount may be recovered from the same manner as it would have been recovered from the person primarily liable for the payment thereof.

9. TIME AND MODE OF RECOVERY

1) The tax shall be levied by the month at the rates fixed by the Corporation and be recovered and paid in advance.

2) The tax shall be collected for the full month, even if the advertisement is displayed for only a part of the month.

3) If the advertisement is to be remained throughout the year, the amount of the tax shall be payable in full within the stipulated time of the bill.

10. ISSUE OF TAX TOKENS :

1) A tax token in the Form appended to these rules of thick card or cartridge paper or of any material shall be issued by the Municipal Corporation in respect of the advertisements at Serial Numbers 2, 4, 5 and 6 in the Schedule. A nominal fee

fixed by the Commissioner shall be recovered. The tax token shall always be carried by the person who carries the advertisement.

2) On those advertisements which are taxed and for which the tax-token is given, such tokens shall be posted on such advertisements.

11) MAINTENANCE OF A REGISTER OF ADVERTISEMENTS :-

1) The Commissioner shall maintain a Register of Advertisements showing therein the following particulars :-

a) Description of the land, building, or structure upon which the advertisement is displayed;

b) Description of the advertisement specifying its nature, size and contents;

c) The name and address of the person who has erected exhibited, fixed or retained the advertisement or caused it to be erected, exhibited, fixed or retained, if he is not the owner of the land or building.

d) the date from which the advertisement is displayed.

e) Number of tax-tokens.

f) the amount of tax payable per year or month in respect of the advertisement;

g) Details of composition, if any, made under rule-

h) any person whose name, is entered in the Register of Advertisement shall be entitled to inspect register at any time during office hours and to take extracts therefore, free of charge.

12. OBJECTION TO THE REGISTER:

1) Any person, who entertains any objection with reference to any entry in the Register of Advertisements relating to any Advertisement in respect of which he is liable to pay the tax, may at any time, submit an objection in writing to the Commissioner.

2) Any objections submitted under this rule shall be considered and disposed of by the Commissioner after giving the person concerned an opportunity of being heard. The objection disposed shall have effect, if any, from the date of the objection.

13. PAYMENT OF LUMP SUM IN COMPOSITION :

The Corporation shall compound the payment of the tax for a sum :—

- a) equal to 80 per cent, of the tax due for any year, when the assessee agrees to pay the tax for that year in one lumpsum.
- b) equal to 90 per cent of the tax due for any half year, when the assessee agrees to pay the tax for that half year in one lumpsum.

PROVIDED THAT such payment shall be made in the first month of the year or half-year, as the case may be.

EXPLANATION :— For the purposes of this rule and the next succeeding rule "year" means the financial year, and "half-year" means the first or subsequent six months in such year.

14. REFUND

If an advertisement, in respect of which payment is made for a year or half-year under the preceding rule, is removed before the expiry of the year or half-year, as the case may be, the Commissioner, may, on an application by the person who has paid the tax, sanction a refund of the tax paid, after deducting therefrom an amount equal to the tax which would have been payable upto the month and including of the application, had payment of the tax been made on a monthly basis.

SCHEDULE (SEE rule 3)

Rate of tax on Advertisement other than Advertisements published in the Newspapers.

Serial No.	Description of Advertisement	Rate of tax fixed by Municipal Corporation per calendar month or part of calendar month	Rs. P.
1	2	3	
1. I)	Non-illuminated advertisement on land, building wall, hoarding, frame, post, structure, and the like except paper posters pasted on walls		
	a) For a space upto 1.00 square metre.		1 00
	b) For a space over 1.00 square metre upto 2.50 square metres.		1-50
	c) For every additional 2.50 square metres or part thereof.		1.50
II)	Paper posters pasted on walls—		
	Per 100 square centimetres or fraction thereof.		0 02
2 II)	Illuminated advertisement on land, building wall, hoarding, frame post structure and like—		
	a) For a space up to 0.20 square metre.		1.00
	d) For a space over 0.20 square metre and up to 0.50 square metre.		2.50
	e) For a space over 0.50 square metre up to 2.50 square metres		3.00
	d) For every additional 2.50 square metre or part thereof.		

3. Non-illuminated advertisements carried on vehicles drawn by bullocks, horses, or other animals, human beings, cycle or vehicle or tramcar :
 - a) For a space up to 5.00 square metres. 6.00
 - b) For every additional 5.00 square metres or part thereof. 6.00
4. Illuminated advertisements carried on vehicles :
 - a) For a space upto 5.00 square metres 10.00
 - b) For every additional 5.00 square metres or part thereof. 10.00
5. NON - Illuminated advertisement boards carried by sandwich boardman.
 - a) For each board not exceeding 1.00 square metre and upto 2.50 square metres. 1.50
 - b) For each board exceeding 1.00 square metre and upto 2.50 square metres. 2.50
 - c) For each board, for each additional 1.00 Square metre or part thereof. 1.00
6. Illuminated advertisement boards carried by sandwich boardmen
 - a) For each board not exceeding 1.00 square metre. 2.00
 - b) For each board exceeding 1.00 square metre and up to 2.50 square metres. 3.00
 - c) For each board, for each additional 1.00 metre or part thereof. 2.00
7. Non-illuminated advertisement suspended across streets
 - a) For a space up to 1.00 square metre 1.00
 - b) For a space over 1.00 square metre and up to 2.3 square metres. 1.50

NOTE : The Tax shall be in addition to any rent chargeable by the Corporation.

8. Non-illuminated advertisement hoarding standing blank, but bearing the name of the advertiser or with the announcement "to be let" displayed thereon—
 - a) For a Space up to 1.00 square metre. 0.50
 - b) For a space over 1.00 square metre and up to 2.50 square metres. 0.90
 - c) For every additional 2.50 square metre or part thereof.

9. Permission to auctioneers to put up not more than two boards of reasonable size advertising each sanction sale, other than those in the premises where the auction is held, one on a prominent site in the locality and one on municipal lamp post.

NOTE :— This includes the rent for exhibiting on a municipal lamp post

The tax shall be calculated step by step and the rates mentioned against such steps shall be taken into account.



FORM
(Rule 1)

TAX TOKEN TO BE ISSUED
AFTER THE TAX IS PAID

- 1) Tax Token No.
- 2) Particulars of the advertisement such as site at which erected, carried on vehicles etc.
- 3) The duration of the advertisement.
- 4) Reference in the Register of Advertisement specified in rule 11.

Date :

Commissioner,

Kolhapur Municipal Corporation

Rules regarding Tax on Dogs

GOVERNMENT OF MAHARASHTRA

Urban Development, Public Health and Housing Department,

Resolution No KMC-2873/38050/C

Sachivalaya, Bombay, 32, 16th June 1973

Letter No.2/2729, dated the 5th May 1973 from the Administrator, Kolhapur Municipal Corporation, Kolhapur.

RESOLUTION :- Under Sub-sections (2) and(3) of Section 149 and sub-section (1) of Section 455 of the Bombay Provincial Municipal Corporations Act, 1949, Government sanctions the accompanying rules for a tax on dogs framed by the Kolhapur Municipal Corporation, and specifies the 15th July, 1973, as the date on which this sanction becomes operative.

By order and in the name of the Governor of Maharashtra,

(M. B. Deshmukh)

Under Secretary to Government

To
The Administrator,
Kolhapur Municipal Corporation,
Kolhapur.

Rules regarding Tax on Dogs framed by the Kolhapur Municipal Corporation.

Rules under Sections 127 (2)(c), 149, (1),454,457 (7) (17) of the Bombay Provincial Municipal Corporations Act, 1949.

1 **SHORT TITLE-** These Rules may be called the Kolhapur Municipal Corporation's "Tax on Dogs" Rules 1973.

2 **DEFINITION-** In these Rules, unless the context otherwise requires-

a) "Act" means the Bombay Provincial Municipal Corporations Act, 1949,

b) "dog" includes a bitch and pups of the age of three months or more,

c) "form" means a form appended to these Rules.

d) "Section" means a section of the Act,

e) "tax" means a tax leviable on dogs under clause (c) of Section 127 (2),

f) "year" means a year commencing on the 1st day of April,

g) Words or expressions used in these Rules, but not defined, shall have the meanings, respectively, assigned to them in the Act.

3. **PERSON LIABLE TO PAY TAX-** Subject to Rule 12 every person keeping a dog in his possession within the Municipal Corporation area shall be liable to pay the Dog Tax.

4. **RATE OF TAX-** The Tax shall be levied at the rate of one rupee per dog per annum or part thereof.

5. **TAX TO BE PAID IN ADVANCE-** The Tax shall be paid in advance for the whole year in the month of April of that year.

6. **MODE OF PAYMENT OF TAX-** (1) Every person desiring to keep a dog in his possession within the Municipal

Corporation area during any year shall, before the end of April of that year, apply in Form "A" to the Commissioner for permission to keep the dog in his possession.

PROVIDED that any person desiring to keep a dog at any time after the end of April of that year may apply within seven days of having come into possession of the dog.

2) Every such application shall be accompanied by the full amount of the tax.

3) On receiving such application, Commissioner shall grant the necessary permission in form 'B', the permission will be granted on payment of the tax amount along with a badge bearing a Serial No. The fee for such badge shall be payable along with the tax amount as fixed by the Commissioner from year to year.

7. DEATH LOSS ETC OF DOG TO BE REPORTED—
Where the dog in respect of which any person is liable to pay tax is lost, or is handed over to some other person, or has migrated, or is dead, such person shall give an intimation in writing to that effect. Upon the receipt of such information the liability to pay tax in respect of the said dog shall cease on the commencement of the next year. In the absence of such intimation such person shall be liable to pay the tax.

8. PAYMENT OF FURTHER TAX NOT NECESSARY IN CERTAIN CASES—

1) If any change in the possession of a dog takes place during any year, no tax shall be payable for that year if a tax is already paid.

PROVIDED that the person who has come into possession of the dog shall produce before the Commissioner written permission granted in respect of the dog for entering his name therein.

2) where a dog in respect of whom a tax has been paid in any year dies during that year, the person who was in

possession of that dog shall on payment of a tax of one rupee be entitled to keep in his possession any other dog for that part of the year.

9. PROVISION REGARDING BADGES— 1) The badge supplied under Rule 6 shall be fixed to the collar of the dog concerned.

2) If any such badge is lost, a new badge shall be obtainable on payment of fee as indicated in Rule 6 (3), such new badge shall be supplied by the Commissioner after necessary inquiries to avoid mis-use thereof.

10. PRODUCTION OF DOG FOR INSPECTION—
Whenever required, every person permitted to keep a dog in his possession shall be bound to produce such dog at all reasonable times before the Commissioner or any other officer authorised by him in that behalf for inspection and verification.

11. DOG TO BE INJECTED AGAINST RABIC ATTACK—
The owner or a person in charge of such dog shall get his dog injected against rabic attack on his own or when so directed during inspection and verification.

12. EXEMPTION— Nothing contained in these Rules shall apply to any dog in the possession of bonafide travellers passing through the Municipal Corporation area or of a casual resident staying in the Municipal Corporation area for not more than 30 days.

These Rules shall be in addition to the Rule in Schedule to the Act, if any.

१३७

FORM "A"

To
The Municipal Commissioner,
The Municipal Corporation of the City of Kolhapur,

Name of the applicant —
At (name of the place) —

Sir,
I am residing at block No. Ward

I wish to keep in my possession a dog of the following description within the Municipal Corporation area during the year.....

DESCRIPTION :
Sex Age
Breed Colour and identifying marks
if any

I have read the Corporation's Rules regarding Tax on Dogs. I shall abide by them. I have also read the provisions of the Act. I forward herewith, in advance, an amount of Rupee one as tax on the said dog and request that permission under the rules be granted to me for keeping the dog in my possession within the Municipal Corporation area during the year ending on 31st March 19

Dated Signature of the applicant.

FORM "B"

Shri/Shrimati/Kumari.....

is hereby permitted to keep in possession, within the Municipal Corporation area of the City of Kolhapur, a dog of the description given in the application, during the year commencing on the 19 on condition that the badge supplied under the said rules shall always be fixed to the collar of the dog and that the requisite conditions laid down in the Act and Rules shall be duly observed.

The above-named person is hereby called upon to produce this permission during the said year on demand by the Commissioner or by any person duly authorised by him in this behalf in writing.

COMMISSIONER,
KOLHAPUR MUNICIPAL CORPORATION.

Hotel Tax Rules framed by the Kolhapur Municipal Corporation as sanctioned by Government under Government Resolution, Urban Development, Public Health and Housing Department No. K/MC/3273/73395/C-II dated 4th November 1974 and to be made operative from 16th December 1974.

No. Tax-WS-1-99-6-7061. Preamble. — Whereas the previous provisional approval of the Government as required by section 149 (1) of the Bombay Provincial Municipal Corporations Act, 1949, has been obtained to the selection of the tax by this Corporation the Kolhapur City Municipal Corporation is pleased to make in exercise of the powers conferred under section 457 (7) read with Sections 127 (2) (1), 149&445 for the levy etc. of "Hotel Tax", the following rules, namely:—

HOTEL TAX RULES

Rule No. 1.— These rules may be called the Kolhapur Municipal Corporation Hotel Tax Rules, 1973.

Rule No. 2.— In these rules, unless there is anything repugnant in the subject or context.

a) "Act" means the Bombay Provincial Municipal Corporations Act, 1949.

b) "Hotel" includes a residential hotel, lodging and boarding house, eating house, Cold-drink House, refreshment room, tea shop, coffee house, cafe, bar and any other place where strangers, travellers or other persons are provided with meals or various articles of prepared food, refreshments or drinks for consumption on or outside the premises for a price.

c) "Hotel premises" shall mean building or part of a building or land which is used for the purpose of the hotel shall include the garden, grounds, garages, stores, godowns and out-houses, if any appurtenant thereto.

d) "Annual Rental Value" shall mean the fair and reasonable annual rent for which the hotel premises might reasonably be expected to let.

Provided that nothing contained in the Bombay Rents, Hotel, and Lodging House Rates Control Act, 1947, or the Standard Rent prescribed under the provisions of that Act shall be deemed to affect, control or limit in any manner the fixation of the annual rental value for the purposes of these rules.

e) "The Commissioner" shall include any Municipal Officer empowered by the Commissioner under section 69 (1) of the Act to exercise, perform or discharge the powers, duties and functions conferred or imposed upon or vested in the Commissioner under these provisions of the Rules.

f) The words used and not defined herein shall have the same meaning as are respectively assigned to them by the Act.

Rule No. 3 : Levy of the Hotel Tax.—There shall, subject to the provision of rule 4 be levied and paid to the Corporation on all hotels within the City a tax (hereinafter referred to as the Hotel Tax) at the rates given below:—

This Tax shall be in addition to the licence fees under the Bombay Prevention of Food Adulteration Act.

Annual Rateable value	Rate of the Tax
1	2
1 to 240	5 %
241 to 720	8 %
721 to 1200	10 %
1201 to 1800	12 %
1801 on wards	Rs. 250 per year

Rule No. 4 : TAX FREE HOTEL.—

The Hotel Tax shall not be leviable in respect of any hotel the Annual Rental value of which does not exceed rupees sixty.

Rule No. 5 : Persons responsible for the payment of Hotel Tax.—

The Hotel Tax shall be recoverable from the owner of any hotel in respect of which the Hotel Tax is leviable.

For the purposes of these rules the owner shall include:-

- a) any person who is for the time being the holder of hotel licence from the Corporation.
- b) any person who receives or is entitled to receive, whether on his account or on behalf of him self and others or as an agent or trustee any monetary consideration from any person on account of the service rendered to him in such hotel.

c) a receiver sequestrator or manager appointed by any Court competent jurisdiction to manage the affairs of the said hotel.

d) any person who has the possession, management or control of any such hotel and also a person for the time being in charge of such hotel.

Rule No. 6 : Hotel Tax payable half yearly in advance.- Levy of Hotel Tax on hotels becoming liable to Hotel Tax during the course of the year (1) The hotel tax shall be payable in advance in half yearly instalments in each first day of April and each first day of October by the owners of the hotel at the Chief Municipal Office or at such other place as the Commissioner may from time to time appoint in this behalf:-

Provided that if in any half year a hotel becomes liable to hotel tax such tax shall be levied proportionately and in the manner prescribed in the for-going rules.

2) Assessment of Hotel Tax:- For the purposes of calculating the amount of hotel tax or refund or remission.

a) A period commencing from any date up to the 15th

of the month (inclusive) shall be taken as full month and period commencing from any date after the 15th of the month shall be omitted

b) Fraction of a rupee below 50 paise shall be deleted and 50 paise and above shall be taken as a full rupee.

Rule No. 7 : Recovery of Hotel Tax:- Any sum due to the Corporation on account of the hotel tax or any instalment of such tax which is not paid on the day when it becomes due shall be recovered by the Commissioner in accordance with the rules 39, 41, 42, 43, 44, 45, 46, 47, 48, 50, 51, 53, 54 and 55 given in Schedule, Chapter VIII of the Bombay Provincial Municipal Corporations Act, 1949 as if the amount were a property tax due by him

Rule No. 8 : Refund and remission of Hotel tax on a hotel when and to what extent obtainable.-(1) If the Hotel tax leviable on any hotel in respect of any half year has been paid or remains to be paid and if during such half year such hotel ceases to be operated, the person who paid the tax or the person who is liable to pay the tax leviable on such hotel shall subject to the provisions hereinafter contained and on the Commissioner or any officer authorized by him being satisfied in this behalf, be entitled to receive a proportionate refund or remission as the case may be.

2) No. refund or remission of the hotel tax shall be claimable from the Commissioner unless notice in writing of the occurrence of the circumstances which may give rise to such claims has been forthwith given to the Commissioner by the person who paid or who is liable to pay the tax or his agent.

3) If such notice is not received by the Commissioner within seven days of the occurrence of the circumstances as aforesaid, the period previous to the date of the receipt of the notice shall be excluded in computing the period for the purposes of granting any refund or remission.

4) It shall be in the discretion of the Commissioner to disallow any claim for refund of the tax unless an application claiming such refund is made to him in writing before the expiry of fifteen days after the end of the half year for which the claim

relates and is accompanied by the official receipt for the payment of the tax.

Rule No. 9 : Notice to be given to the Commissioner by a person who becomes owner or possessor of a hotel in respect of which liability arises- (1) Every person who becomes the owner or obtains possession, management or control of any hotel or acquires any interest in any hotel in respect of which hotel tax is leviable, shall give notice in writing informing the Commissioner within fifteen days after he has become so.

2) Notice to be given to the Commissioner by a person who ceases to be the owner of a hotel subject to hotel tax- A person shall give notice in writing to the Commissioner of the fact that he has ceased to own or have possession management or control any hotel in respect of which the hotel Tax is leviable such person shall, in addition to any other penalty to which he may be liable, continue to be liable for the payment of the hotel tax, until he gives such notice;

Provided that nothing herein contained shall be held to affect the liability to pay the hotel tax of the person who becomes the owner or obtains possession, management or control of such hotel.

Rule No. 10 : Intimation of change in the Designation of the Hotel.- Every person liable to the hotel tax, who had changed the designation of the hotel, shall within 15 (fifteen) days of such change give written intimation of the fact to the Commissioner.

Rule No. 11 : Arrears be paid by the Transferee.— The purchaser or transferee or the assignee of the hotel shall be liable to pay all the arrears of the hotel tax due for the period prior to the date of purchase, transfer or assignment.

Rule No. 12: Hotel tax register to be kept— (1) The Commissioner shall keep a register in which shall be entered every official year.—

- (a) a list of the persons liable to pay the hotel tax.

(b) a specification including address of the hotel and of the persons who are respectively liable to the fixed tax;

(c) annual rental value of each hotel fixed for Property taxes;

(d) when the rate of the hotel tax to be levied for the year has duly been fixed by the Corporation, the amount at which and the rate at which each hotel in the Hotel Tax Register is assessed to the Hotel Tax, if any, leviable thereon.

(e) such other details as the Commissioner from time to time thinks fit to direct;

2) The Commissioner should thereafter inform by notice in writing to the person liable to pay the Hotel Tax particularly in respect of the Tax payable by him.

The Commissioner shall also by a public notice inform of the preparation of a Hotel Tax Register having been so prepared and of its availability for inspection as contemplated in sub-rules (3) and (1) below:

3) Hotel Tax Register Open to Inspection- A person whose name is entered in the said Register or his agent shall be permitted free of charge to inspect and take extracts from any portion of the said register which relates to such person.

4) Any person not entitled under sub-rule(3)to inspect and take extracts from any portion or the said register free of charge shall be permitted to do so on payment of such fees as prescribed by the Rules or Bye-laws.

Rule No. 13- Procedure where name of person liable for Hotel Tax cannot be ascertained— When the name of the person liable for the payment of hotel tax in respect of any hotel cannot be ascertained, it shall be sufficient to designate him in the Hotel Tax Register and in any notice which it may be necessary to serve upon the said person under these rules as 'the holder' of such hotel without further description.

Rule No. 14 : Returns from Owners of Hotel Premises and persons liable to the Hotel Tax—(1) To enable him to determine the annual valuable value of any hotel and the person liable for the payment of the hotel tax in respect thereof the commissioner may require the owner of the building in which the hotel is located to furnish him within such reasonable period in the notice with the following information or with a written return signed by such owner.

- (a) as to the name and place of abode of the owner or manager or both of such hotel;
- (b) as to the dimensions and rent obtained of such hotel, and
- (c) as to the other specified details connected with the determination of the annual rental value of such hotel.

(2) The commissioner may also require for the purpose aforesaid, the person who owns or is in possession, management or control of any hotel to furnish him within the prescribed period with a written return signed by him and containing such information concerning the hotel as the Commissioner specifies by the written notice.

(3) Every owner or person as is referred to in sub-rules (1) and (2) on whom any such requisition is made shall be bound to comply with the same and to give true information or to make true return to the best of his Knowledge or belief.

4, for the preparation of the Hotel Tax Register as required by Rule No. 12(1) above, the Commissioner should draw upon particular regarding specification, annual rental value etc. available in the Assessment Register of Property Tax maintained by him under the relevant Rules.

Unless otherwise established, the entries obtained from the Assessment Register of Property Taxes should be relied upon for the purpose of levying, collection etc. of the Hotel Tax.

Rule No. 15 Amendment in the Hotel Tax Register during the Financial Year—(1) Subject to the provisions of any rule (2) the Commissioner may upon the representation of any person concerned or upon any other information at any time during the financial year to which the Hotel Tax Register relates, amend the same in any manner which may be necessary.

(2) Every such amendment shall be deemed to have been made for the purpose of determining the liability or exemption of the person concerned in accordance with the altered entry from the earliest day in the financial year when the circumstances justifying the amendment existed.

Rule No. 16 : New Hotel Tax Register Need Not be Prepared, every Financial Year.—(1) It shall not be necessary to prepare a new Hotel Tax Register every official year. Subject to the provisions of sub-rule (2) the Commissioner may adopt the entries in the last preceding year's register with such alterations as he thinks fit as the entries for each new year.

Provided that public notice shall be given in accordance with rule 12 (2) every year.

(2) Every time a new Assessment Register of Property Tax is prepared, Hotel Tax Register shall also be prepared so that it is merely to confirm to it. When this is done, Individual and Public Notices contemplated in rule 12 shall absolutely be issued.

Rule No. 17 : Statements Returns etc. to be Confidential—All statements made, return furnished or accounts or documents produced by any person in connection with the assessment to the Hotel Tax shall be treated as confidential and copies thereof shall not be granted to the public

Rule No. 18 : Penalty whoever Commits a Breach of any of the Above Rules shall be on Conviction, —

(1) be punished with fine which may extend to five hundred rupees and in the case of continuing breach with fine

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which may extend to twenty rupees for every day during which the breach continues, after conviction for the first breach :

(2) be punished with fine which may extend to twenty rupees for every day during which the breach continues after receipt of written notice from the Commissioner or any Municipal Officer duly authorised in this behalf to discontinue the breach.

D. N. CAPPOOR
Administrator Kolhapur Municipal
Corporation, Kolhapur.

Kolhapur, 19th November 1974.

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Kolhapur Municipal Corporation

Rules of Toll Tax on Vehicle and Animals

GOVERNMENT OF MAHARASHTRA

Urban Development, Public Health and Housing Department,
Resolution No. KMC 2873/38049-C

Sachivalaya, Bombay-32.

13th July, 1973

Letter No. 2/2700, dated the 5th May, 1973, from the Administrator, Kolhapur Municipal Corporation, Kolhapur.

RESOLUTION : Under sub-section (2) of Section 149 and sub-section (1) of section 455 of the Bombay Provincial Municipal Corporations Act, 1949, Government is pleased to sanction the accompanying rules of toll tax framed by the Kolhapur Municipal Corporation and under sub-section (3) of section 149 of the Bombay Provincial Municipal Corporation Act, 1949, Government is pleased to specify the 13th August, 1973, as the date on which this sanction becomes operative.

By order and in the name of the Governor of Maharashtra.

(M. B. Deshmukh)
Under Secretary to Government.

To,

The Administrator,
Kolhapur Municipal Corporation,
Kolhapur.

(3)

Toll Tax Rules

Kolhapur Municipal Corporation

Rules under sections 127 (2) (e), 149 (1) 454, 457 (7) (17) of the Bombay Provincial Municipal Corporations Act, 1949.

.....

1 **SHORT TITLE**- These rules may be called the Kolhapur Municipal Corporation "Toll Tax" Rules 1973.

2 **DEFINITIONS**- In these rules unless the context otherwise requires -

(a) "Act" means the Bombay Provincial Municipal Corporations Act, 1949.

(b) "Corporation" means the Municipal Corporation of city of Kolhapur;

(c) "Inspecting Authority" means [Municipal Corporation Officer or a servant in charge of or attached to an Octroi Naka and includes any officer serving in the Octroi Department or any officer authorised or designated in this behalf by the Commissioner;

(d) "Schedule" means schedule appended to these Rules.

(e) "Section" means section of the Act;

(f) "The Tax" means the Toll on vehicles and on animals levied by the Corporation under clause (e) of the Section 127 (2) of the Act.

(g) "Toll Naka" means a place appointed by the Corporation for levy and collection of octroi and shall include any other place or places which may be fixed and notified by the Corporation from time to time for the levy and collection of the Toll Tax.

3 **LEVY OF TOLL**- Subject to the exemptions prescribed in Rule 4, the Corporation shall levy and collect a Toll Tax on all vehicles and animals entering into the Municipal Corporation area which are liable to the tax under clause (e) of Section 127 (2) at the rate specified in the Schedule.

4 **EXEMPTIONS**- The following vehicles and animals shall be exempted on the levy of the tax -

(a) all vehicles and animals carrying goods belonging to Government, Corporation or any other local authority when accompanied by a certificate that the goods belong to Government or the Corporation or any local authority and are used for the public purpose;

(b) all vehicles carrying Military, Police or Home-guard's force on duty;

(c) all animals drawing vehicles for which the Tax is levied;

(d) all animals belonging to Government, Corporation or any other local authority;

(e) all animals for which not refundable octroi is paid to the Corporation on the same day.

(f) all vehicles and animals on which Wheel Tax or Licence Fee is paid to the Corporation.

5 PLACE AND PROCEDURE FOR RECOVER OF THE TAX-

(1) The Tax shall be payable at the Toll Naka once in a day on each vehicle or animal liable to the Tax while entering the limits of the Municipal Corporation area. A "day" means a period of 24 hours from midnight to mid-night.

(2) The amount of the tax shall be paid to the person in charge on the Toll Naka who shall pass a receipt or

Ticket therefore. The tax also be payable to the Inspecting Authority under Rule 6, if the same is not so paid at the Toll Naka

6 PRESERVATION AND PRODUCTION OF RECEIPT OR TICKET ON DEMAND.- Every person who pays the tax shall preserve the receipt or ticket there of and shall produce it for inspection when demanded by any Inspecting Authority;

7 REFUND.- No refund of the Tax shall be given and claimed on any account whatsoever.

These Rules are in addition to the Rules in the Schedule to the Act.

SCHEDULE (See rule 3)

Sr. No.	Description	Rate of the Tax per vehicle or animal per day
1	On every vehicle drawn by one or more animals or human agency and loaded with goods.	0-15
2	On every vehicle drawn by one or more animals or human agency & empty or carrying men. Every bi-cycle or Tri-cycle.	0-10
3	Animals per head if loaded.	0-10
4	Elephant or Camel if loaded per head.	2-00

BY ADMINISTRATOR

Accompaniment to Government Resolution Urban Development, Public Health and Housing Department, No. KMC/2773 66347/C-II dated the 29th April 1974

Supplementary theatre tax rules of the Kolhapur Municipal Corporation as sanctioned by Government

No. Tax.-WS-1-4-2471-1 Short title and extent- These rules may be called the "Kolhapur City Municipal Corporation (Supplementary) Theatres Tax Rules 1973". These rules shall be in addition to the relevant taxation rules in Chapter VIII of the schedule to the Bombay Provincial Municipal Corporation Act, 1949.

2. These rules shall apply to all the performances of amusements or entertainments given anywhere in the limits of Kolhapur City Municipal Corporation.

3. These rules shall come into force from the 1st June- 1974 as required by sub-section (3) of section 149 of the Bombay Provincial Municipal Corporation Act, 1949.

4. Definition-In these rules unless there be something repugnant in the subject or context :-

(a) 'Act' means the Bombay Provincial Municipal Corporations Act, 1949, as amended from time to time.

(b) "Nominal Charges" shall mean such charge as may be fixed by the Standing Committee from time to time, being not less than fifteen paise for admission of an individual to attend the performance.

(c) "Person responsible for the management of such performance" shall mean and include the Proprietor, Secretary, the Manager of the theatre or the place and shall include the Commission Agent or Contractor or any person who appoints as an owner, a partner or a servant the whole or part of the earnings of such performance or any person who issues the passes or tickets or signs the hand-bills of such performance.

5. Rate of Tax—Subject to the exemptions prescribed under the Act, the Corporation shall levy a Tax called the "Theatre Tax" on each performance of amusement or entertainment for admission to with a charge which is not a nominal charge as defined in rule 2 (b) is made at the following rates:—

a) Cinema, Circus, Carnival Fetes, Magic Shows
Musical Concerts, Dancing Shows.

Up to 500 seats	Rs. 10.00 per show.
501 to 1,000 seats	Rs. 12.00 " "
Over 1,000 seats	Rs. 15.00 " "
b) Drama	Rs. 10.00 " "
c) Tamasha	Rs. 5.00 " "
d) Wrestling	Rs. 15.00 per performance day
e) any other entertainment or different entertainments arranged as a continuous performance for the day	Rs. 12.00

Note.— For the purpose of this Rule, each performance shall mean and include every performance of any amusement or entertainment, given in the course of a single day or night and to attend for which no fresh charge is made.

6) Responsibility for the declaration and payments etc.—
The person responsible for the management of such performance shall while making the payment of the tax as required by Rule 36 of the Taxation Rules (chapter VIII to the Schedule of the Act) shall also file a written application stating the number of performances he proposes to exhibit in a particular day and obtain official receipt for the same.

7) Production of receipt for verification and permission of the inspector.— The person responsible for management of such performance shall whenever required by the Municipal Commissioner or by the officer or servant of the corporation empowered by him in this behalf, shall produce a receipt of payment for

verification and shall also permit the inspection of the place of performance for verification of the information already given by him

8) Theatre Tax from whom to be Recovered.— If the Theatre Tax is not paid in respect of any performance as prescribed in the Taxation Rule 36 of chapter VIII to the Schedule of the Act, the Commissioner shall recover the same in the manner prescribed in Rule 38 of the said Schedule to the Act from any person responsible for the management of such performance as defined in rule 4 (3)

9) Call for Return, information etc.— The Commissioner may call for information or return and inspect the place of performance.

i) To enable him to determine the liability for the payment of the Theatre Tax leviable in respect of any performance of amusement or entertainment and the person liable for payment of the said Tax, the Commissioner may require the owner or occupier of the place of performance of amusement or entertainment or any other person engaged in or connected with, in any manner whatsoever with the performance, to furnish within such reasonable period as the Commissioner may prescribe in this behalf with the information or with return signed by such owner or occupier or person:—

a) as to the name and place of abode of the Proprietor, Secretary or the Manager

b) as to any other details required for determining the liability for the payment of Theatre Tax.

ii) Every person on whom any such requisition is made shall be bound to comply with the same and to give true and full information or to make a true return to the best of his knowledge or belief.

iii) The Commissioner or the officer or the servant of the Corporation authorised in this behalf may also for the purpose aforesaid make an inspection of any place of performance of amusement or entertainment.

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10 Penalty.—In the event of any breach of any rule relating to the "Theatre Tax" the offender shall on conviction—

a) be punished with fine which may extend to five hundred rupees and in the case of a continuing breach with fine which may extend to twenty rupees for every day during which the breach continues after conviction for the first breach,

b) be punished with fine which may extend to twenty rupees for every day during which the breach continues after receipt of written notice from the Commissioner or any other Municipal Officer duly authorised in that behalf to discontinue the breach.

D. N. CAPOOR,
Administrator,
Kolhapur Municipal Corporation
Kolhapur.

Kolhapur, 10th May 1974

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KOLHAPUR MUNICIPAL CORPORATION

Amendment to Rules Prescribing qualifications and pay-scales for certain posts under the—

Government of Maharashtra,
Urban Development and
Public Health Department,
Resolution No. K.M.C. 2177/169-UD-2,
Mantrajaya, Bombay-400 032.
Dated 21st March, 1977.

READ:- Government Resolution Urban Development and Public Health Department No. K.M.C. 1573/32501-C-II dated 29th August, 1975.

Letter No. GAD/IV/671/77/13/5314
dated 19th January 1977 from the Administrator,
Kolhapur Municipal Corporation.

RESOLUTION:— In exercise of the powers conferred by section 455 (1) of the Bombay Provincial Municipal Corporations Act, 1949 Government is pleased to sanction the proposal of the Administrator, Kolhapur Municipal Corporation, to add following Rule No. 4 to the existing rules prescribing qualifications and pay-scales for certain posts, framed by him and sanctioned by the Government under Government Resolution, Urban Development and Public Health Department No. K.M.C. 1573/32501/C-II dated 29th August, 1975.

Rule 4:— Notwithstanding anything contained in Rule 3 above the qualifications regarding experience/higher basic academic qualification is relaxable at the discretion of the Appointing Authority in the case of candidates belonging to the Scheduled Castes, Scheduled Tribes, Vaniakta Jattis and Nomadic Tribes, if at any stage of selection, the Appointing Authority is of the opinion that a sufficient number of candidates from these communities possessing the requisite experience / higher basic academic

academic qualification are not likely to be available to fill up the vacancies reserved for the

By order and in the name of the Governor of Maharashtra.

(D. K. Mahagaonkar)
section officer
Government of Maharashtra.

To
The Administrator,
Kolhapur Municipal Corporation, Kolhapur.

KOLHAPUR MUNICIPAL CORPORATION

SUB : REGULATIONS REGARDING FACILITIES FOR
EMPLOYEES DESIRING TO BE THE MEMBER
OF HOME GUARD ORGANISATION.
ADM. RESOLUTION NO 133/5-5-1973.

Whereas it is necessary to frame regulations regarding facilities to be given to Municipal Employees for joining the Homeguard Organisation and whereas it is necessary to rescind the rules of ex-municipal council framed for this matter;

Now, therefore, in exercise of the powers conferred upon me vide sub-para (ab) of para 22 of Appendix IV of chapter IV, I, D. N. Capoor, Administrator of the Municipal Corporation of the City of Kolhapur do hereby accord sanction to the draft of Regulations framed under clause (1) of sub-section 1 of section 465 of the Act as enclosed and to rescind the rules in this regard framed by ex-Municipal council. They shall come into force from the date of this resolution.

D. N. CAPOOR
Administrator,
Kolhapur Municipal Corporation

O. C. Signed by the
Administrator

Regulations framed by the Kolhapur Municipal Corporation under clause (1) of sub-section 1 of section 465 of the B. P. M. C. Act, 1949 regarding facilities to be given to Municipal employees for joining the Homeguard Organization.

1. SHORT TITLE AND COMMENCEMENT :

These regulations shall be called as " Kolhapur Municipal Corporation Employees Home Guard Facilities Regulations", and shall come into force on the date as will be fixed by the Commissioner.

2. DEFINITIONS :

Unless there is anything repugnant in the subject or context,

' ACT ' means Bombay Provincial Municipal Corporation Act, 1949.

' HOME GUARD ' means the Homeguard as defined in section 3 of the Bombay Home Guards Act, 1947.

3 The Corporation may encourage its employees to join the Home Guard Organisation established in Kolhapur City under the provisions of Bombay Home Guards Act, 1947.

4. A Municipal employee who desires to join the Home Guards Organisation shall make an application to the Municipal Commissioner asking the permission for the same.

5. On receipt of the application under regulation 4 the Commissioner may give the permission to the applicant, if in his opinion, the services of the applicant can be spared for the purpose conveniently and without causing any disturbances in Municipal work allotted to such employee. Otherwise the Commissioner may reject the permission.

6. Every Municipal employee who has been allowed to join the Home Guards Organisation shall be liable to act according

to the provisions contained in Bombay Home Guards Act, 1947 and rules made thereunder pertaining to Home Guards Duties etc.

7. The Municipal employee who has been allowed by the Commissioner to join the Home Guards Organisation shall be relieved from Municipal duties to attend the Camps conducted by the Home Guard Organization.

8. The Municipal employee who has been allowed to join the Home Guards Organization shall be relieved from his duties to attend the duties of Home Guards as and when he is called by Home Guard Authorities for such duties.

9. The Municipal employee attending the camp as specified in Regulation 7 or attending Home Guards duty as specified in Regulation 8 shall be treated as ' on duty ' for the purpose of Municipal service.

10. If during the leave period of an employee who is the member of Home Guard Organisation, he is called by the Home Guard Authorities for duties, he shall forthwith attend the duties of Homeguard as if his leave has been cancelled.

11. The work of Home Guard is strenuous one and moreover sometimes he has to attend the areas involving considerable time in travelling. In such cases, the day or days spent by the employee in travelling shall be treated as on duty.

12. Any emoluments received by any municipal employee from Home Guard Organization in the course of performing the duty as Home Guard shall be retained by him as his personal earnings.

13. A Municipal employee who is the member of Home Guards causes any negligence in performing the duties of Home Guards or makes any breach under the provisions of Bombay Home Guards Act, 1947, or Rules made thereunder, shall be

liable to be punished under the provisions of and in the manner prescribed in the Bombay Home Guards Act, 1947.

D. N. CAPOOR
Administrator,
Kolhapur Municipal Corporation

एव - संशुद्ध कोर्पोरेशन
कोल्हापुर नगरपालिका,

Kolhapur Municipal Corporation

Sub : Grant of Loans : Municipal Servants

Administrator's Resolution No. 629 of 22-8-74

In exercise of the powers conferred upon me - vide sub para(ab) of para 22 of Part IV of Appendix IV of the Bombay Provincial Municipal Corporations Act, 1949 read with Section 465 (3) (a) ibid, I, D. N. Capoor, Administrator of the Municipal Corporation of the City of Kolhapur do hereby confirm the enclosed draft of Regulations framed under Section 465 (1) (p) of the said Act regarding grant of loans to Municipal servants for building purposes.

D. N. CAPOOR
Administrator,
Kolhapur Municipal Corporation

Kolhapur Municipal Corporation

Regulations Framed under Section 465 (1)h for grant of loans to Municipal Servants for buildings purposes.

1 SHORT TITLE AND COMMENCEMENT.

These regulations may be called the "Regulations of Kolhapur Municipal Corporations for grant of loans to Municipal servants for building purposes" and shall come in to force on the date fixed by the Municipal Commissioner in this behalf.

2 Definitions—Unless there be anything repugnant to the subject or context—

a) 'ACT' means the Bombay Provincial Municipal Corporations Act, 1949.

b) 'FUND' means the Corporation fund constituted under the Act.

c) 'SERVANT' means a Municipal servant drawing a monthly salary of not more than four hundred rupees.

d) 'SECTION' means Section of the Act.

Words and expressions used herein but not defined shall have the same meanings as are assigned to them in the Act.

3 LOAN TO WHOM TO BE GRANTED

Loan for building purposes may be granted to a permanent Municipal servant only subject to budget provision made by the Corporation from time to time for this purpose.

Provided that where more than one member of a family happens to be Municipal servant at any one time, the loan may be granted to only one of them.

EXPLANATION — For the purpose of these regulations permanent Municipal servant means and shall include all permanent servants of the Kolhapur Municipal Corporation including those of Kolhapur Municipal Transport Undertaking.

4 PURPOSES FOR WHICH LOAN MAY BE GRANTED--

Loan may be granted for the following purposes--

a) for purchase of a land and construction of a house thereon,

b) for purchase of a land with a view to construct a house thereon at a later date.

c) for construction of a new home,

d) for purchase of a land with ready-built house.

e) for enlarging living accommodation in the existing house owned by him.

f) for effecting extra-ordinary or special repairs to an existing house owned by him.

EXPLANATION — The land proposed to be purchased or the home proposed to be constructed or purchased by a municipal servant or owned by him as aforesaid may be at any place where,

i) the Municipal servant is born.

ii) the Municipal servant is permitted to reside while performing his duties at his headquarters or

iii) at any place within the territory of India where the Municipal servant proposes to settle down after retirement.

5) Conditions for grant of loan

An application for grant of loan shall be in the schedule 'A' attached to these regulations and shall satisfy the following conditions.

- a) Advance must be bona fide required for any of the purposes prescribed in Regulation 4.
- b) The applicant must not have availed of any loan or advance in the past from any other source or drawn an advance or made a final withdrawal from his Provident Fund in connection with any of the purposes for which loan is admissible under Regulation 4.
- c) Neither the applicant nor the applicant's wife/husband, minor child must be the owner of a house. However, this condition may be relaxed by the Standing Committee in exceptional circumstances for example if the applicant or the applicant's wife husband/ minor child owns a house in a village and the applicant desires to settle down in a town or city or where an applicant happens to own a house jointly with other relatives and he desires to build a separate house for his bona fide personal residence.
- d) Every application for loan shall be accompanied by plans and estimates prepared by a qualified Architect or Civil Engineer in regard to house proposed to be provided, constructed or enlarged.

6 EXHIBENT OF LOAN AMOUNT AND BY WHOM TO BE SANCTIONED

- a) Every application for the loan shall be sanctioned by the Standing Committee on the recommendation of the Municipal Commissioner.
- b) The amount of loan to be granted for the purposes prescribed in regulation 4 shall not exceed—

- i) Sixty months pay subject to a maximum of Rupees 15,000/- in case of IV class servant and forty months pay subject to a maximum of Rs. 30000/- (Thirty thousand) in case of other Municipal servants for the purchase of a land and construction of a house thereon or for the construction or purchase of a house.
- ii) Thirty months pay subject to a maximum of Rs. 6000/- in case of IV class servants and Twenty-five months pay subject to a maximum of Rs. 12000/- in case of other municipal servants for the purchase of a land with a view to construct a dwelling house thereon at a later date.
- iii) Twentyfive months pay subject to a maximum of Rs. 5000/- in case of IV class servants and twenty months pay subject to a maximum of Rupees 10000/- in case of other servants for the purpose of enlarging living accommodation in the present dwelling house owned by the applicant.
- iv) Twentyfive months pay subject to a maximum of Rs. 3000/- in case of IV th class servants and twenty months pay subject to a maximum of Rs. 5000/- in case of other municipal servant for the purpose of special repairs necessary to make an existing house habitable.

EXPLANATION. For the purpose of these regulations "Pay" shall include the basic pay and dearness allowance drawn by the applicant on the date of submission of the application.

7 INTEREST

The rate of interest for the loan granted shall be such as Government may from time to time prescribe for the payment of interest for the financial year to its employees on the amount of house building loan and the interest shall be payable along with instalment of repayment.

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8. MORTGAGE SECURITY.

In all cases of advance, the land or land together with the house as the case may be, shall be mortgaged to the Council as security for due repayment of the loan and appropriate documents shall be executed by the applicant in the form and manner prescribed by these Regulations.

9. MODE OF DISBURSEMENT

All house building advances shall be disbursed in the following manner-

a) Advance required partly for purchase of land and partly for constructing a new house shall be disbursed as follows.

i) A sum not exceeding 25 per cent of the sanctioned loan will be payable to the applicant for purchasing land on his executing an agreement in form 'A' appended to these Regulations for the repayment of the advance. In all cases in which a part of the advance is paid for the purchase of a land- the land must be purchased and the sale-deed together with all other documents of title in respect thereof must be produced to the Municipal Commissioner within two months of the date on which the above amount of 25 per cent is drawn. In default of production of such sale-deed and other documents of title in case the documents as produced do not disclose a good and marketable title the applicant shall be liable, on the order of the Municipal Commissioner, to refund to the Corporation at once the entire amount of the advance with the interest thereon up to date.

ii) A further sum equal to 25 per cent of the sanctioned advance will be payable to the applicant on his title to the land being found to be in order and on his executing in favour of the Corporation mortgage deed in form 'B' appended to these Regulations mortgaging the land purchased by him along with the house to be built thereon.

iii) A further sum equal to 40 per cent of sanctioned advance will be payable when the construction of the house reaches plinth level, and

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iv) The last instalment of the advance will be paid to the applicant when the construction of the house has reached roof-level, provided that the Municipal Commissioner is satisfied that on its completion the house will be habitable and fit for occupation in all respects.

b) Loan required for the purchase of land with a view to construct a dwelling house thereon at a later date will be payable to the applicant on his executing an agreement in form 'A' appended to these regulations for the repayment of the advance. In all cases in which advance is paid for purchase of land, the land must be purchased and the sale-deed together with all other documents of title in respect thereof must be produced to the Municipal Commissioner concerned within two months of the date on which the advance is drawn. In default of production of such sale-deed and other documents of title or in case the documents so produced do not disclose a good and marketable title, the applicant shall be liable to refund to the Corporation at once the entire amount of advance with interest thereon up-to-date. If the title is found to be in order the applicant shall execute in favour of the Corporation a mortgage-deed in Form 'B-2' appended to these regulations mortgaging the land purchased by him.

c) Loan required only for constructing a new house shall be disbursed as follows-

i) A sum equal to 30 per cent of the sanctioned advance will be payable to the applicant on his executing in favour of Corporation a mortgage-deed in Form 'B-3' appended hereto mortgaging the land owned by the Municipal Servants along with the house to be built thereon.

ii) A further sum equal to 40 per cent of the sanctioned advance will be payable when the house has reached plinth level.

iii) The last instalment of the advance will be paid to the applicant when the construction of the house has reached the roof level provided that the Municipal Commissioner is satisfied that on its completion the house will be habitable and fit for the occupation in all respects.

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d) Loan required for (i) enlarging living accommodations in an existing house or (ii) carrying out extra ordinary or special repairs to an existing house owned by the Municipal Corporation shall be paid to the applicant on his executing in favour of Servant a mortgage-deed in Form "B-4" annexed hereto along with existing house thereon.

e) Loan required for purchasing a ready-built house mortgaging land along with existing house thereon may be sanctioned by the Municipal Corporation or the Standing Committee after being satisfied that prima-facie the title of the municipal servant on completion of the contemplated purchase will be good and marketable. Payment of the entire amount required by and applicant executing an agreement in form "A-2" lump sum on applicant to the Corporation within 3 months for the repayment of the advance by execution of the mortgage-deed and the drawal of the advance by execution of the mortgage together with the interest thereon shall be refunded to the Corporation in form "B-5" attached hereto failing which the Corporation with the interest thereon shall be granted by Municipal Commissioner on the request of the applicant.

f) While authorising disbursement of an instalment of loan under this regulation, the Heads of Department will issue a certificate to the effect that the required formalities in pursuance of which the instalment has become due have been complied with.

10) Proof by Municipal servants about title -
In every case of house building loan the applicant must satisfy the sanctioning authority that he has good marketable title upon which the house stands or is proposed to be built.

NOTE - The sanctioning authority may, at his discretion, require municipal servant taking the loan to produce for inspection receipts in respect of all payments made on account of ground rent, municipal taxes and all other outgoings payable in respect of the land mortgaged to Corporation within 15 days of the respective dates on which they become due and payable.

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11) Surety Bond in certain cases -

In addition to the execution of the agreement and mortgage-deed referred to in Rule 9 above, the following two categories of applicants shall also be required to furnish a surety bond by a permanent Municipal servant or other solvent person acceptable to the Standing Committee as a surety in form 'C' attached hereto before sanctioned loan or any part thereof is actually disbursed to him.

i) All applicants, who are due to retire from service within a period of 18 months following the date of application for the grant of loan.

ii) All applicants, who are permanent municipal servants but not covered by sub-paragraph (i) above if they require the advance for purchase of a ready-built house.

NOTE 1 - When the surety offered is a permanent municipal servant, he should be of a comparable or of higher status than the municipal servant to whom the loan is sanctioned.

NOTE 2 - No permanent municipal servant shall be accepted as surety under this rule if he is unable to satisfy the sanctioning authority that notwithstanding his liability for payment of loan, if any, granted to him under this regulation he has adequate assets to meet the liability, arising from the surety bond.

12. RELEASE OF MORTGAGED PROPERTY

On repayment of the entire loan with interest and all dues, if any, the Commissioner will release the mortgaged house.

NOTE - Ordinarily it will suffice if the mortgage-deed is returned with an endorsement that the mortgage debt has been fully satisfied or paid off. The applicant (Mortgagor) if he chooses, can get such endorsement or acknowledgment registered at his own cost. No particular form of endorsement is necessary. If, however, the mortgagor insists on a formal deed of re-conveyance, it should be in form 'D' appended hereto.

13. **LIABILITY OF MUNICIPAL SERVANT TILL LOAN IS FULLY PAID :**

So long as the loan received by a municipal servant under these regulations or any part thereof or interest thereon remains outstanding, the municipal servant shall keep the house, mortgaged to the Corporation, in good state of repairs to the satisfaction of the sanctioning authority or the officer duly authorised for the purpose and such authority or officer shall inspect the house periodically to ensure that the house is kept in good repairs by the applicant mortgagor concerned.

14. **MODE OF MAKING APPLICATION AND CERTIFICATE OF EXPENDITURE.**

Application for loan must be made through the applicant's departmental head, will record his opinion as to the necessity for assistance solicited. The applicant must certify that the sum is to be expended only for the purpose for which it is asked for and undertake that if the amount of loan exceeds the actual expenditure incurred by him the excess will be refunded to Corporation forthwith. Utilisation of funds for a purpose other than that for which they are sanctioned, shall render the Municipal servant liable for disciplinary action apart from his being called upon to refund to Corporation forthwith the entire loan drawn up by him.

15. **LAST PAY CERTIFICATE TO DENOTE POSITION OF ADVANCE**

The last pay certificate granted to a municipal servant in case of his transfer from Kolhapur Municipal Corporation to Kolhapur Municipal Transport or vice versa, or in cases of his transfer to foreign service including State Govt. must specify the original amount of such loan, the amount repaid and the balance remaining due.

16. **EXAMINATION OF TITLE.**

The applicant's title to the property shall be examined by the Municipal pleader before the loan is actually paid. It shall be seen-

1) that the applicant has un-disputed title to the land on which it is proposed to build a house;

2) that in the case of a loan for the purchase of a house- vide clause (d) of regulation he will obtain such title as soon as the purchase price is paid.

3) that there is no legal obstacle in either case to the property being mortgaged to the Municipal Corporation.

4) that the Corporation will be in a position to exercise the powers of sale on the happening of the events mentioned in the mortgage-deed.

PROVIDED that such examination is not necessary in all cases as a matter of course, but the authority sanctioning the loan has discretion to decide whether the title deeds submitted by the applicant require any further examination by Municipal pleader.

17 **REPAYMENT OF LOAN-**

The loan shall be repayable in the manner hereinafter specified-

a) Every loan granted for purchase of land, for purchase of land and construction of a house or for construction or purchase of house or for enlarging living accommodation in an existing house shall be repaid with interest in full by monthly instalments within a period not exceeding 16 years.

b) Loan granted for the purpose of extra-ordinary or special repairs to house shall be recovered together with the interest thereon within a period not exceeding eight years.

c) Recovery of loan for constructing a new house or enlarging living accommodation in an existing house shall commence from the month following the completion of the house or the 18th month after the date on which the first instalment of the loan is paid to the Municipal servant, whichever is earlier. In other-

cases, recovery shall commence from the pay of the month following the month in which the loan is drawn.

d) It will be open to Municipal servant to repay the amount of loan in a short period if they so desire. In any case, the entire advance must be repaid in full, with interest thereon, before the date on which they are due to retire from service.

e) In order to avoid undue hardship to a Municipal servant who is due to retire within 16 years of the date of application for the grant of loan and who under the service Rules applicable to him is eligible for the grant of gratuity or death-cum-retirement gratuity, the Municipal servant will be allowed to repay the loan with interest in monthly instalment (the amount of which shall not be less than the amount of monthly instalments on the basis of repayment within a period of 16 years) during the remaining period of his service subject to the condition that the Corporation shall be entitled to recover the unpaid balance of advance and interest at the time of his retirement or death preceding retirement from the gratuity that may be sanctioned to such municipal servant.

f) The loan granted under these regulation shall bear such rate of interest as may be prescribed vide regulation No. 7 above. The interest will be calculated on balance outstanding on the last day of each month and shall be payable with the instalment of principal.

g) In case the Municipal servant does not repay the balance of the loan due to the Corporation on or before the date of his retirement it shall be open to the Corporation to enforce the security of the mortgage at any time thereof and recover the balance of the loan due together with the penal interest which shall not be less than 8 percent and not more than 10 percent per annum and cost of recovery, by sale of the house or in such other manner as may be permissible under the law.

n) Recovery of the loan shall be effected from the monthly pay/leave salary bills of the municipal servants concerned by the Head of the department or the Chief Accountant, as the case may be and it shall not be held up or postponed except with the prior concurrence of Standing Committee.

1) If a Municipal servant ceases to be in service for any reason other than normal retirement / superannuation, or if he dies before repayment of the advance in full, the entire outstanding amount of the advance shall become payable to the Corporation forthwith. Corporation may, however, in deserving cases permit the Municipal servant concerned or his successor in interest, as the case may be, or the sureties in cases concerned by Regulation-11, if the house has not been completed and/or mortgaged to the Corporation at that time, to repay the outstanding amount together with interest thereon in suitable instalments Failure on the part of the Municipal servant concerned amount by enforcement of the mortgage by recourse to legal proceedings or in any other manner permissible.

18 LOAN TO THE MUNICIPAL SERVANT WHO IS MEMBER OF COOPERATIVE HOUSING SOCIETY

1) A Municipal servant who is a member of a co-operative Housing Society may also be paid a loan for house building or loan under the above regulation for constructing a house on the Society's land either by himself or by Society. When the Municipal servant constructs the house himself on the land taken on lease from the society, he shall execute a mortgage bond in any form B-B, B-B1, B-B2 or B-B3 as may be appropriate, and the society shall pass a surety bond in form "E" in favour of Corporation.

2) Where the building is to be constructed through the Society the amount of loan shall be invested in the shares or debentures of the Society. The society shall in that case hand over possession of the house to the Municipal servant for occupation within 24 months of the grant of loan. The Municipal servant shall execute in favour of Corporation a moneybond in form "G" attached hereto undertaking to repay the amount of advance in accordance with the above regulation. He shall mortgage his interest in the land, and the house to the society instead to the Corporation and the society shall thereupon execute a security bond in form H-1 in favour of the Corporation.

3) where a Municipal servant proposes to purchase a flat in a building owned by a co-operative Housing Society, the amount of loan may be utilised partly for the purchase of shares or debentures required to be purchased by a member, as a necessary qualification. The Municipal servant shall execute an

agreement in form "G-1" attached hereto undertaking to repay the amount of advance in accordance with the above regulations. He shall transfer his interest in the shares or debenture as also the flat so purchased in favour of the society in such manner as the society may prescribe and the society shall execute in favour of the Corporation a Guarantee Bond creating a charge on the entire land and building in which the flat is proposed to be constructed. The Society may guarantee and number of loans to its members who are Municipal servants so long as the land and building is not mortgaged, charged or otherwise encumbered by it in favour of any party other than the Corporation. The form of Guarantee bond to be executed in favour of the Corporation creating the charge on any free-hold land and building for the first time shall be in form "H-2". Where the land is held by the Society on a lease, the form of Guarantee bond to be adopted for creating a charge of such lease hold land and the building constructed by the Society thereon shall be in form "H3" and every subsequent Guarantee Bond creating further charge on the same lease-hold land and building shall be in form "H4". Instructions contained in these Regulations as regards investigations of title shall, so far as may apply in the case of advance applied for by member of Co-operative Housing Societies may be as if the Society itself had applied for the advance.

19. Reference to a Municipal Pleader in case of doubt as to appropriate bond.

If any case is not covered by any of the prescribed Bonds, or if there is any doubt as regards the appropriate form to be adopted, a reference may be made to Municipal pleader and decision taken by the Corporation on his advice shall be final and binding on the parties concerned.

20. Corporation to bear expenses of registration.
Corporation shall bear the registration charges in respect of any mortgage-deed prescribed under these Regulations

D. N. CAPOOR
Administrator
Kolhapur Municipal Corporation

Kolhapur Municipal Corporation

SUBJECT : NATURAL CALAMITIES RELIEF TO THE
SUFFERERS OF ADMINISTRATOR'S
RESOLUTION NO. 284 DATED 19-6-1973.

Whereas it is necessary to make provisions regarding giving assistance to the sufferers of natural calamities in the City as specified in Section 66 (39) of the Bombay Provincial Municipal Corporations Act, 1949, and whereas it is necessary to prescribe the extent, nature and the manner in which such assistance may be given,

Now, therefore, in exercise of the powers conferred upon me vide sub-para (ab) of para 27 of Appendix IV of Chapter IV in the Schedule, I, D. N. Capoor, Administrator of the Municipal Corporation of the City of Kolhapur make the following order prescribing the extent to which and the manner in which assistance may be given to the sufferers in the City for the calamities as specified therein.

2. CALAMITIES FOR WHICH ASSISTANCE IS ADMISSIBLE.

Sufferers of calamities mentioned below will be eligible to receive assistance under this order.

- a) Earthquake,
- b) Floods or heavy rain-fall,
- c) Accidental fire,
- d) Cyclone,
- e) Lightning.

3. In cases of calamities other than those specified in para 2 above assistance may not be given except with previous sanction of the Corporation as a special case if such

calamity is of an immense magnitude and is sufficiently widespread.

4. **PERSONS ELIGIBLE FOR ASSISTANCE.**

Only the citizens of the City of Kolhapur who are registered as voters and their dependents are residing in Kolhapur shall be eligible to get assistance under this order.

5. **NATURE OF ASSISTANCE.**

Assistance under this order will consist of the following items--

- a) Gratuitous relief to meet immediate requirements of persons rendered destitute by the calamities,
- b) Assistance to re-build the houses damaged by calamities.

6. **PERSONS ELIGIBLE FOR GRANT OR GRATUITOUS RELIEF.**

All persons who are left in indigent circumstances or have been rendered destitute by calamities mentioned in para 2 above by loss of their personal belongings including food, clothing etc. shall be eligible to receive gratuitous relief under these orders. In the cases of death by calamities like lightning, the survivors rendered destitute shall be eligible to gratuitous relief. The mere fact that the persons who have become destitute own land or other properties shall not render them ineligible for the receipt of such relief if they are unable to secure for themselves immediately food, clothing utensils or temporary shelter.

7. **PURPOSE FOR WHICH GRATUITOUS RELIEF MAY BE GRANTED.**

Gratuitous relief to be sanctioned under these orders shall be limited to providing to the sufferers and his dependents

- a) Food for a period upto 15 days from the date of calamity.

- b) Clothing and utensils immediately required by the sufferers and

- c) For the transport of the sufferers and their belongings to the nearest place of safety or to return home from the place to which they were evacuated.

N. B. No cash grant shall normally be payable for the purpose of erecting a temporary shed but temporary shelter shall be provided as far as possible in a common shed.

8. **EXTENT TO WHICH AND AUTHORITY BY WHICH ASSISTANCE SHALL BE GRANTED**

Gratuitous relief shall be granted either in cash or in kind or partly in cash and partly in kind. Ordinarily an individual family will be given assistance up to an amount of Rs. 200, by the Commissioner of the Corporation in the following scale keeping in view the principle that Corporation's aid is restricted to supplementing private charity and Govt. assistance where it is not adequate.

- a) Cash doles may be given to the sufferers for food at a rate not exceeding Rs. 1/- per head per day, irrespective of age, alternatively the expenditure within this limit may be incurred for running a common kitchen for a period not exceeding 15 days from the date of occurrence of the calamity.

- b) Cash doles may also be given to the sufferers for clothing, utensils and house-hold articles according to requirements but not exceeding Rs. 15/- per head.

9. **DELEGATION OF POWER.**

The power of the Commissioner to sanction relief according to the scale mentioned above which is limited to Rs. 200/- per family may be delegated by him to any Municipal Officer of the Corporation.

10. **RELIEF EXCEEDING OF AMOUNT OF Rs. 200/-**
In case, it is found necessary to sanction relief exceeding

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Rs. 200/- to a family, Commissioner should sanction Rs. 200 and refer the case to the Standing Committee which may give further relief upto Rs. 800/- per family bringing the total amount of relief to Rs. 1000/- per family.

HOUSE DAMAGE RELIEF

10 (A) PERSONS ELIGIBLE FOR ASSISTANCE

All persons whose houses are damaged or destroyed by the calamities mentioned earlier are generally eligible to receive this assistance having regard to the nature and extent of the damage caused to their houses provided that they do not have resources to rebuild or to reconstruct their houses and / or are not able to get adequate assistance for the purpose through private charity or Govt. or Semi-Govt. assistance.

11. In determining whether a person is or is not in a position to rebuild his own house, the Commissioner should not be guided by mere fact that the person concerned owned a fairly big house. In such calamities even well-to-do persons are sometimes rendered helpless and if it is found that they are not in a position to obtain outside assistance to repair or (reconstruct) their houses Corporation's assistance should not be denied to them.

N. B. -1- To avoid recurrence of damage by calamities like flood it is decided to shift population to a safer zone. Assistance available under this Resolution should be given after the grantee shifts to the safer site offered by the Govt. or Corporation. If the sufferer is not prepared to move to the safer site, assistance under this Resolution should not be granted because it is likely to be wasted when similar calamity takes place in future.

N. B. -2- In case where it is noticed that the houses damaged by the calamities like floods were constructed unauthorisedly i. e. without proper permission etc. or on Municipal or Government land by encroachment, the assistance under this Resolution should be denied.

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12. EXTENT OF ASSISTANCE :

Persons whose houses are damaged or destroyed by calamities can be given subsidy and/ or loan to enable them to repair or reconstruct their houses

13. THE SCALE OF SUBSIDY TO BE SANCTIONED SHALL BE AS FOLLOWS :—

a) where the cost of repairs or reconstruction of the house is less than Rs. 250 and where the sufferer has no resource of his own to undertake repairs or reconstruct the house, subsidy equal to the cost of repairs or reconstruction but not exceeding Rs. 250/ should be sanctioned

b) Where the repairs or reconstruction of the house cannot be done within Rs 250/- and sufferer asks for further assistance, subsidy and/ or loan should be sanctioned as follows :—

i) Subsidy not exceeding 50% of the total cost of repairs or reconstructing the house or Rs. 500/- whichever is less should be sanctioned in each case.

ii) In addition if the sufferer so requires loan may be granted in accordance with the provisions of Rule 15 in Chapter XII of the Bombay Provincial Municipal Corporations Act, 1949

(iii) As far as possible subsidy and loan should be granted in kind, cash-payment being restricted to what may be required for labour and other miscellaneous purpose.

iv) If the sufferer does not want the loan, but wants only subsidy, it may be given according to the scale indicated above.

v) The amount of loan and subsidy together should not exceed what may be necessary for the reasonable cost of repairs or reconstruction of the damaged or destroyed house

14. POWERS OF OFFICERS TO SANCTION LOAN OR SUBSIDY.

Subsidy shall be sanctioned by the officers mentioned below to the extent shown against them.

C. E. Rs. 250/-§ In each individual case.
A. M. C. Rs. 500/-§ Subject to prior approval of the Commissioner

15. The loan should be sanctioned in the manner as provided in Rule 15 of chapter XII of the Bombay Provincial Municipal Corporations Act, 1949.

16. While sanctioning the subsidy or loan, the estimated cost of the reconstruction or repairs of damaged or destroyed house by calamities, as certified by the City Engineer of the Corporation only should be taken in to consideration.

17. SECURITY.

Subject to the provisions of clause (e) of sub-rule (3) of Rule 15 in Chapter XII of the B. P. M. C. Act 1949, adequate security to cover the loan and interest with margin of safety should be taken from the sufferers to whom the loan is sanctioned. In case the sufferer is not in a position to give adequate security, loan should be sanctioned on the security of the house-site and the structures to be constructed thereon in addition to what the loanee may be in a position to offer as collateral security or other suitable security like joint bond or the personal surety of at least one or two solvent persons.

18. LOAN TO BE GIVEN IN INSTALLMENTS.

In order to avoid misuse, the amount of loan should be paid to the sufferers in four instalments, the second and the subsequent instalments being paid on the production of the certificates from the City Engineer of the Corporation to the effect that the amount of loan already taken has been spent by the borrower for the purpose for which it was given.

19. INTEREST

If the loan is sanctioned to the Scheduled tribes or Scheduled Caste person, it shall carry 2% interest; When it is sanctioned to others, it shall carry interest at 6½ % per annum.

20. REPAYMENT

The number of instalments in which the loan should be repaid shall be fixed by the sanctioning authority having regard to the circumstances of each case but in any case the period of repayment should not exceed 30 years.

21. ASSISTANCE TO BE GIVEN IN KIND.

Whenever possible, subsidy and loan for repairs to or reconstruction of houses should be given in the form of material such as G. C. I. sheets, timber, battles, bamboos, etc. to the extent necessary when the material is not available with the Corporation or when owing to unsurmountable difficulties considerable delay is likely to be caused in procurement of the material, cash amount should be paid to the sufferers, while paying the cash amounts, it should be ensured that the amounts are handed over to the grantees actually when the work is about to start and also when there are reasonable prospects of getting the material needed by the grantee in the market. In any case it should be ensured that the subsidy/loan whether in cash or kind is made available to the sufferers promptly within a period of 30 days from the day of damage or destruction of the house by calamity. This will, however, not apply to the cases where it is decided to shift sufferers to safer zones and grant them assistance after they move to the new site.

22. DEBITING OF EXPENDITURE

- a) Expenditure on account of subsidy should be debited to the head "Subsidy to the sufferers of Natural calamities"
- b) Expenditure on account of loan should be debited to head "Loan for reconstruction or repairs of the Building Loan"

23. OTHER GENERAL POINTS
VISIT OF MUNICIPAL OFFICERS TO THE
SCENE OF CALAMITY.

The sufferers of calamities need to be given prompt relief which cannot be given unless the concerned Officers visit the scene of calamity and acquaint themselves with the nature and extent of damage caused and the relief required to be given. The Commissioner should therefore impress upon the Municipal Officers particularly those working in public works department the paramount necessity of visiting the scene of calamity at once and taking steps for the relief of sufferers without any loss of time.

24. INTENTIONS OF THIS RESOLUTION

The intention underlying these orders is to assist the sufferers of the natural calamities who are not in a position to procure privately or from Government the requisite resources to repair or reconstruct their damaged houses and where private charity or Government assistance is inadequate to meet the immediate requirements of the destitutes. Loan under this Resolution is not normally admissible to the sufferers who get loan from the Government under Government Assistance and also to the merchants, traders etc. for rehabilitating them in their business or trade except with specific approval of the Corporation.

25. EFFECT OF THE RESOLUTION

Regarding subsidy to be granted to the destitutes, the Resolution shall come into force immediately and regarding building loans it will come in to force from 1st of April 1974 subject to the provisions of grants for the same purpose in the budget for 1974-75

D. N. CAPOOR
Administrator
K—M—C

Kolhapur Municipal Corporation

SUBJECT : GENERAL PROVIDENT FUND. REGULATIONS.

Administrator's Resolution No. 857/10-1-74

Whereas it is necessary to frame regulations regarding General Provident Fund and whereas it is necessary to rescind the rules of the Ex. Municipal Council in this respect.

Now, therefore, in exercise of the powers conferred upon me vide sub-para (ab) of para 22 of Part IV of Appendix IV in the Bombay Provincial Municipal Corporations Act, 1949, I, D. N. Capoor, Administrator of the Municipal Corporation of the City of Kolhapur do hereby record confirmation under Section 465 (2) of the Bombay Provincial Municipal Corporations Act, 1949 to the enclosed draft of regulations framed under Section 465 (1)(f) of the said Act regarding General Provident Fund.

These Regulations shall come into force with effect from 1-12-1973.

D. N. CAPOOR
Administrator,
Kolhapur Municipal Corporation

KOLHAPUR MUNICIPAL CORPORATION
PROVIDENT FUND REGULATIONS

framed under clause (j) of Sub-section 1 of Section 465 of the Bombay Provincial Municipal Corporations Act, 1949.

1. SHORT TITLE AND COMMENCEMENT.

These regulations shall be called as "Kolhapur Municipal Corporations General Provident Fund Regulations" and shall come into force on the date fixed by the Municipal Commissioner in that behalf.

2. DEFINITIONS:

1) Unless there be something repugnant to the subject or context—

a) "Accounts Officer" means the Municipal Commissioner or any other Municipal Officer authorised by him in this behalf;

b) "Act" means the Bombay Provincial Municipal Corporations Act, 1949.

c) Except where otherwise expressly provided 'Emolu-ments' mean pay, leave salary or subsistence grant as defined in the Bombay Civil Services Rules and any remuneration of the nature of pay received in respect of foreign service.

d) 'Family' means—

i) in the case of a male subscriber, the wife or wives and children of the subscriber and widows or widows and children of the deceased son of the subscriber.

Provided that if a subscriber proves that his wife has been judicially separated from him or has ceased under the customary law of the community to which she belongs to be entitled to maintenance, she shall nevertheless be deemed to be no longer a member of the subscriber's family in matters to which these

regulations relate, unless the Subscriber subsequently indicates by express notification in writing to the Accounts Officer that she shall continue to be so regarded.

ii) In the case of a female subscriber, the husband and children of the subscriber and the widow or widows and children of a deceased son of the subscriber.

Provided that if a subscriber by notification in writing to the Accounts Officer expresses her desire, to exclude her husband from her family, the husband shall nevertheless be deemed to be no longer a member of the subscriber's family in matters to which these regulations relate unless the Subscriber subsequently cancels formally in writing her notification excluding him.

Note: I- For the purpose of these regulations,

'Children' means the legitimate children of the Subscriber and may include an adopted child when the Accounts Officer or if any doubt arises in his mind, the legal adviser of the Corporation is satisfied that under the personal law of the Subscriber adoption is legally recognised as conformity the status of a natural child.

e) 'Fund' means the General Provident Fund of the Corporation.

f) "Leave" means any variety of leave recognised by the Bombay Civil Services Rules as adopted by the Corporation or by regulations framed by the Corporation.

g) 'Year' means a financial year of the Corporation.

2) Words and expressions used herein but not defined shall have the same meaning as assigned to them in the Provident Fund Act (XIX of 1925) or in the Bombay Civil Services Rules.

1. CONSTITUTION OF THE FUND.

The Fund shall be maintained in rupees.

4. PERSONS ELIGIBLE TO JOIN THE FUND.

1. All the servants of the Corporation who are in permanent pensionable or non-pensionable service and whose condition of service to the Corporation is competent to determine shall be eligible to join the fund with the consent of the Accounts Officer of the Corporation.

Provided that such servants have been employed or in the opinion of the Accounts Officer are likely to be employed in the service of the Corporation for a continuous period of at least 3 years shall be considered permanent for purpose of these Regulations.

Provided further that no such servant as has been required or permitted to subscribe to the Contributory Provident Fund shall be eligible to join or continue as a Subscriber to the Fund while he retains his right to subscribe to such Fund.

5. All permanent municipal servants and employees who are eligible to subscribe to the fund under Regulation 4 and who receive a pay of Rs. 30 or more per month and who are not Subscribers to the Contributory Provident Fund on the date on which these regulations come in to force shall join the fund compulsorily.

NOTE -- For the purpose of these regulations 'Pay' means the substantive pay and not officiating pay.

6. OPTION OF SUBSCRIPTION OR OTHERWISE DURING LEAVE.

The Municipal servant who has joined the fund shall not discontinue subscribing to this fund except on a level of 30 days or more. But on return from leave to duty he shall subscribe to fund as before. For exercising option of not subscribing during leave he should intimate to the Head of the office in advance.

7. SPECIAL PROVISION REGARDING EMPLOYEES PRIOR TO 1-5-1977.

1 Notwithstanding anything contained in pension rules over municipal servant who was in permanent municipal service

on or before 1-5-1977 and who has selected to come under pension scheme, his amount of subscription to the Contributory Provident Fund together with interest thereon upto the date of his coming under General Provident Fund Scheme shall be the opening balance of General Provident Fund account and when these regulations come into force the amount of his Subscription for the period between his joining the pension scheme and the General Provident Fund shall waived.

2. The recovery of arrears of subscription shall however be made in the case no persons joining this from the date these regulations come into effect till the date he so joins this Fund at a rate not exceeding the rates of monthly subscription in these regulations.

8. NOMINATIONS.

1. A Subscriber shall as soon as may be after joining the fund send to the Accounts Officer a nomination conferring on one or more persons the right to receive the amount that may stand to his credit in the fund in the event of his death before that amount has become payable or having become payable has not been paid.

Provided that if at the time of making the nomination the Subscriber has a family the nomination shall not be in favour of any person or persons other than the members of his family.

Provided further that the nomination made by the Subscriber in respect of any other Provident Fund to which he was subscriber before joining this Fund, shall, if the amount to his credit in such other Provident Fund has been transferred to his credit in this Fund, be deemed to be a nomination duly made under this Regulation until he makes a nomination in accordance with this regulation.

2. If a Subscriber nominates more than one person under sub-regulation (1) he shall specify in the nomination the amount or share payable to each of the nominees in such manner as to cover the whole of the amount that may stand to his credit in the fund at any time.

3. Every nomination shall be in such one of the forms set forth in the First Schedule as is appropriate in the circumstances.

4. A Subscriber may at any time cancel a nomination by sending a notice in writing to the Accounts Officer.

Provided that the Subscriber shall, alongwith such notice, send a fresh nomination made in accordance with the provisions of these regulations.

5. A Subscriber may provide in a nomination—

a) in respect of a specified nominee, that in the event of his pre-diseasing the Subscriber, the right conferred upon that nominee shall pass to such other person or persons as may be specified in the nomination provided that such other person or persons shall if the subscriber has other members of his family be such other member or members.

b) that the nomination shall become invalid in the event of the happening of a contingency specified therein provided that if at the time of making the nomination the Subscriber has no family he shall provide in the nomination that it shall become invalid in the event of his subsequently acquiring a family.

Provided further that if at the time of making the nomination the Subscriber has only one member of the family, he shall provide in the nomination that the right conferred upon the alternate nominee under clause (a) shall become invalid in the event of his subsequently acquiring other member or members in his family.

6. Immediately on the death of a nominee in respect of whom no special provision has been made in the nomination under clause (a) of regulation (5) or on the occurrence of any event by reason of which the nomination becomes invalid in pursuance of clause (b) of regulation (5) or the proviso thereto the Subscriber shall send to the Accounts Officer a notice in writing cancelling the nomination made in accordance with the provisions of this regulations.

7. Every nomination made and every notice of cancellation given by a Subscriber shall to the extent that it is valid take effect on the date on which it is received by the Accounts Officer.

9. SUBSCRIBER'S ACCOUNT.

An account shall be prepared in the name of each Subscriber and shall show the amount of his Subscription with interest calculated as prescribed in Sub regulation (2) of regulation 14.

10. CONDITIONS OF SUBSCRIPTIONS.

Except as provided in Regulation (6) a subscriber shall subscribe monthly to the fund except during a period of suspension and leave without pay.

11. RATES AND AMOUNT OF SUBSCRIPTIONS

1. The amount of subscription shall be fixed by the Subscriber himself subject to the following conditions.

a) It shall be expressed in whole rupees.

b) In the case of a Municipal servants in inferior service, it may be any sum expressed in whole rupees not being less than two rupees if his pay is Rs. 40/- p. m. and not more than Rs. 10/- if his pay is more than Rs. 40/ p. m.

c) In the case of a Municipal servant in superior service it may be any sum expressed in whole rupees not being less than 5 p. c. of his pay expressed in whole rupees and not more than his emoluments.

2. The Subscriber shall intimate the fixation of the amount of his monthly subscription each year in the following manner.

a) If he was on duty on the 31 st March of the preceding year, by the deduction which he makes in this behalf from his pay bill for that month,

b) If he was on leave on the 31 st March of the preceding year and not to subscribe during such leave or was under suspension on that date by the deduction which he makes in this behalf from his first pay bill after his return to duty.

c) If he has entered in the municipal service for the first time during the year or he is compulsorily required to join the fund from a particular date under regulation 5 or joins the fund for the first time, by the deduction which he makes in the behalf from his pay bill for the month following that in which he joins the fund.

3. The amount of subscription so fixed shall remain unchanged throughout the year.

Provided that the amount of subscription may be enhanced once at any time during the course of a year.

12. FOREIGN SERVICE.

When a Subscriber is transferred to a foreign service or sent on deputation he shall remain subject to the same regulations of the fund and in the same manner as if he were not transferred or sent on deputation.

13. REALISATION OF SUBSCRIPTIONS.

1. When emoluments are drawn from Municipal Treasury, recovery of subscription on account of these emoluments and of the principal and interest of advance shall be made from emoluments themselves.

2. When emoluments are drawn from any other source the subscriber shall forward his dues monthly to the Accounts Officer.

3. If a Municipal servant fails to subscribe with effect from the date on which he is required to join the fund under regulation 5, the total amount due to the fund on account of arrears of subscription shall with interest thereon at the rate provided in regulation 14 forthwith be paid by the Subscriber

to the fund or in default be ordered by the Accounts Officer to be recovered by deduction from the emoluments of the subscriber, by instalments or otherwise as may be directed by the Accounts Officer competent to sanction an advance for the grant of which special reasons are required under clause (e) of sub-regulation 1 of regulation 15.

14. INTEREST.

1) The Corporation shall pay to the credit of the account of the subscriber interest at such rate as may be determined for each year according to the method of calculation prescribed from time to time by the Government of Maharashtra.

2) Interest shall be credited with effect from the last day in each year in the following manner.

a) on the amount at the credit of a Subscriber on the last day of preceding year less any sums withdrawn during the current year interest for twelve months.

b) on sums withdrawn during the current year interest from beginning of the current year upto the last day of the month preceeding the month of withdrawal.

c) on all sums credited to the Subscriber's account after the last day of the preceeding year, interest from the date of deposit upto the date of current year.

d) The total amount of interest shall be rounded off to the nearest whole rupee (fifty paise counting to the next higher rupee.)

Provided that when the amount standing at the credit of a Subscriber has become payable, interest shall there upon be credited under the sub-regulation in respect only of the period from the beginning of the current year or from the date of deposit as the case may be, upto the date on which amount standing at the credit of the subscriber becomes payable.

e) In this regulation the date of deposit shall, in the case of recovery from emoluments be deemed to be the first day

of the month in which it is recovered and in the case of an amount forwarded by the Subscriber shall be deemed to be the first day of the month of receipt, if it is received by the Accounts Officer before the first day of that month, but if it is received on or after the fifth day of that month the first day of the next succeeding month.

f) In addition to the amount to be paid under regulations 17, 18 and 19 interest thereon up to the end of the month preceding that in which the payment is made or up to the end of sixth month after the month in which such amount becomes payable, whichever of these periods be less, shall be payable to the person to whom such amount is to be paid.

Provided that where the Account Officer has intimated to that person (or his agent) a date on which he is prepared to make payment in cash or has posted a cheque in payment to that person, interest shall be payable only up to the end of the month preceding the date so intimated or the date of posting the cheque as the case may be.

g) The interest on amounts which under sub-regulation 3 of regulation 13, clause Y of sub-regulation (1) of regulation 15 are repaid at the credit of the subscriber in the fund shall be calculated at such rates as may be successively prescribed under sub-regulation 1 of this regulation and so far as may be in the manner described in this regulation.

h) Interest shall not be credited to the account of Mohamadan subscriber, if he informs the Accounts Officer that he does not wish to receive it, but he subsequently asks for interest, it shall be credited with effect from the first day of the year in which he asks for it.

15 ADVANCES FROM THE FUND.

1) A temporary advance may be granted to a Subscriber from the amount standing to his credit in the fund at the discretion of Municipal Commissioner or any Municipal Officer authorised by him in this behalf subject to the following conditions.

a) No advance shall be granted unless the sanctioning authority is satisfied that the applicants pecuniary circumstances justifying it and that it will be expended on the following object or objects and not otherwise—

i) to pay expenses incurred in connection with the prolonged or serious illness of the applicant or any person of his family as detailed into in these regulations also actually dependent on him.

ii) to pay for the overseas passage for reasons of health or of education of the applicant or any other person dependent on him.

iii) to pay obligatory expenses on a scale appropriate to the applicants status which by customary usage the applicant has to incur in connection with religious functions, marriage, betrothal, funeral or other ceremonies of the persons actually dependent on him.

Provided that the condition of actual dependence shall not apply in the case of a son or daughter of the Subscriber.

NOTE :— Advances under sub-regulation (ii) are also permissible for meeting expenditure in connection with a marriage and other ceremonies of the Subscriber himself/herself.

iv) to meet the cost of legal proceedings instituted by the Subscriber for vindicating his position in regard to any allegations made against him in respect of any act done or purporting to be done by him in the discharge of his official duties, the advance in this case being available in addition to any advance admissible for the same purpose from any other municipal source.

Provided that the advance under this subclause shall not be admissible to a Subscriber who institutes legal proceedings in any Court of law either in respect of any matter unconnected with his official duty or against the Corporation in respect of any condition of service or penalty imposed on him.

(v) to meet the cost of his defence where the Subscriber is prosecuted by the Corporation in any Court of law in respect of any alleged official mis-conduct on his part.

(vi) to meet expenses in connection with the betrothal ceremony of his daughter.

(vii) to meet expenses for pilgrimage.

(b) The sanctioning authority shall record in writing its reasons for granting the advance.

(c) An advance shall not except for special reasons—

(i) exceed three months pay or half the amount at the credit of the subscriber in the fund, whichever is less or

(ii) Unless the amount already advanced does not exceed two thirds of the amount admissible under clause (e) (i), be granted until at least three months after the final payment of all previous advances together with interest thereon.

NOTE : For the purpose of this regulation ' Pay ' does not include dearness pay.

Provided that the reason is of a confidential nature. It may be communicated to the Accounts Officer personally and confidentially.

(d) Notwithstanding anything contained in clause (c), the advance to be sanctioned for the objects mentioned in sub-class (iv) or (v) of clause (a) shall not exceed three months pay or Rs. 500/- whichever is greater and shall in no case exceed half the amount at the credit of the subscriber.

2) In fixing the amount of an advance the sanctioning authority shall pay due regard to the amount at the credit of the subscriber in the fund.

16. RECOVERY OF ADVANCES

1) An amount of advance paid to the subscriber shall be recovered from him in such a number of equal monthly instalments as the sanctioning authority may direct, but such instalments shall not be less than twelve unless the subscriber so elects and not more than twentyfour. In special cases where the amount of advance exceeds three months pay of the subscriber under clause (c) of subregulation (1) of regulation 15 the sanctioning authority may fix such number of monthly instalments to be more than twentyfour but in no case more than thirty six. A subscriber may at his option repay more than one instalment in a month. Each instalment shall be in number of whole rupees the amount of the advance being raised or reduced if necessary to admit of the fixation of such instalments.

2. Recovery shall be made in the manner prescribed in regulation 13 for the realisation of the subscriptions and shall commence on the first occasion, after the advance is made in which the subscriber draws pay or remuneration on foreign services

Provided that when advance is made between the period from the 21st day to the last (both inclusive) of any month such recovery shall commence from the second such occasion.

Provided further that the recovery shall not be made except with the subscriber's consent when he is on leave or in receipt of subsistence grant and may be postponed on the subscriber's written request, by the sanctioning authority during the recovery of an advance of pay granted to the subscriber.

3. If more than one advance has been granted to a subscriber, each advance shall be treated separately for the purpose of recovery.

4. (a) After the principal of the advance is fully repaid, interest shall be paid thereon at the rate of one-fifth p. c. of the principal for each month or a part of a month during the period between the drawal and complete repayment of the advance.

(b) Interest shall ordinarily be recovered in one installment in the month after complete repayment of the principal, but period referred to in clause (a) exceeds twelve months, interest may if the subscriber so desires, be recovered in two equal monthly installments. The method of recovery shall be as prescribed in sub-regulation (2) and payments shall be rounded to the nearest whole rupee in the manner prescribed in clause IV of sub-Regulation 2 of Regulation 14.

5. If an advance has been granted and drawn by the Subscriber and the advance is subsequently disallowed before repayment is completed, the whole or balance of the amount withdrawn shall with interest at the rate provided in Regulation 14 be repaid forthwith by the Subscriber to the fund or in default, be ordered by the Accounts Officer to be recovered by deduction from the emoluments of the Subscriber in a lumpsum or in the monthly installments not exceeding twelve as may be directed by the authority competent to sanction an advance for the grant of which special reasons are required under clause (c) of Sub-Regulation (1) of Regulation 15.

6. Recoveries made under this Regulation may be credited as they are made to the Subscriber's account in the fund.

17. FINAL WITHDRAWAL OF ACCUMULATION IN THE FUND.

When a Subscriber quits the service, the amount standing to his credit in the fund shall become payable to him.

Provided that a Subscriber who has been dismissed from the service and be subsequently reinstated in the service shall if required to do so by the Corporation to repay any amount paid to him from the fund in pursuance of this regulation with interest thereon at rate provided in regulation 14 and in the manner prescribed in the proviso to Regulation 18, the amount so repaid shall be credited to his account in the fund.

Provided further that a subscriber holding a temporary post may either withdraw the amount on the termination of his

appointment or leave it in the fund to be withdrawn at the time he finally quits the service.

18. SPECIAL PROVISION WHEN SUBSCRIBER IS ON LEAVE.

When Subscriber—

a) has proceeded on leave preparatory to retirement or
b) while on leave has been permitted to retire or has been declared by the competent medical authority to be unfit for further service,

The amount standing to his credit in the fund shall upon application made by him in that behalf to the Accounts Officer become payable to the subscriber.

Provided that the Subscriber if he returns to duty shall, if required to do so by the Corporation, repay to the Fund for credit to his accounts, the whole or part of any amount paid to him from the fund in pursuance of this regulation with interest thereon at the rate prescribed in regulation 18, by installments or otherwise by recovery from the emoluments or otherwise, as may be directed by the authority competent to sanction an advance for the grant of which special reasons are required under clause (c) of Sub-regulation 1 of Regulation 14.

19. PROVISIONS REGARDING AFTER DEATH PAYMENT.

On the death of a Subscriber before the amount standing to his credit has become payable or where the amount has become payable before payment has been made—

(1) when the Subscriber leaves a family,

(a) if a nomination made by the Subscriber in accordance with the provisions of regulation 8 or corresponding

to his regulation heretofore in force in favour of a member or members of his family subsists, the amount standing to his credit in the fund or part thereof to which the nomination relates shall become payable to his nominee or nominees in the proportion specified in the nomination.

(b) if no such nomination in favour of member or members of the family of the Subscriber subsists, or if such nomination relates only to a part of the amount standing to his credit in the fund, the whole amount or the part thereof to which the nomination does not relate, as the case may be shall notwithstanding any nomination purporting to be in favour of any person or persons other than a member of members of his family become payable to the members of his family in equal shares.

Provided that no share shall be payable to—

- 1) sons who attained legal majority.
- 2) sons of a deceased son who have attained legal majority.
3. married daughters whose husbands are alive.
- 4) Married daughters of a deceased son whose husbands are alive of there is any member of the family other than those specified in clauses (1) (2) (3) (4).

PROVIDED—further that the widow or widows and the child or children of a deceased son shall receive between them in equal parts only the share which that son would have received if he had survived the subscriber and had been exempted from the provisions of clause (1) of the first proviso.

(ii) when the Subscriber leaves no family of a nomination made by him in accordance with the provisions of regulation 8 or the corresponding regulation in force in favour of any person or persons subsists, the amount standing to his credit in the fund or part thereof to which the nomination relates shall

become payable to his nominee or nominees in the proportions specified in the nomination.

20. PROCEDURE REGARDING PAYMENT.

1) When the amount standing to the credit of a subscriber in the Fund becomes payable it shall be the duty of the Accounts Officer to make payment as provided in section 4 of the Provident Fund Act, 1925.

2) If the person to whom under these regulations, any amount is to be paid, assigned, re-assigned, or delivered is a lunatic for whose estate a manager has been appointed in his behalf under the Indian Lunacy Act, 1912, the payment re-assignment or delivery shall be made to such manager and not the lunatic.

3) Any person who desires to claim payment under this regulation shall send a written application in that behalf to the Accounts Officer. Payment of amount withdrawn shall be made in Municipal Office. The persons to whom the amounts are payable shall make their own arrangements, to receive payment in the municipal office. If however, any Subscriber desires payment at his residence and expresses his willingness to bear the remittance charges the amount in rupees standing to his credit in the fund may be remitted at his own expenses through the postal agency.

NOTE :— When the amount standing to the credit of a Subscriber has become payable under regulations 17, 18 and 19 the Accounts Officer shall authorise prompt payment of that portion of the amount standing to the credit of the Subscriber in regard to which there is no dispute or doubt, the balance being adjusted as soon after as may be.

PROCEDURAL REGULATIONS.

All sums paid into the fund under these regulations shall be credited in the books to an account named "The Kolhapur

Municipal Corporations General Provident Fund". Sums of which payment has not been taken within six months after they become payable under these regulations shall be transferred to Deposits, at the end of the year and treated under the ordinary rules or regulations applicable to deposits.

22. When paying a subscription either from deductions from emoluments or in cash a Subscriber shall quote the number of his account in the fund which shall be communicated to him by the Accounts Officer. Any change in the number shall similarly be communicated to the Subscriber by the Accounts Officer.

23. (1) As soon as possible after the close of each year the Accounts Officer shall send to each Subscriber a statement of his account in the fund showing the opening balance as on the 1st April of the year, the total amount credited or debited during the year, the total amount of interest credited on 1st March of the year and closing balance as on that date. The Accounts Officer shall attach to the statement of account an enquiry whatever the subscriber.

a) desires to make any alteration in any nomination made under regulation 8 or the corresponding regulations here to for in force.

b) has acquired a family in case where the subscriber has made no nomination in favour of a member of his family under the proviso to sub-regulation (1) of regulation 8.

2) The Subscribers shall satisfy themselves as to the correctness of the annual statements and errors if any shall be brought to the notice of the Accounts Officer within three months from the date of the receipt of the Statement.

3) The Accounts Officer shall, if required by a Subscriber, bring out more than once in the year, inform the Subscriber of the total amount standing to his credit in the fund at the end of the last month for which his account has been written up-

24. As regards procedure and general conditions for the management of the fund the procedure as prescribed by the government of Maharashtra as amended from time to time for the management of the General Provident Fund of the Government employees shall be followed by the Corporation.

D. N. CAPOOR
Administrator
Kolhapur Municipal Corporation

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IV

WHEN THE SUBSCRIBER HAS NO FAMILY AND WISHES TO NOMINATE MORE THAN ONE PERSON.

I, having no family as defined in regulation 2 of the Kolhapur Municipal Corporation General Provident Fund Regulation hereby nominate the persons mentioned below to receive the amount that may stand to my credit in the Fund, in the event of death before that amount has become payable or having become payable has not been paid and direct that the said amount shall be distributed among the said persons in the manner shown against their names.

Name and address of the nominees	Relationship with the Subscriber.	† Amount or share of accu Age. mulations to be paid to each	‡ Contingencies on the happening of nomination which shall become invalid	Name, address and relationship of the person or persons, if any, to whom the right of the nominees shall pass, in the event of predeceasing the Subscriber.
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(127)

Dated this _____ day of _____ 19 _____

Two witnesses to sign.

Signature of the Subscriber.

- 1.
- 2.

† This column should be filled in so as to cover the whole amount that may stand to the credit of the Subscriber in the Fund at any time.

‡ When a Subscriber who has no family, makes a nomination, shall specify, in this column that the nomination shall become invalid in the event of the subsequently acquiring a family.

V WHEN THE SUBSCRIBER HAS NO FAMILY AND WISHES TO NOMINATE ONE PERSON.

I having no family as defined in regulation 2 of Kolhapur Municipal Corporation General Provident Fund Regulation, hereby nominate the person mentioned below to receive the amount that may stand to my credit in the Fund, in the event of my death before the amount has become payable or having become payable has not been paid.

Name and address of nominee.	Relationship with Subscriber.	Age.	Contingencies on the happening of which the nomination shall become invalid.	Name, address and relationship of the person or persons, if any, to whom the right of the nominee shall pass in the event of his predeceasing the Subscriber.
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(126)

Dated this _____ day of _____ 19 _____

Two witnesses to sign.

- 1)
- 2)

Signature of Subscriber.

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11.

WHEN THE SUBSCRIBER HAS A FAMILY AND WISHES TO NOMINATE MORE THAN ONE MEMBER THEREOF

I hereby nominate the persons mentioned below who are members of my family as defined in regulation 2 of Kolhapur Municipal Corporation General Provident Fund Regulation to receive the amount that may stand to my credit in the fund in the event of my death before that amount has become payable or having become payable has not been paid and direct that the same amount shall be distributed among the said persons in the manner shown below against their names.

Name and address of nominees.	Relationship with Subscriber.	Age.	Amount or share of accumulation to be paid to each	Contingencies on the happening of which the Nomination shall become invalid	Name, address and relationship of the person or Persons if any to whom the right of the nominees shall pass in the event of his predeceasing the Subscriber.
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- 1.
- 2.
- 3.

Dated this

day of

19

Two witnesses to sign.

- 1.
- 2.

Signature of the Subscriber.

† This column should be filled in so far as to cover the whole amount that may stand to the credit of the Subscriber in the fund at any time.

Dbd/-

(125)

I

FIRST SCHEDULE (See Regulation 8 (3). FORMS OF NOMINATION.

When the Subscriber has a family and wishes to nominate one member thereof.

I hereby nominate the person mentioned below who is a member of my family as defined in regulation 2 of Kolhapur Municipal Corporation General Provident Fund Regulation to receive the amount that may stand to my credit in the Fund, in the event of my death before that amount has become payable or having become payable has not been paid.

Name & address of nominee.	Relationship with Subscriber.	Age.	Contingencies on the happening of which the nomination shall become invalid.	Name, address and relationship of the person or persons, if any, to whom the right of nominee shall pass in the event of his predeceasing the Subscriber.
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(124)

DATED THIS

DAY OF

19

TWO WITNESS TO SIGN.

- 1)
- 2)

Signature of Subscriber.

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Kolhapur Municipal Corporation

SUBJECT : REGULATION FOR HOLDING DEPARTMENTAL MENTAL EXAMINATIONS.
Administrators Resolution No. 7 Dt. 2-4-75

In exercise of the powers conferred upon me vide sub-para (a b) of para 22 of part IV of Appendix IV of the Bombay Provincial Municipal Corporations Act 465 (3) (a) *ibid*, I, D. N. Capoor, Administrator of the Municipal Corporation of the City of Kolhapur do hereby accord Confirmation to the enclosed draft of Regulation framed under Clause (1) of sub-section 1 of Section 465 of the said Act for holding of departmental examinations

2. The Regulations shall come into force from the date of The Resolution.

(D. N. Capoor)
Administrator,
Kolhapur Municipal Corporation
Date- 12-3-1975

Regulations framed under Section 465 (1) (f) of the Bombay Provincial Municipal Corporations Act, 1949 regarding holding of Departmental Examinations for the purpose of appointments to the posts in Municipal service.

1. SHORT TITLE AND COMMENCEMENT :

These regulations may be called "Regulations of the Kolhapur Municipal Corporation for holding of Departmental Examinations" and shall come into force on the date they are confirmed under Section 465 (3) of the Act.

2. DEFINITION :

a) Unless there be anything repugnant to the subject or context,

i) "ACT" means the Bombay Provincial Municipal Corporations Act, 1949,

ii) "CADRE" means the strength of a service or a part of the service sanctioned as a separate unit;

iii) "RULES" means Rules framed by under Section 457 (3) (b) of the Act for prescribing the procedure of work of Staff Selection Committee.

iv) "SECTION" means the Section of the Act.

b) the words and expressions used herein and not defined shall have the same meaning assigned to them respectively in the Act or Rules made thereunder.

3. TYPES OF DEPARTMENTAL EXAMINATION:

For the purpose of Regulation No. 7 of the Regulations framed for prescribing qualifications for the appointment

to the posts in Municipal service, there shall be two types of departmental examinations as follows :

- a) Upper Grade Departmental examination.
- b) Lower Grade departmental Examination

4. **LIABILITY OF PASSING THE EXAMINATION :**

a) The candidate appointed in the cadre of Junior Clerks on 1. 1. 73 and who have not completed five years continuous service in those posts after the confirmation of appointment shall have to pass the Lower Grade Departmental Examination within a period of three years from the date of their appointment either by promotion or by nomination or within a period of three years from the date of confirmation of these regulations whichever is earlier.

b) The candidates appointed in the cadre of Senior Clerks and above up to and inclusive of Superintendent cadre in ministerial staff and who have not completed five years continuous service in those posts on 1-1-73 after the confirmation of appointment shall have to pass the Upper Grade Departmental Examination within a period of three years from the date of their appointment either by promotion or by nomination or within a period of three years from the date of confirmation of these regulations whichever is earlier.

PROVIDED that the candidates who have passed L. S. G. D. and L. G. S. Examinations from the All India Institute of Local Self Government are exempted from passing the Lower Grade and Upper Grade Examinations respectively.

5. **WRITTEN TEST PRIOR TO APPOINTMENT.**

(a) Notwithstanding anything contained in Regulation No. 4 above, the staff selection committee may if it thinks necessary hold written Test prior to selection of the candidates to be appointed either by nomination or by promotion or for preparation of the Select list for the appointments to the posts on municipal service.

b) If it is decided to hold the written Test as indicated in clause (a) above, the names of candidates eligible for examina-

tion shall be fixed by the Municipal Commissioner, Municipal Secretary, Municipal Chief Auditor or Transport Manager as the case may be, as follows :—

i) in case of appointment by nominations by examining the prescribed qualifications for the post and

ii) in the case of appointment by promotion by scrutinising the prescribed qualification, seniority, efficiency, previous service record, confidential reports, etc.

6. **SYLLABUS OF THE EXAMINATION :**

The syllabus of the examination shall be as prescribed by the Municipal Commissioner from time to time with the approval of the Standing Committee.

7. **DATE, TIME AND PLACE OF THE EXAMINATION :**

As far as possible, the departmental examination will be taken once in a year in the month of July or August. The date, time and place of the examination shall be fixed by the Municipal Commissioner and notified two months in advance for the information of all candidates who have to appear.

8. **SUPERVISION AND CONTROL :**

All departmental examinations shall be held and conducted under the control and supervision of the Assistant Municipal Commissioner, who will be responsible for the proper conduct and declaration of the result of the examination to the Municipal Commissioner or to the Staff Selection Committee through the Municipal Commissioner as the case may be.

9. **PAPER SETTERS AND EXAMINERS :**

The Paper Setters and Examiners for these examinations shall be fixed by the Municipal Commissioner from time to time (with the approval of the Standing Committee). Provided that

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they shall be as far as possible from amongst outsiders not being the employees of this Corporation.

10. MINIMUM MARKS REQUIRED FOR PASSING

As provided in the Rules, the candidates shall have to acquire minimum 40% of the total number of marks in each paper. The candidates shall be given three chances to pass the examination. Candidates will be eligible for exemption in the papers they have passed in the preceding examination.

11. ELIGIBILITY FOR APPOINTMENT.

The candidates shall not be eligible for appointment merely on the basis of passing the examination, unless they are selected by the Staff Selection Committee as provided in the Rules and unless there is a post vacant for the appointment.

SYLLABUS
UPPER GRADE DEPARTMENTAL EXAMINATION
PAPER I : (100 Marks)

SECTION A Bombay Provincial Municipal Corporations-
[40 marks] Act, 1949 excluding following chapters—

CHAPTERS- 12, 13, 14, (Section 202 to 225),
15, 16, 17, and 20, Schedule
Chapter 9, 10, 11, 12, 13 and 16.

SECTION B [30 Marks]
Knowledge of the general provisions of the following Act and rules.

Minimum Wage Act and Rules thereunder.

SECTION C (30 Marks)
Knowledge of Rules, Regulations, Standing orders regarding all taxes imposed by Corporation.

PART II

(100 Marks) a) General principles of accounting and Auditing
(30 marks)

(133)

b) Principles of Rating and Assessment (40 marks)
c) General knowledge regarding office procedure (30 marks)

PAPER III (100 marks)

a) General knowledge regarding bye-laws and service regulations (40 marks)
b) Preparation of summaries of cases or reports or correspondence (30 marks)
c) Preparation of draft letters to the Government and Public Authorities (30 marks)

PAPER IV (100 marks)

- 1) B. C. S. Rs.— Vol I & II on (40 marks)
i) Service condition Rules (Vol. I)
ii) Pay fixations Rules (Vol. I)
iii) Maintenance and Sundry Perquisites Allowance Rules (Vol. I)
iv) Foreign Service Rules (Vol. I)
v) Leave Rules— Vol. I and Vol. II [Revised Leave Rules 1935.
vi) Pension Rules— Vol. I and Vol. II [Revised Pension Rules— 1950.
vii) Occupation of quarters (built by Corporation) Vol. I
2) Maharashtra Finance Rules 1950. (40 marks) (whole)
3) Maharashtra Public Works Account— Code (whole.) (20 marks)

LOWER GRADE EXAMINATION

PAPER I (100 marks)

- (a) Precise writing (60 marks).
(b) General Knowledge regarding office orders circulars etc. (40 marks)

PAPER II (100 marks)

will consist of the following sections of the B. P. M. C. Act, 1949.

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CHAPTER I Section 2.

CHAPTER II Sections 4, 5, 20, 21, 25, 30, 31, 36, 37, 38, 39, 40 and 41.

CHAPTER IV All sections.

CHAPTER VI Sections 63 to 66.

CHAPTER XI Section 127 and 128

PAPER III (100 marks).

- (a) General knowledge about service Regulations.
- (b) General knowledge of Provident Fund Regulations.
- (c) Knowledge regarding office procedure maintaining worksheets, filing etc. drafting of

D. N. CAPOOR
ADMINISTRATOR
KOLHAPUR MUNICIPAL CORPORATION

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Kolhapur Municipal Corporation.

SUBJECT :- SECURITIES TO BE FURNISHED.
REGULATIONS.

ADMINISTRATOR'S RESOLUTION No. 860 OF 15-10-74.

Whereas it is necessary to frame Regulations for prescribing the securities to be furnished by the Municipal employees and whereas it is necessary to rescind the rules of the ex-Municipal Council in this behalf.

2. Now, therefore, in exercise of the powers conferred upon me vide sub-para (ab) of para 22 of part IV of Appendix IV of the Bombay Provincial Municipal Corporations' Act, 1949 read with Section 465 (2) *ibid*, I, D. N. Capoor, Administrator of the Municipal Corporation of the City of Kolhapur do hereby confirm the enclosed draft of Regulations framed under Section 465(2) (b) regarding securities to be furnished by Municipal employees and rescind the rules of ex-Municipal Council in this behalf.

3. The regulations shall come into force from 15-10-74.

D. N. CAPOOR
ADMINISTRATOR
KOLHAPUR MUNICIPAL CORPORATION.

KOLHAPUR MUNICIPAL CORPORATION,
O & M OFFICE

Regulations framed under Section 465 (1) (b) of the H. P. M. C. Act, 1949 regarding securities to be furnished by Municipal Employees.

1. In these regulations the term "Municipal Officer or servant" means Municipal Officer or servant in permanent employment and the term "Competent authority" means the Municipal Secretary in the case of Municipal Officers or servants subordinate to him, the Municipal Chief Auditor in the case of Municipal Officers or servants subordinate to him and the Municipal Commissioner in the case of all other Municipal Officers or servants.

2. Municipal Officers or servants who in the discharge of their ordinary duties are required to handle cash, stores stamps or any other property belonging to the Corporation shall furnish security to ensure the efficient and honest performance of their duties, in one of the forms mentioned below of such amount as the Standing Committee shall from time to time determine in individual cases having regard to the value of the cash, stores, etc. normally handled.

a) In cash, in lump sum in the form prescribed in Appendix 'A'

Note 1 : If at any time after the deposit in cash is made and security in form 'A' is furnished, the depositor request in writing that the cash deposited by him be invested in any particular public securities or in the National Savings Certificates, the same may be purchased at the cost of the depositor in his name and then transferred to the Municipal Commissioner, subject however, to the conditions applicable in the case of that form of security-wide clauses (b) and (c) and note there under etc.

- b) In terminable public securities in the form prescribed in Appendix 'B'
- c) In the National Savings Certificates, in the form prescribed in Appendix 'C'

Note 1 : Terminal public securities tendered as Security deposit shall be taken at its market value at the time of deposit and not its face value. A margin of 5 per cent additional security equivalent to the difference between the amount of security and the depreciated market value of the securities should invariably be deposited immediately. National Savings Certificates tendered as Security shall be accepted at their surrender value at the time of deposit during the period of deposit, if there occurs a fall exceeding 20 per cent in the market value of the securities additional security should invariably be taken--

2. All deposits made in terminable public securities or in National Savings Certificates must be transferred by the depositor in the name of the Municipal Commissioner. All such securities or National certificates will be lodged for safe custody with the State Bank of India, Kolhapur, or any other bank at Kolhapur in which the Municipal Corporation has got its account as may be found convenient by the Municipal Commissioner. The Chief Accountant will arrange regularly for the Collection of interest on such securities on due dates and payment of it to the depositor. All charges for Commission and brokerage incidental to the purchase, safe custody and withdrawal of such securities and the collection of interest shall be paid by the depositor--

a) By execution of a personal security bond for the amount fixed as security deposit with two sureties, each owning in his individual capacity unencumbered (i.e. without mortgage or any other charge what-so-ever) immovable property in Kolhapur City atleast for double in value of the amount of the security in this form prescribed in Appendix 'D' provided that the immovable property must be in the form of a building and not in the form of a field or open plot.

Note 1 :- Retired Municipal servants and servants of Government or local bodies would not be debarred from standing as sureties for Municipal servants. A Municipal servant cannot stand as surety for another Municipal servant.

2. The solvency, adequacy and existence of the sureties must be verified in July every year. Fresh sureties should be called for wherever necessary.

3. The bonds mentioned against sub-regulation (b) (c) and (d) above should remain in force for a period of three years after the final termination of the service of the municipal servant called upon to furnish security or in the case of his appointment or transfer to any office not requiring security three years from the date of such appointment or transfer as the case may be.

Note - 1 :- When a Municipal Servant who vacates his post by reason of resignation dismissal or otherwise is reappointed to the same post or to any other post for which security is required a fresh security bond should invariably be taken from him on his reappointment.

2. Claims on behalf of deceased municipal servants in respect of security deposits lodged by them should be paid to the person or persons nominated by the depositor. In the absence of such nomination the deposit amount should be paid on execution of an indemnity bond in the prescribed form Appendix 'E' with such sureties as the competent authority may require, if it is satisfied of the right and title of the claimant and considers that under delay and hardship would be caused by insisting on the production of letters of administration or probate success in Certificate or any other heirship certificate. The nomination form should be in form Appendix 'G' and 'H' as the case may be.

In any case of doubt payment should be made only to the person producing legal authority.

3) The depositor's acknowledgment should be obtained in all cases of securities returned. The acknowledgment shall set forth the full particulars of the securities.

4) Without the special orders of the competent authority, no security deposit should be repaid or retransferred to depositor or otherwise disposed of through such payment in fully provided in the terms of his agreement or bond.

As well as temporary municipal employees who were security the competent authority may at any time require servants to contribute quarterly in the name may be on signing and lodging

with the Chief Accountant a declaration in the form given in Appendix 'F' to an insurance fund maintained by the corporation for the purpose of governing losses due to loss or misappropriation of municipal property by any of the contributors to the fund. The rates of contribution to the insurance fund will be at 1% per annum of the amount of security provided, however, that if such Municipal Officer or servant ceases to hold a post requiring such security on account of transfer, death, retirement or resignation he or his heirs shall be entitled to a proportionate refund from the last contribution to the insurance fund from the date of his ceasing to hold such post to the date up to which the said contribution is paid by him.

5. The fact of contribution to the insurance fund mentioned in Regulation 4 shall not absolve or release a Municipal Officer or servant from any liability to which he may be subject to in law or from indemnifying the corporation in respect of any loss or misappropriation of municipal property or from any liability in respect of disciplinary action under section 56 of the Act.

6. The provisions of Regulation 4 shall not apply to any Municipal Officer or servant, who is employed under conditions rendering him subject to the Payment of Wages Act IV of 1936. Any such Municipal Officer or servant who is unable or unwilling to furnish security as provided in Regulation 2 will be required to furnish fidelity guarantee policy of an approved insurance company for an amount equal to the value of the security required to be furnished under regulation 2

General Directions

It will be the personal responsibility of the Head of the Department concerned to see that as far as possible no temporary, acting or officiating municipal officer or servant having no lien on any substantive post is entrusted with handling cash, stores, stamps or any other property belonging to the Corporation.

7. These regulations and sanctioned posts of security as well as recovery of security amounts should be brought into force from-

Appendix 'A'
(See Regulation 2 (a))

Form of cash security Bond know all men by these presents that I, A. B. of _____ am held and firmly bound into the Municipal Commissioner (herein referred to as 'Municipal Commissioner') in the sum of Rupees (Rs. _____) to be paid to the Municipal Commissioner for which payment, well and truly to be made, I bind myself, my heirs, executors, administrators, and legal representatives by these presents.

Whereas the above bounden A and B was on the day of 197 _____ appointed to and now holds the office of _____ in the office of _____

And whereas the said A. B. by virtue of such office is bound to collect _____ (here describe the nature of _____ duties)

Cashier's _____
Store-Keeper's _____
Sub-Store-Keeper's _____
Subordinates _____

and to keep and tender true and faithful accounts of his dealings with all property and money which may come into his hands or possession or under his control, such accounts to be kept in the form and manner, that may, from time to time, be prescribed by the duly constituted authority, and also to prepare and submit such returns, accounts and other documents as may from time to time be required of him and where as the said A. B. _____ has in pursuance of Regulation 2 (a) delivered to and deposited with _____ the above mentioned sum of rupees _____

(Rs. _____) in cash as security for the due and faithful performance by the said A. B. of the duties of his said office and of any other office requiring security to which he may be appointed at any time and of other duties which may be required of him while holding any such office as aforesaid, and for the purpose of securing and indemnifying the Municipal Commissioner against all loss, injury, damage, costs, or expenses which the Municipal Commissioner may, in any way, suffer sustain, or pay, by reason of the misconduct, neglect, oversight or any other act of the said A. B. OR of any person or persons acting under him or for whom he may be responsible.

Now the condition of the above written bond is such that if the said A. B. has whilst he has held the said office of _____ as aforesaid, always duly performed and fulfilled the duties of his said office and if he shall whilst he shall hold the said office or any other office requiring security to which he may be appointed, or in which he may act always duly perform and fulfil all and every duties thereof respectively and other duties which may from time to time be required by him while holding any such office as aforesaid and shall duly pay into the Corporation Treasury or authorised bank at _____ all such moneys as are payable to the Corporation and shall come into his possession or control by reason of the said office and shall duly account for and deliver up all money, papers of the said office and if the said A. B. his heirs, executors, or administrators shall pay or cause to be paid into the Municipal Commissioner the amount of any loss or defalcation in the accounts of the said within 24 hours after the amount of such loss or defalcation shall have been demanded from the said A. B. by the _____

such demand to be in writing and left at the office or last known place of residence of the said A. B. and shall also, at all times indemnify and save harmless the Municipal Commissioner from all and every loss, injury, damage, cost or expenses which has been or shall or may at any time or times hereafter during the service or employment of the said A. B. in such office as aforesaid or any such office aforesaid be sustained, incurred, suffered or paid by the Municipal Commissioner by reason of any act, embezzlement, defalcation, mismanagement, neglect, failure, misconduct, default, disobedience, omission or insolvency of the said A. B. or of any person or persons acting under him or for whom he may be responsible then this obligation shall be void and of no effect, otherwise the same shall be and remain in full force, provided always and it is hereby declared and agreed that the said sum of rupees (Rs. _____) so delivered and deposited as aforesaid of the Municipal Commissioner or otherwise as aforesaid. And it is hereby further agreed that in the event of the death of the said A. B. or on the final termination of the service of the said A. B. or in the event of the said A. B. ceasing to hold any office requiring security whether as such aforesaid or otherwise the said sum of rupees _____ (Rs. _____) or so much thereof as shall then be in deposit and this bond shall remain in

force with the Municipal Commissioner for calendar months for recovering any loss, injury, damage, costs or expenses that may have been sustained, incurred or paid by the Municipal Commissioner owing to the act, neglect or default of said A. B. or any such other person or persons as aforesaid and which may not have been discovered until after his death or the termination of his said service or his ceasing to hold any office for which the security was required. Provided always that return at any time of the said security shall not be deemed to affect the right of the Municipal Commissioner to take proceedings upon or under this bond against the said A. B. or against his heirs, executors, administrators or legal representatives after his death, in case any breach of the conditions of this bond shall be discovered after the return of the said security and the responsibility of the said A. B. shall at all times continue and the Municipal Commissioner shall be fully indemnified against all such loss or damage as aforesaid at every time.

Provided further that nothing herein contained nor the security hereby given shall be deemed to limit the liability of the said A. B. in respect of the matters aforesaid to the forfeiture of the said sum of rupees (Rs.) and that should the said sum be insufficient to indemnify the Municipal Commissioner in full for any loss or damage sustained by him in respect of the matters aforesaid, the said A. B. shall pay to the Municipal Commissioner on demand such further sum as shall be deemed by the (Rs.) to cover to the said sum of rupees (Rs.) to cover such loss or damage as aforesaid and that without prejudice to any other rights or remedies for recovering the loss or damage as aforesaid it shall be open to the Municipal Commissioner to recover such further sum payable as aforesaid.

In witness whereof the said A. B. has hereto set his hand this 19 day of 19 Signed and delivered by the above named A. B. in the presence of (Signature)

1
2

APPENDIX 'B'

(See Regulation 2 (b))
Form of Security Bond, where Securities mentioned in Regulation 2 (b) are taken as security.

Know all men by these presents that, I, A. B. of am field and firmly bound into to the Municipal Commissioner (hereinafter referred to as 'Municipal Commissioner') in the sum of rupees (Rs.) to be paid to the Municipal Commissioner for which payment well and truly to be made. I bind myself, my heirs, executors, administrators and legal representatives by these presents

Whereas the above boulder A. B. Was on the day of 19 appointed to and now holds the office of in the office of and whereas the said A. B. by virtue of such office is bound to collect

- Cashiers
- Store Keeper's
- Sub Store Keeper's
- Subordinates.

here describe the nature of (duties) and to keep and to render true and faithful accounts of his dealings with all property and money which may come into his hands or possession or under his control such accounts to be kept in the form and manner that may from time to time be prescribed by duly constituted authority, and also to prepare and submit such returns, accounts and other documents as may, from time to time be required of him.

And whereas the said A. B. has, in pursuance of Regulation 2 (b) delivered to and deposited with the for the time being to the amount of rupees (Rs.) and bearing No./Nos. of duly endorsed in favour of the for the time being as security for the due and faithful performance by the said A. B. of the duties of his said office and of any other office requiring security to which he

may be appointed at any time and of other duties which may be required of him while holding any such office as aforesaid and for the purpose of securing and indemnifying the Municipal Commissioner against all loss, injury, damage costs or expenses which the Municipal Commissioner may, in any way, suffer sustain or pay, by reason of the misconduct, neglect, oversight or any other act of the said A. B. or of any person or persons acting under him or for whom he may be responsible

Now the condition of the above written bond is such that the said A. B. has whilst he has held the said office of as aforesaid, always duly perform and fulfill the duties of his said office and if he shall whilst he shall hold the said office or any other office requiring security to which he may be appointed, or in which he may act always duly perform and fulfill all and every the duties thereof respectively and other duties which may from time to time, be required of him while holding any such office as aforesaid and shall duly pay in to the Municipal treasury or authorised bank at

all such moneys as are payable to the Corporation and shall come in to his possession or control by reason of the said office and shall duly account for and deliver up all moneys, papers, and other property which shall come in to his possession or control by reason of the said office and if the said A. B. his heirs, executors or administrators shall pay or cause to be paid un to the Municipal Commissioner the amount of any loss or defalcation in the accounts of the said within 24 hours after the amount of such loss or defalcation, shall have been demanded from the said A. B. by the such demand to be in writing and left at the office; or last known place of residence of the said A. B. and shall also, at all times indemnify and save harmless the Municipal Commissioner from all and every loss, injury, damage, cost or expenses which has been or shall or may at any times or time hereafter during the service of employment of the said A. B. in such office as aforesaid, or in any such other offices aforesaid be sustained, incurred, suffered or paid by the Municipal Commissioner by reason of any act, embezzlement defalcation, mismanagement, neglect, failure, misconduct, default, disobedience, omission or

or insolvency of the said A. B. or of any person or persons acting under him or for whom he may be responsible; then this obligation shall be void and of no effect, otherwise the same shall be and remain in full force. Provided always and it is hereby declared and agreed that the said for rupees

deposited as aforesaid or such other securities mentioned in Regulation 2 (b) of the same amount as the said for the time being may consent from time to time, to accept and receive in lieu of exchange for the same or which the for the time being may require the said A. B. to deposit as additional security to make up the amount of the original security under this bond and the interest thereof shall be and shall remain with the for the time being, as occasion shall require to sell and dispose of the said for rupees (Rs.) for a sufficient portion thereof and to apply proceeds thereof with the interest already accrued thereon in and towards the indemnity as aforesaid of the Municipal Commissioner or other wise as aforesaid but that never the less the interest accruing on the said may in the meantime be paid over to the said A. B. as and when the same shall be realised if the for the time being, shall think fit do so.

And it is hereby further agreed that in the event of the death of the said A. B. or on the final termination of the service of the said A. B. whether or such as aforesaid, or otherwise or in the event of the said A. B. ceasing to hold any office requiring security the said for rupees (Rs.) or such other securities as may have been substituted therefor or added thereto and this bond shall remain with the for the time being for calendar months for recovering any loss, injury damage, cost or expenses that may have been sustained, incurred or paid by the Municipal Commissioner owing to the act, neglect or default of the said A. B. or any such other person or persons as aforesaid and which may not have been discovered until after his death or the termination of his said service or his ceasing to hold any office for which the security was required.

Provided always that the return at any time of the said or of any securities substituted therefor or added

thereto as aforesaid shall not be deemed to affect the right of the Municipal Commissioner to take proceeding upon or under this bond against the said A. B. or against his heirs, executors, administrators or legal representatives after his death, in case any breach of the conditions of this bond shall be discovered after the return of the or the securities substituted therefor or added thereto as aforesaid and the responsibility of the said A. B. shall at all times continue and the Municipal Commissioner shall be fully indemnified against all such loss or damage as aforesaid at any time.

Provided further that nothing herein contained nor the security hereby given shall deemed to limit the liability of the said A. B. in respect of the matters aforesaid, to the forfeiture of the sum for which this bond is executed and that should the sum realized by sale, under the power aforesaid, of the said or the securities substituted therefor or added thereto be insufficient to indemnify the Municipal Commissioner in full for any loss or damage sustained by him in respect of the matters aforesaid the said A. B. shall pay to the Municipal Commissioner on demand such further sum as shall be deemed by the for the time being to be necessary in addition to the sum realized by sale as aforesaid to cover such loss or damage as aforesaid and that without prejudice to any other rights or remedies for recovering the loss or damage as aforesaid, it shall be open to the Municipal Commissioner to recover such further sum payable as aforesaid under this bond.

In witness whereof the said A. B. herewith set his hand this day of

Signed and delivered by the above named A. B. (Signature)
 in presence of

1. _____
2. _____

APPENDIX 'C'

Form of Security Bond where Deposits in National Savings Certificate are taken in Security.

Know all men by these presents that I, A. B. am held and firmly bound into the Municipal Commissioner (hereinafter referred to as 'Municipal Commissioner') the sum of rupees (Rs.) to be paid to the Municipal Commissioner for which payment will and truly be made, I bind myself, my heirs, executors administrators, and legal representatives by these presents. Whereas the above bountier A. B. was on the day of 19 appointed to and now holds the office of in the Office of And whereas the said A. B. by virtue of such Office is bound to collect

(here describe the nature of Cashiers duties)
 Store Keeper's
 Sub store keeper's
 Subordinate's

and to keep and render true and faithful accounts of his dealings with all property and money which may come into his hands or possession or under his control, such accounts to be kept in the form and manner that may from time to time, be prescribed by duly constituted authority, and also to prepare and submit such returns, accounts and other documents as may from time to time be prescribed

And whereas the said A. B. has in pursuance of Regulation 2 (c) delivered to and deposited with the for the time being the National Savings Certificate Nos of him the said A. B. duly endorsed in favour of the (Rs.) to the credit of the said A. B. of the duties of his said office and of any other office requiring security to which he may be appointed at any time and of other duties which may be required of him, while holding such office as aforesaid and for the purpose of securing and indemnifying the Municipal Commissioner against all loss, injury,

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damage, costs or expenses which the Municipal Commissioner may, in any way, suffer, sustain or pay by reason of the misconduct, neglect oversight, or any other act of the said A. B. or of any person or persons acting under him or for whom he may be responsible.

Now the condition of the overwritten bond is such that if the said A. B. has whilst he has held the office of as aforesaid always duly performed and fulfilled the duties of his said office and if he shall whilst he shall hold the said office or any other office requiring security to which he may be appointed or in which he may act, always duly perform and fulfill all and every the duties thereof respectively and other duties which may from time to time be required of him, while holding any such office as aforesaid and shall duly pay into the municipal treasury of authorized bank all such moneys as are payable to the corporation and shall come into his possession or control by reason of the said office and shall duly account for and deliver up all moneys, papers and other property which shall come into his possession or control by reason of the said office and if the said A. B. his heirs, executors, or Administrators shall pay or cause to be paid into the Municipal Commissioner the amount of any loss or defalcation in accounts of the said

24 hours after the amount of such loss or defalcation shall have been demanded from the said A. B. by the such demand to be in writing and left at the office or last known place of residence of the said A. B. and shall also at all times indemnify and save harmless, the Municipal Commissioner from all and every loss, injury, damage, costs or expenses which has been or shall or may at any times or time hereafter during the service or employment of the said A. B.

in such office as aforesaid or in any such other offices aforesaid, be sustained, incurred, suffered or paid by the Municipal Commissioner by the Municipal Commissioner by reason of any Act embezzlement defalcation management, neglect failure, misconduct, default disobedience omission or insolvency of the said A. B. or any person or persons acting under him or for whom he maybe responsible, then this obligation shall be void and of no effect other wise the same shall be and remain in full force.

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provided always and it is hereby declared and agreed that the said National Savings Certificates shall be and shall remain with at the disposal to the for the time being as such security as aforesaid with full power of the for the time being as occasion shall require to encash the said National Savings Certificates so much thereof as shall be required and to apply the same in and towards the indemnity as aforesaid of the Municipal Commissioner or otherwise as aforesaid to do so And it is hereby further agreed that in the event of the death of the said A. B. or on the final termination of the service of the said A. B. whether as such as aforesaid or otherwise or in the event of the said A. B. ceasing to hold any office requiring security the said National Savings Certificates shall remain with and at the disposal of the for the time being for

Calendar months for recovering any loss, injury, damage, cost or expenses that may have been sustained, incurred or paid by the Municipal Commissioner owing to the act, neglect or default of the said A. B. or any such other person or persons as aforesaid and which may not have been discovered until after his death or the termination of his said service or his ceasing to hold any office for which the security was required.

Provided always that the return at any time of the said security shall not be deemed to affect the right of the Municipal Commissioner to take proceedings upon or under this bond against the said A. B. or against his heirs, executors administrators or legal representatives after his death in case any breach of the conditions of this bond shall be discovered after the return of the said security and the responsibility of the said A. B. shall at all times continue and the Municipal Commissioner shall be fully indemnified against all such loss or damage as aforesaid at any time, provided further that nothing herein contained nor the security hereby given shall be deemed to limit the liability of the said A. B.

In respect of the matters aforesaid to the forfeiture of the sum for which this bond is executed and that should the said sum be insufficient to indemnify the Municipal Commissioner in full for any loss or damage sustained by him in respect of the matters aforesaid the said A. B. shall pay to the

Municipal Commissioner on demand such further sum as shall be deemed by the _____ for the time being to be necessary in addition to the said sum of rupees (Rs. _____) to cover such loss or damage as aforesaid and that without prejudice to any other rights or remedies for recovering the loss or damage as aforesaid, it shall be open to the Municipal Commissioner to recover such further sum payable under this bond as aforesaid.

In witness whereof the said A. B. _____ has hereunto set his hand this _____ day _____ 197 _____

Signed and delivered by the above named A. B. _____ in the presence of _____

1) _____

2) _____

(Signature)

APPENDIX 'D'

(See Regulation 2 (d))

Form of Personal Security Bond.

Know all men by these presents that I, A. B. of _____ am held and firmly bound unto the Municipal Commissioner (hereinafter referred to as the 'Municipal Commissioner') which expression shall unless excluded by or repugnant to the context, include his successors in office and assigns) in the sum of rupees (Rs. _____) to be paid to the Municipal Commissioner for which payment, well and truly to be made, I bind myself, my heirs, executors, administrators and legal representatives by these presents.

Whereas the above bounder A. B. was on the _____ day of _____ 19 _____ appointed to and now holds the office of _____ in the office of _____

And whereas the said A. B. _____ by virtue of such office is bound to collect _____

(here describe the nature of _____ Cashier's _____ duties)

Store Keeper's

Sub Store Keeper's

Subordinate's

and to keep and render true and faithful accounts of his dealing with all property and money which may come into hands or possession or under his control, such accounts to be kept in the form and manner that may, from time to time, be prescribed by duly constituted authority and also to prepare and submit such returns, accounts and other documents as may from time to time be required of him.

And whereas the said A. B. _____ has in pursuance of Regulation 2 (d) been called upon to execute a bond with two sureties in favour of the Municipal Commissioner in the above mentioned sum of rupees (Rs. _____) for the due and faithful performance by the said A. B. _____ of the duties of his office and of any other office requiring security to which he may be appointed at any time and of other duties

which may be required of him, with his holding any such office as aforesaid, and for the purpose of securing and indemnifying the Municipal Commissioner against all loss, injury, damages, costs or expenses which the Municipal Commissioner may in any way suffer, sustain or pay by, reason of the misconduct, neglect, oversight or any other act of the said A. B. person or persons acting under him or for whom he may be responsible, or of any

Now the condition of the above written bond is such that if the said A. B. has whilst he has held the said

office of as aforesaid, always duly performed and fulfilled the duties of his said office and if he shall whilst he shall hold the said office or any other office requiring security to which he may be appointed or in which he may act always duly perform and fulfill all and every the duties thereof respectively and other duties which may from time to time be required of him, while holding any such office as aforesaid and shall duly pay into the Corporation Treasury or authorized bank at all such moneys as are payable to the Corporation and shall come into his possession or control by reason of the said office and shall deliver up all moneys, papers and other property which shall come into his possession or control by reason of the said office and if the said A. B. his heirs, executors or administrators shall pay or cause to be paid unto the Municipal Commissioner the amount of any loss or defalcation in the accounts of the said loss or defalcation within 24 hours after the amount of such loss or defalcation shall have been demanded from the said A. B. by the such demand to be in writing and left at the office or last known place of residence of the said A. B. and shall also at all times indemnify and save harmless the Municipal Commissioner from all and every loss, injury, damage, costs or expenses which has not been or shall or may at any time or times hereafter during the service or employment if the said A. B. in such office as aforesaid or any such other office aforesaid be sustained, incurred, suffered or paid by the Municipal Commissioner by reason, if any act, of embezzlement, defalcation, mismanagement, neglect, failure, misconduct, default, disobedience, omission or insolvency of the said A. B. or of any person or persons acting

under him or for whom he may be responsible then this obligation shall be void and of no effect otherwise the same shall be and remain in full force.

And it is hereby further agreed that in the event of the death of the said A. B. or on the final termination of the service of the said A. B. whether in such as aforesaid or otherwise, or in the event of the said A. B. ceasing to hold any office requiring security this bond shall remain with for Calendar months for recovering any loss, injury, damage, costs or expenses that may have been sustained, incurred or paid by the said A. B. or any such other person or persons as aforesaid and which may not have been discovered until after his death or the termination of his said service or his ceasing to hold any office for which the security was required.

Provided always that without prejudice to any other rights or remedies for recovering the loss or damage as aforesaid it shall be open to the Municipal Commissioner to recover the amount payable under this bond.

In witness whereof the said A. B. has hereunto set his hand this _____ day of _____ 197
Signed and delivered by the above named A. B. in the presence of

1. _____ (Signature)

2. _____

We hereby declare ourselves sureties for the above said A. B. that he shall do and perform all that he has above undertaken to do and perform and in case of his making default therein we hereby bind ourselves jointly and severally to forfeit to the Municipal Commissioner the sum of _____ in which the above said A. B. has bound himself, or such other lesser sum as shall be deemed to be sufficient by the _____ to cover any loss or damage which the

Municipal Commissioner may sustain by reason of such default, And we agree that the Municipal Commissioner may without prejudice of any other rights or remedies to of the Municipal Commissioner recover the said sum as an arrear of land revenue.

And we also agree that neither of us shall be at liberty to terminate his suretyship except upon giving to the said six calendar months notice in writing of his intention so to do, and our joint and several liability under this bond shall continue in respect of all acts, omissions, defaults, disobedience, mismanagements, neglects, failures, misconduct defaults, until the expiration of the said period of six months.

Dated this the _____ day of _____ 197

Signature of sureties in the presence of

1 _____

(Signature)

2 _____

In the presence of

1 _____

(Signature)

2 _____

APPENDIX 'E'

(See Regulation 3 Note 2)

Indemnity Bond

Know all men by these presents that, I, the undersigned of the late Mr. _____ an employee in the department of the Corporation, am held and firmly bound to the Municipal Commissioner (hereinafter referred to as the 'Municipal Commissioner'), in the sum of Rs _____ (Rs. _____) to be paid to the Municipal Commissioner, his successors in office or assigns or his or their attorney or attorneys for which payment well and truly to be made I bind myself, my heirs, executors, administrator's and assigns by these presents Dated the _____ day of _____ 19

WHEREAS, the said Mr. _____ (hereinafter referred to as the deceased) had prior to his death on the _____ 19 held and in virtue of his appointment on _____ Department of exercised the office of _____ in the Corporation.

AND WHEREAS the deceased _____ in consideration of his appointment had (under an agreement dated the _____ (hereinafter referred to as 'the said agreement' inter alia by way of security, delivered to, deposited with and endorsed over to the Promissory Notes of which are set forth and specified in the schedule hereunder written) deposited cash to the amount of rupees _____ (Rs. _____) in the National Savings Certificates at _____ upon the conditions specified in the agreement dated the _____ 19 (hereinafter referred to as 'the said agreement') dated the _____ 19 _____ hereinafter referred to the said agreement,) agreed to deposit with _____ (Rs. _____) And security to the amount of rupees _____ (Rs. _____) being unable to furnish whereas the deceased _____ (Rs. _____) at once, had the required amount of rupees _____ (Rs. _____) requested and agreed that the said amount be accreted by deduction from his pay of consecutive monthly instalments each of rupees _____ (Rs. _____) and that each such instalment until the whole sum of rupees _____ (Rs. _____) was completed and thereafter the whole sum rupees _____

(Rs.) should be deposited with and retained by as security upon the conditions specified in the agreement dated hereinafter referred to as "the said agreement" and whereas such deductions were made and the amount of rupees (Rs.) was accumulated and deposited with and retained by as security hereinafter referred to as 'the said security' and whereas by the said agreement dated the day of 19 it was stipulated that the said security should be and remain with the Corporation or any officer having authority under the Corporation with full power to sell and dispose of or get in the same upon the conditions mentioned therein.

AND WHEREAS the deceased hath well and truly paid and applied all sums of money and other property received by him in virtue of his office and rendered true accounts thereof and discharged the duties of his office honestly and to the best of his ability and did not quit or neglect the service of the Corporation, and did otherwise fully conform to the conditions of the said agreement and was entitled to the return of the said security, and whereas (hereinafter referred to as the applicant) has applied to the Corporation that the said security should be paid or delivered to the applicant.

AND WHEREAS the Corporation has agreed to pay, deliver the said security to the applicant on his agreeing to indemnify the Municipal Commissioner in respect of such payment/delivery.

Now, the condition of the above written bond is such that if from the date of the said security is paid/delivered to the applicant, the applicant his/her heirs, executors, administrators and assigns shall at times hereafter keep fully indemnified and save harmless the Municipal Commissioner, his successors in office and assigns from all actions, suits, demands and claims, whatsoever, which may hereafter be made by any person or persons against the Municipal Commissioner, his successors in office or assigns, in anywise concerning or in regard to or in respect of the said payment/delivery, then this obligation shall

be void and of no effect; otherwise it shall remain in full force and virtue:
 Signature of the above named _____
 in the presence of _____ (Signature of witness)

1. _____
 2. _____
 SURETIES

I/We of hereby declare myself/ourselves surety/sureties, for the abovenamed that he shall do all that he has above undertaken to do and in case of his making default therein I/We bind myself/ourselves, my, our heirs, executors, administrators and assigns, jointly and severally to pay to the Municipal Commissioner the sum of rupees (Rs.)
 Dated _____

Signed and delivered
 in the presence of

1. _____
 2. _____

APPENDIX 'F'
(Regulation 4)

I agree to contribute to the Fidelity Guarantee Insurance Fund of the Kolhapur City Municipal Corporation under Regulation 4 of the regulations of the said Fidelity Guarantee Insurance Fund, and I hereby declare that I have read the said regulations and that I agree to be bound by them and by any subsequent additions to, modifications of and alterations in the same as may, from time to time hereafter be made. I also agree to the deduction on account of my quarterly / half-yearly / yearly contribution under Regulation 4 together with arrears, if any, being made by the Chief Accountant from my salary or wages as they become due.

APPENDIX 'G'
(See Regulation 2 (d))

Affidavit to be Sworn Before a Magistrate.
I son of age years
do hereby solemnly affirm and state.
That I have agreed to stand surety to Shri
who is employee in the Municipal Corporation
of Kolhapur

That I am the owner / a Coparcener in
according to the Hindu
the undivided portion of the said property is Rs.
Law. The present market value of the said property is full
I hereby solemnly affirm that I am at present the full
owner of the above mentioned property and have not in any way
assigned or transferred my interest by gift, sale, mortgage or
otherwise nor have I created any charge thereon by private
arrangement and the said property is not the subject matter of
any charge created by any court.

That the property is thus absolutely unencumbered,
Solemnly affirmed at on the day of
19

APPENDIX 'H'
(See Regulations 2 (d) Note 2)

Affidavit Before a Magistrate.

I, Son of age occupation
do hereby solemnly affirm and state:
residing at

That I am one of the sureties to Shri
who is an employee in the Kolhapur Municipal Corporation.

That at the time of standing surety for the said employee
I was the owner / a Coparcener in the undivided
portion of according to the Hindu
Law valued at Rs.

I hereby solemnly affirm that I am at present the full
owner of the above mentioned property and have not in any way
assigned or transferred my interest by gift, sale, mortgage or other-
wise nor have created any charge thereon by private arrangement
and the said property is not the subject matter of any charge
created by any Court.

That the said property is thus absolutely unencumbered
Solemnly affirmed at on the day
of 19

APPENDIX 'A'

List of employees of the Kolhapur Municipal Corporation who are required to furnish securities to the extent of amount indicated against each.

Sl. No.	Designation of the post	Amount of security
1	Deputy Municipal Commissioner.	3000/-
2	Asstt	3000/-
3	Executive Engineer.	3000/-
4	City Engineer.	3000/-
5	Medical Officer of Health.	3000/-
6	City Planning and Development Engineer	3000/-
7	Municipal Secretary.	3000/-
8	Chief Accountant.	3000/-
9	Chief Auditor.	3000/-
10	Internal Auditor.	2000/-
11	Assessor and Collector of Taxes.	2000/-
12	Asstt. Health Officer	2000/-
13	Medical Superintendent.	2000/-
14	Lady Doctor, Savitribai Fule Maternity Hospital	2000/-
15	All Doctors at the Kolhapur Municipal Corporation	2000/-
16	Asst. Engineer	2000/-
17	Head Mistress Jijamata Girls's High School	500/-
18	Labour Officer.	2000/-
19	Senior Auditor to C. A.	500/-
20	Medical Officers.	2000/-
21	Garden Superintendent,	2000/-
22	Light	2000/-
23	Accountant Nagadi.	2000/-
24	Junior Auditor	2000/-
25	Asstt. Auditor.	2000/-
26	office Supdt. at Kolhapur Municipal Corporation.	2000/-
27	Secretary to the Commissioner	2000/-
28	Tax Superintendent.	2000/-
29	Oetroi	2000/-

1 2 3

30	P. W. D.	2000/-
31	P. W. D. Accountant	2000/-
32	Assessment Officer.	2000/-
33	Chief Sanitary Inspector.	2000/-
34	Insecticide Officer	2000/-
35	Meat and Fish Inspector.	2000/-
36	Work-shop Superintendent	2000/-
37	Market	2000/-
38	Stores	2000/-
39	Shop and Estb. Inspector	500/-
40	Sanitary Inspector	500/-
41	Overseers.	1500/-
42	Food Inspector.	500/-
43	Market Inspector.	1500/-
44	Municipal Pleader.	1500/-
45	Sisters (Nurses)	200/-
46	Asstt. Oetroi Superintendent	1500/-
47	Estt Head Clerk	1500/-
48	Librarian.	1500/-
49	Head Master Night High School	200/-
50	Head Mechanic.	1500/-
51	Cashier Nagadi	1500/-
52	Cashier Tax Department.	1500/-
53	Oetroi Refund Cashier.	1500/-
54	Oetroi Collection Clerk	1500/-
55	Senior Clerks working in the Stores Department and K. M. C. Work shop.	1500/-
56	Oetroi Inspector.	1500/-
57	Head of the Bureau.	200/-
58	Fire Brigade Supdt.	1500/-
59	Light Inspector.	1500/-

ALL SENIOR CLERKS :

Inspector in Senior Clerks grade and Junior Clerks working in Nagadi Section. Jr. Clerk's working at Oetroi Nakas and the Jr. Clerks working in the Tax Department.

500/-

1	2	3
61	Fire Station Officer.	1250/-
62	Stenographer.	500/-
63	Laboratory Technician.	1000/-
64	Asstt. Technician.	200/-
65	Trained and untrained nurses.	200/-
66	Midwife.	200/-
67	Junior Clerks and Typists in the Junior Clerk's grade.	200/-
68	Compounders and Compounder-cum-Clerks.	200/-
69	Telephone Operator.	200/-
70	Book Binder.	200/-
71	Nail.	200/-
72	Mukadam: Mukadam-cum-clerks	200/-
73	Tracer.	200/-
74	Asstt. Mechanic.	200/-
75	Draftsman.	200/-
76	Surveyor.	200/-
77	Mistry.	200/-
78	Senior and Junior Wireman.	200/-
79	Drivers on Ambulance Car, motor car rolly, tractor and Fire Brigade cars.	200/-
80	Fireman.	200/-
71	Water-works fitter.	200/-
82	Head fitter.	200/-
81	Asstt Fitter.	200/-
84	Carpenter.	200/-
85	Mason.	200/-
86	Iron-smith.	200/-
87	Engine driver cum fitter.	200/-
88	Welder.	200/-
89	Gardener, Asstt. gardener, Selection grade Kamgar, heons, rat-killers, ward-boys, Ayyas, Helpers, Watchman, Cleaners, P.W.D. Kamgars and Health Department Kamgars	200/-

Kolhapur Municipal Corporation.

REGULATION NO 1 DATED 15-4-1974

Regulations framed under Section 465 (a) of Bombay Municipal Corporations Act, 1949 for prescribe the qualifications required for appointments to the posts in Municipal service other than those specified in sub. clause (a) of clause (3) of Section 457.

1 **SHORT TITLE**— These regulations shall be called "Regulations of the Kolhapur Municipal Corporation for prescribing the qualifications for the appointments to the posts in municipal service".

2 **DEFINITIONS**— Unless there is something repugnant in the subject or context.

a) "ACT" means the Bombay Provincial Municipal Corporations Act, 1949.

b) "CADRE" means the strength of a service or a part of the service sanctioned as a separate unit.

c) "SECTION" means the Section of the Bombay Provincial Municipal Corporations Act 1949.

d) "SCHEDULE" means schedule "A" attached to these regulations.

3 **QUALIFICATIONS NECESSARY**— Qualifications age and experience necessary for the appointments to the posts in the municipal service shall be as prescribed in column 3 of the Schedule 'A' attached to these regulations. These however would not apply to persons appointed by the Ex. Municipal Council and holding present appointments in an equivalent cadre and are otherwise ordered for absorption by the Administrator.

(164)

PROVIDED THAT the Corporation may relax the educational qualifications in case of deserving and more experienced candidates already working in the Corporation for the purpose of appointment by promotion to the posts upto the cadre of Superintendents duly in non-technical posts. However, such relaxation shall not exceed 50% of the posts to be appointed in respect of appointment by promotion to the posts of Senior Clerks.

Provided further that the qualification regarding experience/higher basic academic qualification is relaxable at the discretion of the competent Authority in the case of candidate belonging to the Scheduled Caste, Scheduled Tribes and Nontribed Tribes/Nomadic Tribes, if at any stage of selection, the Competent Authority is of the opinion that sufficient number of candidates from these communities possessing the requisite experience/higher basic academic qualification are not likely to be available to fill up the vacancies reserved for them.

4. AGE limit as prescribed would be relaxable by five years in case candidate belongs to Scheduled Caste or Scheduled Tribe and may also be relaxable by the Corporation by not more than ten years in case of deserving and more experienced candidates.

5. PROPORTION OF PROMOTIONS AND NOMINATIONS :

As prescribed in the Schedule 'A' the appointment is to be made both by promotions and nominations. The proportion of the promotions and nominations will be as follows

- (a) If the number of posts in the 'cadre' is only one, the appointment shall ordinarily be made by promotion.
- b) If, however, the number of posts in the cadre is more than one, the promotion shall be 75% and nomination 25%.

6. APPOINTMENT BY NOMINATION IN CASE OF PROMOTION :

In the event of an appointment by promotion, if no

candidate is found suitable for such promotion the appointment may be made by nomination.

(165)

PROVIDED THAT before taking the recourse to nomination in such cases the reasons for not making the appointment by promotion shall be recorded in writing by the appointing Authority.

DEPARTMENTAL EXAMINATIONS :

The candidates appointed either by nomination or promotion will have to pass the confirmatory departmental examinations as and when prescribed within the specified period. Failure to pass the requisite examination will entail either loss of appointment or reversion to lower post as the case may be, unless the appointing authority extends period.

(D. N. CAPOOR)
ADMINISTRATOR,
KOLHAPUR MUNICIPAL CORPORATION

(166)

KOLHAPUR MUNICIPAL CORPORATION

SCHEDULE "A"

Showing the qualifications necessary for the posts other than those specified in subclause (a) of clause 3 of the Section 457 of B. P. M. C. Act, 1949.

Sr. No. 1	Name of the post. 2	Qualification. 3	Remarks 4
1	Chief Accountant.	Appointment shall be made by a) Nomination from amongst the candidates who 1) unless already in the service of the Corporation are not more than 35 years of age, 2) possess the degree in Arts, Science, Commerce or Law. Preference will be given to those who possess the degree in Commerce with Accounting and Auditing as Special subjects, or who have passed S. A. S. examination and	

(167)

1	2	3	4
1	Contd.	3) have minimum 5 years experience in a responsible post as an Accountant in any Government., Local Body or reputed Private firm.	
OR			
		b) Promotion from amongst the candidates who 1) possess the degree in Arts, Science, Commerce, or Law, Preference will be given to those who possess the degree in Commerce with Accounting and Auditing as special subject, and 2) are working in any post of Superintendents cadre or above for a continuous period of not less than 10 years.	
OR			
		c) By appointing a suitable officer of the Government on deputation.	

246

247

1	2	3	4
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- 2 Internal Auditor Appointment shall be made by
Rs. 325-20 525-EB- a) Nomination from amongst the candidates who
25-575
- (1) Unless already in the service of the Corporation are not more than 30 years of age;
 - (2) possess the degree in Arts, Science, Commerce or Law. Preference will be given to those who possess the degree in Commerce with Accountancy and Auditing as special subjects; and
 - (3) have an experience of 5 years of auditing work in a local body or in Government.

OR

- b) Promotion from amongst the candidates who,

1	2	3	4
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- 1) are graduates in Arts, Science, Commerce or Law. Preference will be given to graduates in Commerce with Accountancy and Auditing as special subjects;
- 2) have worked in the post of Superintendent's cadre or higher post at least for a period of not less than 5 years; and
- 3) have passed the L. S. G. D. examination.

- Assessor and collector of Taxes. Appointment shall be made by
300-20-500-EB-20-560. a) Promotion from amongst the candidates who,

- 1) possess the degree in arts, Science, Commerce or Law of a recognised University. Preference will be given to those who have passed the L. S. G. D. examinations and
- 2) are working in the Superintendent's cadre continuously for a period of not less than 5 years.

(170)

250

1	2	3
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Labour Officer

41

Rs. 300-20-500 EB
20-600

Appointment shall be made by

- a) Nomination from amongst the candidates who
 - 1) Unless already in the service of the Corporation are not more than 30 years of age;
 - 2) are graduates and possess the degree or diploma in Social Science from a recognised Institute and
 - 3) have an experience of minimum 5 years in handling labour matter, preferably in a Local Body or in Government departments.

OR

- b) Promotion from amongst the candidates who
 - 1) are graduate with Sociology as special subject. Preference will be given to those who possess M. S. degree or Diploma from Tata Institute of S. S. or

(171)

1	2	3	4
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6 Asstt Health Officer

Rs 300-20-500-EB-20-560

Appointment shall be made by

- a) Nomination from amongst the candidates who
 - 1) unless already in the service of the Corporation are not more than 35 years of age;
 - 2) Possess the degree of M. B. B. S. or its equivalent degree and diploma in public Health; Provided that if no candidate is available possessing the diploma in Public Health, appointment may be made from amongst the suitable Medical graduates on the conditions that, the appointee will have to acquire the said diploma within a period of three years from the
 - 3) Show aptitude for handling labour matters.

251

(172)

252

1	2	3	4
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5 Contd.

date of his appointment or from the date of sanction of these regulations whichever is later. If he fails to do so he shall be liable to be discharged, from service.

- 3) have a practical experience of not less than 5 years as Medical officer in Government, Local body or a in a private concern.

OR

b) Promotion from amongst the candidates who

- 1) Possess the degree of M. B. B. S. or its equivalent degree,
- 2) have passed diploma in public Health (D. P. H.) and
- 3) are working in the posts of Medical Officer for not less than 5 years

OR

(173)

1	2	3	4
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6 ASSTT. ENGINEER.

c) Obtaining a suitable officers of the Govt. on deputation.

Appointment shall be made by

a) Nomination from-amonght the candidates who

Rs. 300-20-500-ER-20-560.

- 1) unless already in the service of the Corporation are not more than 33-38 years of age,
- 2) Possess the degree in Civil Engineering and
- 3) have an experience of minimum 5 years in Government, Local Body or private concern as Overseer

OR

b) Appointment shall be made by promotion from amongst the candidates who,

- 1) Possess Diploma in Civil Engineering. Preference will be given to those who, possess the degree in Civil Engineering and

253

(174)

254

1	2	3	4
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- 2) have an experience of minimum 10 years continuously as overseer

PROVIDED THAT in case of candidates holding degree in Civil Engineering experience may be of 7 years as Overseer.

OR

- c) By obtaining a suitable officer of the Government on deputation.

7. MEDICAL

Appointment shall be made by

SUPERINTENDENT
(MATERNITY
HOME ETC).
Rs. 300-20-500-EB-
20 -560.

- a) Nomination from amongst the candidates who,
 - 1) unless already in the service of the Corporation are/not more than 35 years of age.
 - 2) possess post-graduate qualifications in Obstetric and Gynaecology and
 - 3) have practical experience of not less than 5 years in any hospital administration.

(175)

1	2	3	4
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OR

- b) Promotion from amongst the candidates who,
 - 1) possess the post graduate qualifications in obstetric and Gynaecology and
 - 2) are working in the posts of Medical Officers continuously For a period of not less than 5 years.

OR

- c) By appointing a suitable officers of the Government on deputation.

8 GARDEN SUPDT.

Appointment shall be made by

Rs. 210-15-330-EB-20-470
Rs. 50/-Motor Cycle allowance

- a) Nomination from amongst the candidates who
 - 1) unless already in the service of the Corporation are not more than 35 years of age.

254

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- 2) possess B. Sc. degree in Agriculture or Botany and
- 3) have an experience of similar work in Garden or Parks for not less than 5 years.
- b) Promotion from amongst the candidates who,
 - 1) are working in the post of Asstt. Garden Superintendent for a continuous period of not less than 5 years and
 - 2) possess B. Sc. degree in Agriculturing or Botany.

OR

- c) Deputation of an officer from Government.
Appointment shall be made by nomination from amongst the candidates who,
 - 1) unless already in the service of the Corporation are not more than 30 years of age,

9 DOCTORS

250-15-340-
EB 20-500(M.B.B.S.)

1	2	3	4
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150-10-200
EB-15-350
(for others).

- 2) possess the degree of M. B. B. S. or equivalent in the pay-scale of Rs. 250-15-340 EB 20-500 or B. A. M. S. or equivalent in the pay-scale of Rs. 150-10-200 EB 15-350.
PROVIDED THAT appointments of B. A. M. S. will be made by only in the event of candidates possessing the degree of M. B. B. S. do not apply and
- 3) have registered themselves under Bombay Medical Act 1912 or M. M. P. Act, 1961

10 SUPERINTENDENTS

Rs. 200-15-260-EB-20-400.

Junior Auditor,
Asstt. "

Accountant
Octroi Supdt.

Market Supdt.

- Appointment shall be made by
- a) Nomination from amongst the candidates who
 - 1) unless already in the service of the Corporation are not more than 30 years of age
 - 2) possess a degree in Arts, Commerce Science or Law of a recognised University and
 - 3) possess the diploma in L. S. G. D.

(178)

1	2	3	4
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Tax Supdt.
P. W. D. Supdt.
Assessment Officer,
Stores-Supdt.

PROVIDED THAT, if no candidate is available holding this diploma appointments may be made from amongst the suitable candidates on the condition that the appointee will have to acquire the said diploma within a period of to years from the date of his appointment.

If the appointee fails to pass the said diploma within a said period he will be liable to discharge from the service after the said period.

OR

a) Promotion from amongst the candidates who

- 1) have passed Matric or S S. C. Examination with English as one of the subjects,
- 2) are working in the post of Head Clerk or equivalent cadre continuously for a period of not less than 5 years or in the post of Senior Clerk continuously for a period of 10 years and

(179)

1	2	3	4
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11 SENIOR SHOP
INSPECTOR.
Rs. 190-10-220-EB
15-280-EB 20-360.

3) have passed the diploma in Local Self Government. Appointment shall be made by promotion from amongst the Junior Shop Inspectors who are continuously in the service of the Corporation for a period of not less than 5 years.

12 Work Shop
Superintendent.

Rs. 200-15-260-
EB 20-400.

Appointment shall be made by

a) Nomination from amongst the candidates who

- 1) unless already in the service of the Corporation are not more than 30 years of age.
- 2) have passed the degree or diploma examination in Automobile Engineering or Mechanical Engineering with Automobile as one of the subjects and
- 3) have minimum experience of similar work of 5 years in Govt. or Semi Govt. Institutes not below the rank of a Mechanic.

(180)

1	2	3	4
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OR

- b) Promotion from amongst the candidates who
- 1) Possess degree or diploma in Automobile Engineering or Mechanical Engineering with Automobile as one of the subjects and
 - 2) are working in the post of Head Mechanic continuously for a period of not less than ten years.

OR

- c) obtaining a suitable officer from Government on deputation
Appointment shall be made by

13. OVERSEER
Rs. 140-10-200-EB 15-
260-15-350

- a) Nomination from amongst the candidates who
- 1) unless already in the service of the Corporation are not more than 30 years of age and

(181)

1	2	3	4
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- 2) possess a degree or diploma in Civil Engineering. Preference being given to those possessing degree in Civil Engineering and they would be given a higher start Rs 230/- basic in the scale of pay

OR

- b) Promotion from amongst the candidates who
- 1) possess a degree or diploma in Civil Engineering and
 - 2) are working in the post of Draftsman for a continuous period of not less than 3 years.
- Appointment shall be made by

14. LIGHT SUPER-
INTENDENT.
Rs. 140-10-200 EB-15.260
E. B. 20-350.

Motor cycle allowance
Rs. 50/- p. m.

- a) Nomination from amongst the candidates who
- 1) possess a degree or diploma in Electrical Engineering.
 - 2) unless already in the service of the Corporation are not more than 30 years of age and
 - 3) have experience of minimum 30 years of similar work in Govt. or private concern or in a Local Body.

एच - अतिरिक्त सहायक
मोटर साइकल अनुमति

(182)

1	2	3	4
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15 STENOGRAPHER.

Appointment shall be made by

- a) Nomination from amongst the candidates who
 - 1) unless already in the service of the Corporation are not more than 25 years of age;
 - 2) have passed Matric or S. S. C. examination with English as one of the subjects;
 - 3) possess a Government certificate of Short-hand in English having a speed of 100 W. P. M. and
 - 4) possess a Government certificate of typing in English having a speed of 50 W. P. M.

OR

- b) Promotion from amongst the candidates who
 - 1) have passed Matric or S. S. C. Examination with English as one of the subjects;

(183)

1	2	3	4
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- 2) are holding Government certificate of Short-hand in English having speed of minimum 100 W, P. M. and
- 3) have Government certificate of typing with minimum speed of 50 W. P. M. in English.

OR

16 1) SISTER
2) Night-super.

Rs. 135-8-175-EB-20-275.

c) Obtaining a suitable person on deputation from Government.
Appointment shall be made by

- a) Nomination from amongst the candidates who
 - 1) unless already in the service of the Corporation are not more than 30 years of age.
 - 2) possess B. Sc. degree in Nursing recognised by the Indian Nursing Council.
 - 3) are qualified Nurse-midwives.

(184)

1	2	3	4
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- 4) are registered with Maharashtra Nursing Council or are eligible for such registration and
- 5) have practical experience of Nursing work in any hospital for a period of not less than 5 years.

OR

- b) Promotion from amongst the candidates who
 - 1) possess B. Sc. degree in Nursing recognised by the Indian Nursing Council or
 - 2) are qualified Nurse Midwives.
 - 3) are registered with Maharashtra Nursing Council or are eligible for such registration and
 - 4) are working in the post of Nurse continuously for a period of not less than 5 years

(185)

1	2	3	4
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16 SANITARY INSPECTOR, Appointment shall be made by
 MARKET INSPECTOR.

Rs. 120-10-180-EB-15-
 300-EB-20-360

- a) Nomination from amongst the candidates who
 - 1) unless already in the service of the Corporation are not more than 25 years of age;
 - 2) have passed Matric or S. S. C. examination with English as one of the subjects and
 - 3) have passed Sanitary Inspector's Course from a recognised Institute

OR

- b) Promotion from amongst the candidates who
 - 1) have passed Matric or S. S. C. examination with English as one of the subjects;

(186)

266

1 2

3

4

16 Contd

- 2) have passed Sanitary Inspector's Course from a recognised Institute.
- 3) are working in the post of Vaccinators continuously for a period of not less than 5 years.

OR

- c) Obtaining a suitable officer from Govt. on deputation

17 FOOD INSPECTOR

Appointment shall be made by

Rs. 120-10-180-EB-
15-300-EB-20-360

- a) Nomination from amongst the candidates who
 - 1) unless already in the service of the Corporation are not more than 30 years of age and
 - 2) are qualified Sanitary Inspectors having an experience as such for a minimum period of one year and have received at least

(187)

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three months training in Food Inspection and sampling work in any of the laboratories referred to in clause (i) of rule 6 of P. F. A. (Amendment) Rules 1968.

OR

- b) by obtaining a suitable officer of the Government on deputation.

18 JUNIOR SHOP-
INSPECTOR

Appointment shall be made by

Rs. 120-10-180-EB-
15-300-EB-20-360

Nomination from amongst the candidates who

- 1) unless already in the service of the Corporation are not more than 25 years of age;
- 2) are graduates of a recognised University.

267

(188)

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19 ESTABLISHMENT HEAD CLERK.
Rs. 120-10-200-EB-15-320.

Appointment shall be made by promotion from amongst the Senior-Clerks having passed S. S. C. and L. S. G. D. Examination and who are senior and efficient.

20 ASSTT. GARDEN SUPERINTENDENT
Rs. 120-10-200-EB-15-320

Appointment shall be made by

a) Nomination from amongst the candidates who

- 1) unless already in the service of the Corporation are not more than 30 years of age,
- 2) have passed S. S. C. examination with English as one of the subjects,
- 3) have passed the course in Horticulture from a recognised Institute. Preference will be given to those who possess B. Sc. degree in Agriculture or Botany.
- 4) have experience in gardening for a minimum period of Three years.

(189)

1	2	3	4
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21 LIBRARY HEAD CLERK
Rs. 120-10-200-EB-15-320

Appointment shall be made by

a) Promotion from amongst the candidates who

- 1) have passed Matric or S. S. C. with English as one of the subjects,
- 2) have passed L. S. G. D. examination
- 3) are working in the post of Senior-Clerk continuously for a period of not less than 5 years and
- 4) have passed the course of Librarian recognised by the Govt.

PROVIDED THAT if there will be no person having passed the said Course, available promotion may be made from amongst the Senior Clerks who have completed not less than 5 years of continuous service in that post on the condition that the promotee will have to pass the said examination within a period of two

(190)

1	2	3	4
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21 Contd. years from the date of his promotion, failing which he shall be liable to be reverted to the lower post.

PROVIDED further that the Municipal Commissioner may in exceptional cases for reasons to be recorded, extend the period prescribed in above provision for passing the examination by one year.

22 LIGHT INSPECTOR

Appointment shall be made by

Rs. 120-10-200-
EB-15-320

- a) Nomination from amongst the candidates who
 - 1) unless already in the service of the Corporation are not more than 30 years of age,
 - 2) have passed Matric or S. S. C. examination with physics as one of the subjects and
 - 3) have passed the examination of Electric Supervisor

(191)

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recognised by the Govt. or is a certificate holder of Electrical Trade from I. T. I.

OR

- b) Promotion from amongst the wiremen who have put in at least 12 years service as such.

23 FIRE SUPERINTENDENT

Appointment shall be made by

Rs. 120-10-200-EB-
15-320

- a) Nomination from amongst the candidates who
 - 1) unless already in the service of the Corporation are not more than 30 years of age;
 - 2) have passed Matric or S. S. C. examination with Physics and Chemistry as their subjects.
 - 3) have passed the Divisional Officer's Course of N. F. S. or its equivalent examination recognised by the Government and

(192)

272

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23 Contd.

- 4) have an experience of minimum 3 years in Fire Service of Govt. Local Body or private concern

OR

- b) Promotion from amongst the candidates who

- 1) have passed Matric or S. S. C. examination with Physics Chemistry as one of the subjects;
- 2) are working in the post of Station Officer continuously for a period of not less than 5 years and
- 3) have passed the course of Fire Officers of National Fire Service or its equivalent recognised by the Government.

24 ASSTT. OCTROI
SUPERINTENDENT
Rs.-120-10-200-EB-15-320

Appointment shall be made by

- a) Nomination from amongst the candidates who

(193)

1 2 3 4

- 1) unless already in the service of the Corporation are not more than 25 years of age and
- 2) possess a degree in Arts; Science Commerce or Law from a recognised University.

OR

- b) Promotion from amongst the Senior Clerks who

- 1) have passed L. S. G. D. and S. S. C. examination and
- 2) are working in the posts of Senior Clerks continuously for a period of not less than 5 years and are senior and efficient.

25 LABORATORY
TECHNICIAN
Rs. 110-10-210-F-B-15-300

Appointment shall be made by

- a) Nomination from amongst the candidates who,

273

(194)

1	2	3	4
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25 Contd.

- 1) unless already in the service of the Corporation are not more than 30 years of age and
- 2) possess a degree of B. Sc. and Diploma of Laboratory Technician of an Institute recognised by the Government

OR

- b) Promotion from amongst the candidates who,
 - 1) are working in the posts of Laboratory Asstt. Technician for a continuous period of not less than 5 years and
 - 2) possess Diploma of "Laboratory-Technician" of an Institute recognised by the Government.

26 X-RAY TECHNICIAN. Appointment shall be made by

Rs. 110-10-210-EB-15-300 a) Nomination from amongst the candidates who

- 1) unless already in the service of the Corporation are not more than 30 years of age

(195)

1	2	3	4
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- 2) have passed Matric or S. S. C. examination and

- 3) passed Diploma certificate of X-Ray Technician of an Institute recognised by Government.

27 SENIOR CLERK

Rs. 100-10-170-EB-15-290.

Appointment shall be made by

- a) Nomination from amongst the candidates who

- 1) possess a degree in Arts, Science, Commerce or in Law and
- 2) unless already in the service of the Corporation are not more than 30 years of age.

OR

- b) Promotion from amongst the candidates who,

- 1) have passed Matric or S. S. C. Examination
- 2) are holding Diploma in Local Self Government and

(196)

276

1	2	3	4
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27 Contd.

3) are working in the posts of Junior Clerk for a continuous period of not less than 5 years.

OR

1) have passed Primary School Certificate Examination and have knowledge of English or have studied upto standard 10 th (Matric/S. S. C. failed) or

ii) are working satisfactorily as Junior Clerks for a continuous period of not less than 15 years.

28. SENIOR TYPIST
CLERK

Rs. 100-10-170-EB-
15-290.

Appointment shall be made by

a) Nomination from amongst the candidates who

1) unless already in the service of the Corporation are not more than 25 years of age,

2) have passed Matric or S. S. C. Examination with English as one of the subjects.

(197)

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3) are holding a certificate of typing in English or Marathi with minimum speed of 50 W. P. M. and Short-hand 100 W. P. M. of an Institute recognised by the Government.

OR

b) Promotion from amongst the candidates who

1) have passed Matric or S. S. C. examination with English as one of the subjects,

2) are holding a certificate of typing with minimum speed of 50 W. P. M. in English or Marathi from an institute of recognised by the Government and

3) are working in the posts of Jr. Typist Clerks or Jr. Clerks for a continuous period of not less than 5 years.

27

(198)

278

1	2	3
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29 STATION OFFICER.

Appointment shall be made by

Rs. 100-8-140-EB-10-260

a) Nomination from amongst the candidates who

- 1) unless already in the service of the Corporation are not more than 25 years of age,
- 2) have passed Matric or S. S. C. examination with English Physics or Chemistry as one of the subjects
- 3) have an experience in Fire-fighting work for a minimum period of 3 years in Government, Local Body or private fire service,
- 4) have passed a Station Officer's Instructor's Course of National Fire Service and
- 5) possess motor driving licence of heavy duty vehicle standing for 5 years.

(199)

1	2	3	4
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30 MECHANIC.

Appointment shall be made by

Rs.90-5-140-EB-10-260

a) Nomination from amongst the candidates who

- 1) unless already in the service of the Corporation are not more than 30 years of age,
- 2) have passed a Diploma in Auto-Engineering or Mechanical Engineering with Automobile as one of the subjects and
- 3) have an experience of minimum 3 years of similar work from an Automobile Works-shop of reputation.

OR

279

(200)

280

1	2	3	4
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30 Contd.

b) Promotion from amongst the candidates who

- 1) have passed the certificate examination in Auto-mobile repairing trade, from an Institute recognised by Government

Provided that if no candidate is found who has passed the said examination, promotion may be granted from amongst the suitable candidates on the condition that the promotee will have to pass the said examination within a period of 3 years from the date of his promotion or from the date of sanction of this regulation whichever is later. If he fails to do he will be liable to be reverted to lower post

- 2) are working in the posts of Asstt. Mechanic or Fitter or Helpers continuously for a period of not less than 5, 7, and 10 years respectively.

(201)

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31 NURSE

Appointment shall be made by

Rs. 90-5-120-
EB-10-230

a) Nomination from amongst the candidates who

- 1) unless already in the service of the Corporation are not more than 30 years of age, and
- 2) possess B. Sc. degree in Nursing recognised by the Indian Nursing Council
- 3) are qualified Nurse Mid-wives and
- 4) are registered with Maharashtra Nursing Council or are eligible for such registration.

OR

b) Promotion from amongst the candidates who,

- 1) are working in the post of Midwives continuous for a period of not less than 5 years;

281

(202)

1	2	3	4
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31 Contd.

- 2) are qualified Nurse-Midwives and
- 3) are registered with Maharashtra Nursing Council or are eligible for such registration.

32 MIDWIFE.

Appointment shall be made by nomination from amongst the candidates who,

Rs. 85-5-120-EB-10-200

- 1) unless already in the service of the Corporation are not more than 30 years of age;
- 2) are qualified Midwives or qualified Auxillary Nurse-Midwives and
- 3) are registered with Maharashtra Nursing Council or are eligible for such registration

33 AUTO-ELECTRICIAN

Appointment shall be made by

Rs. 80-5-140-EB-10-240

- a) Nomination from amongst the candidates who,

(203)

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- 1) unless already in the service of the Corporation are not more than 30 years of age.
- 2) possess a diploma in Auto-Electric Trade from a recognised Institute and
- 3) have an experience of similar work for a period of not less than 5 years in Govt. Semi-Govt. or Private Workshop of repute.

OR

b) Promotion from amongst the candidates who,

- 1) are working in the posts of helpers continuously for a period of not less than 10 years and are senior and efficient and
- 2) possess the trading certificate in Auto-Electric Trade from an Institute recognised by the Government.

(204)

1 2 3 4

33 Contd.

PROVIDED that if no candidate is available who has passed this examination, promotion may be granted from amongst the suitable candidates on the condition that the promotee will have to pass the said certificate examination within a period of 3 years from the date of his promotion. If he fails to do so, he will be liable to be reverted to lower post.

34 ASSTT. MECHANIC

Appointment shall be made by

Rs. 80-5-140-EB. 10-240

- a) Nomination from amongst the candidates who,
- 1) unless already in the service of the Corporation are not more than 30 years of age,
 - 2) have passed Diploma in Automobile Engineering with Automobile as one of the subjects and
 - 3) have an experience of minimum 3 years in similar work from an Automobile Workshop of reputation.

(205)

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OR

b) Promotion from amongst the candidates who

- 1) are working in the posts of Fitters or Helpers for a continuous period of not less than 5 years and 7 years respectively and are senior and efficient and
- 2) have passed certificate examination in Automobile Engineering Trade from an Institute recognised by the Govt.

PROVIDED that, if no candidate is available who has passed the said examination, promotion may be granted from amongst the suitable candidate's on the condition that, the promotee will have to pass the said examination within a period of 3 years from the date of promotion or from the date of sanction of these regulations. If he fails to do so, he shall be liable to be reverted to the lower post.

285

(206)

286

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35 DRIVER.

Appointment shall be made by

- Rs. 70-5-110-EB-10-190 a) Nomination from amongst the candidates who
- 1) unless already in the services of the Corporation are not more than 25 years of age,
 - 2) have passed at least VII std. examination,
 - 3) possess heavy duty motor driving licence,
 - 4) have an experience of 5 years of motor driving and
 - 5) are physically fit as per provision in M. V. Act, 1949

OR

- b) Promotion from amongst the candidates who,
- 1) possess the licence of driving heavy duty vehicle,

(207)

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36 ENGINE DRIVER.

cum-fitter

Rs. 70-5-110-EB-10-190

Appointment shall be made by

- a) Nomination from amongst the candidates who,
- 1) unless already in the service of the Corporation are not more than 30 years of age,
 - 2) have passed the certificate examination in the trade of repairing of internal combustion oil engines from a recognised Institute and
 - 3) have an experience of similar work in a work-shop of repute.

OR

287

1	2	3	4
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36 Contd.

b) Promotion from amongst the candidates who

- 1) are working in the posts of helpers continuously for a period of not less than 7 years and are senior and efficient and
- 2) have an experience of repairing internal combustion of oil engines.

37. DRAFTSMAN.

Appointment shall be made by

Rs. 65-5-90-EB-10-140-EB.

15-260

a) Nomination from amongst the candidates who

- 1) unless already in the service of the Corporation are not more than 25 years of age,
- 2) have passed S. S. C examination with English as one of the subjects or equivalent examination and
- 3) have successfully completed a course of Civil Draftsman recognised by the State or Central Government.

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OR

b) Promotion from amongst the candidates who,

- 1) have successfully completed the Course of Civil Draftsman in Civil Engineering or in Industrial Training Institute of the State or Central Government,
- 2) have passed S. S. C. examination with English or an equivalent examination and
- 3) are working in the posts of tracer continuously for a period of not less than 5 years.

38 JUNIOR CLERK

Appointment shall be made by

Rs. 65-5-100-EB-10

150-EB-15-240

a) Nomination from amongst the candidates who,

- 1) unless already in the service of Corporation are not more than 25 years of age,

(210)

290

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38 Contd.

- 2) have passed Matric or S. S. C. examination with English as one of the subjects and
- 3) are holding a diploma of L. S. G. D.

OR

- b) Promotion from amongst the employees who,
 - 1) have passed Matric or S. S. C. examination with English as one of the subjects,
 - 2) are holding a diploma in Local Self Government and
 - 3) have an experience of 5 years working as Mukadam-cum-clerk or as Mukadam or 7 years as peons
 - 4) are working as candidates in the record office of the Corporation continuously for a period of not less than 3 years.

(211)

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39 JUNIOR CLERK-CUM-TYPIST.

Rs. 65-5-100-EB-10-150
EB-15-240

Appointment shall be made by

- a) Nomination from amongst the candidates who,
 - 1) unless already in the service of the Corporation are not more than 25 years of age,
 - 2) have passed Matric or S. S. C. examination and
 - 3) are holding a certificate of Typing in English or in Marathi with a minimum speed of 30 W. P. M. from a recognised Institute.

40 COMPOUNDER
CUM-CLERK

Rs. 65-5-100-10-150-EB
15-240 (un-revised)

Admr's Resolution No. 677 dated 16-10-1976 regarding prescribing Qualifications for Appointment to the post of Compounder-cum-Clerk.

- a) Appointment shall be made by nomination from amongst candidates who,

291

(212)

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40 Contd.

- 1) unless already in the service of the Corporation are not more than 30 years of age, and
- 2) are registered pharmacist under the Pharmacy Act, 1948.

OR

- b) have passed S. S. C. or equivalent examination and have been engaged in the compounding of drugs in a hospital or dispensary or other place in which drugs are regularly dispensed on prescription of Medical Practitioners for a total period of not less than 7 years.

OR

- c) have passed S. S. C. or an equivalent examination and possess four years experience as Dispensary Assistants in the State Government Hospital and have successfully passed test examination of compounding drugs to be conducted by the Medical Officer of Health of the Corporation.

(213)

1	2	3	4
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41 SURVEYOR Appointment shall be made by

Rs. 65-5-100-EB-10-150
EB-15-240

- a) Nomination from amongst the candidates who
 - 1) unless already in the service of the Corporation are not more than 25 years of age,
Relaxable in case of those candidates who have experience of similar work in Government department.
 - 2) have passed Matric or S. S. C. examination with English or an equivalent examination and
 - 3) have passed Surveyor's Training and possess the certificate of an Institute recognised by the Government.

42 FUEL ATTENDANT. Appointment shall be made by

Rs. 65-5-100-EB-10-150-EB-15-240

- a) Nomination from amongst the candidates who

(216)

296

1	2	3	4
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- 3) have passed Matric or S. S. C. examination with English as one of the subjects,

44 MAISTRY

Appointment shall be made by

Rs. 65-5-100-
EB-10-200

- a) Nomination from amongst the candidates who
 - 1) unless already in the service of the Corporation are not more than 25 years of age,
 - 2) possess the Industrial Training Institute Trade Certificate in respect of Maistry or have passed Maistry's examination recognised by the Government and
 - 3) have an experience of minimum 3 years of the Maistry's work in Government, Local Body or in a private concern.

(217)

1	2	3	4
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OR

- a) Promotion from amongst the candidates who
 - 1) have passed S. S. C. or XI standard examination with Mathematics as one of the subjects
 - 2) are working in the post of Mukandam continuously for a period of not less than five years and.
 - 3) have passed the examination of Maistry recognised by the Government.

45 WATER WORKS FITTER. Appointment shall be made by

Rs.65-5-100-EH-10-200

- a) Nomination from amongst the candidates who
 - 1) unless already in the service of the Corporation are not more than 25 years of age and

297

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45 Contd 2) possess the certificate of Plumbing from Industrial Training Institute or suitable Institute recognised by the Government.

46 AUTO FITTER

Appointment shall be made by

Rs. 65-4-85-EB-5-170

- a) Promotion from amongst the candidates who
- 1) possess the driving license of driving heavy duty vehicle,
 - 2) are working in the posts of helpers for a period not less than 10 years and are senior and efficient and
 - 3) have passed the certificate examination in the Trade of Automobile repairing from a recognised Institute.

PROVIDED that if no candidate is available who have passed the said examination, promotion may be granted from amongst the suitable candidates on the conditions that the promotee will have to pass the certificate examination in an Automobile

	2	3		4
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repairing Trade from Industrial Training Institute recognised by the Government within a period of 3 years from the date of his promotion. If he fails to do so, he will be liable to be reverted to The lower post.

47 SENIOR WIREMAN

Appointment shall be made by

65-5-110-EB-10-180

- a) Promotion from amongst the Junior Wireman who,
- 1) have passed First Class Wireman's examination and
 - 2) are working as such for a period of not less than 5 years,

48 LABORATORY ASSTT. TECHNICIAN (CLERICAL)

Appointment shall be made by nomination from amongst the candidates who,

Rs. 65-5-100-EB-10-150
EB-15-240

- 1) unless already in the service of the Corporation are not more than 25 years of age.

(220)

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48	Contd.	2) have passed Matric or S. S. C. examination with English and Physics and Chemistry as the subjects and 3) possess the Government certificate of Laboratory Asst.	
49	TRACER Rs. 65-5-100-EB-10-160	Appointment shall be made by a) Nomination from amongst the candidates who, 1) unless already in the service of the Corporation are not more than 25 years of age, 2) have passed S. S. C. with English or equivalent examination and 3) have passed Intermediate Grade Drawing examination of Government of Maharashtra or an equivalent examination	

(221)

1	2	3	4
50	NAIK Rs. 60-5-120-EB-10-160	Appointment shall be made by a) Promotion from amongst the candidates who, 1) are working in the post of Mukadam-cum-clerks continuously for a period not less than 5 years and senior and efficient.	
51	PAINTER. Rs. 60-4-100-EB. 5-150	Appointment shall be made by a) Nomination from amongst the candidates who, 1) unless already in the service of the Corporation are not more than 25 years of age, 2) have passed III Grade Drawing Examination and 3) have an experience of painting-work not less than 3 years in a reputed "Automobile Workshop".	

(222)

1	2	3	4
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52 WELDER.

Rs. 55-4-85-EB-5-170

Appointment shall be made by

- a) Nomination from amongst the candidates who,
 - 1) unless already in the service of the Corporation are not more than 25 years of age,
 - 2) have passed the certificate examination in the Trade of Welding from a recognised Institute and
 - 3) have an experience of minimum 3 years of similar work in workshop of repute.

OR

- b) Promotion from amongst the candidates who
 - 1) are working in the posts of helpers continuously for a period of not less than 7 years and are senior and efficient and

(223)

1	2	3	4
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- 2) have passed the certificate examination in the trade of welding from the recognised institute.

PROVIDED that if no candidate is available who has passed the said examination, promotion may be granted from amongst the suitable candidates on the condition that the promotee will have to pass the said examination within a period of 3 years from the date of promotion. If he fails to do so, he will be liable to be reverted to the lower post.

53 CARPENTER.

Rs. 55-4-75-EB-5-170

Appointment shall be made by nomination from amongst candidates who,

- 1) unless already in the service of the Corporation are not more than 25 years of age;
- 2) have passed certificate examination in the Trade of Carpentry from a recognised Institute and

(224)

304

1	2	3	4
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53 Contd.

3) have an experience of minimum 3 years of similar work in a reputed workshop.

OR

b) Promotion from amongst the candidates who

- 1) are working in the posts of helpers continuously for a period of not less than 5 years and are senior and efficient and
- 2) have passed the certificate examination in the Trade of carpentry from a recognised Institute.

Provided that, if no candidate is available who has passed the said certificate examination, promotion may be granted from amongst the suitable candidates on the condition that, promotee will have to pass the said examination within a period of three years from the date of his promotion. If he fails to do so, he shall be liable to be reverted to the lower post.

(225)

1	2	3	4
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54 BLACKSMITH.

Appointment shall be made by

Rs. 55-4-75-EB-5-170

a) Nomination from amongst the candidates who,

- 1) unless already in the service of the Corporation are not more than 25 years of age,
- 2) have passed the certificate examination in the Trade of Blacksmith from a recognised Institute and
- 3) have an experience of similar work of not less than 3 years in a work-shop of reputation.

OR

b) Promotion from amongst the candidates who,

- 1) are working in the post of helpers continuously for a period of not less than 5 years and are senior and efficient and

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54 Contd.

- 2) have passed the certificate examination in the Trade of Blacksmith from a recognised Institute.

Provided that, if no candidate is available who has passed the said examination, promotion may be granted from amongst the candidates on the condition that the promotee will have to pass the said examination within a period of 3 years from the date of his promotion. If he fails to do so, he shall be liable to be reverted to the lower post. ✓

55 MASON

Appointment shall be made by

Rs. 55-5-100-EB-10-170

- a) Nomination from amongst the candidates who
- 1) unless already in the service of the Corporation are not more than 30 years of age,
 - 2) are literate and physically fit to carry on duties assigned to the post and

1	2	3	4
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- 3) have an an experience of similar work for a period of not less than 5 years

56 JUNIOR WIREMAN

Appointment shall be made by

Rs. 55-5-100-EB-10-160

- a) promotion from amongst the candidates who
- 1) have passed the examination of II class wireman and
 - 2) are working as Asstt. Wireman continuously for a period of not less than 3 years.

57 MUKADAM-CUM-CLERK

Rs. 55-5-100-EB-10-160

Appointment shall be made by

- a) Nomination from amongst the candidates who,
- 1) unless already in the service of the Corporation are not more than 25 years of age.
 - 2) have passed S. S. C. Examination and

(228)

308

1	2	3	4
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57 Contd.

Preference will be given to those who have passed
L. S. G. D. examination.

✓

OR

- b) Promotion from amongst the candidates who,
- 1) have passed P. S. C. examination and
 - 2) are working in the Corporation as Mukadam for a continuous period of not less than 5 years or as Peons Watchmen etc. for a continuous period of not less than 10 years.

58 MUKADAM.

Appointment shall be made by

Rs. 55-5-100-EB-10-160

- a) Nomination from amongst the candidates who,
- 1) unless already in the service of the Corporation are not more than 25 years of age,

(229)

1	2	3	4
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- 2) have passed P. S. C. or X std. examination with Mathematics as one of the subjects,
- 3) have an experience of 3 years in Government or in Local Body or in a private concern.

OR

- b) promotion from amongst the candidates who
- 1) have passed P. S. C. or VII std. examination, or
 - 2) are working as Selection Grade coolies (Kamgar) for a continuous period of not less than 5 years and as coolies (Kamgar) for a continuous period of not less than 10 years and who are senior and efficient and literate.

59 DRESSER.

Appointment shall be made by nomination from amongst the candidates who

Rs. 55-5-100-EB-10-160

- 1) unless already in the service of the Corporation are not more than 25 years of age

309

(230)

310

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59 Contd.

2) are literate and physically fit to carry on the duties attached to the post. Preference being given to those having an experience of Dresser's work in a hospital.

60 BOOK BINDER.

Appointment shall be made by promotion from amongst the candidates who

Rs. 55-5-100-EB-10-160

- 1) have passed Marathi IV std. examination
- 2) are working in the posts of Peons, Watchmen, etc. for a period not less than 3 years and
- 3) have an experience of binding books.

61 FIREMAN FIRE-brigade

Appointment shall be made by

Rs. 50-4-70-EB-5-130

a) Nomination from amongst the candidates who

- 1) Unless already in the service of the Corporation are not more than 25 years of age,

(231)

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4

- 2) have passed VII std. examination
- 3) have passed the course of the Fireman from a recognised Institute and
- 4) are physically fit to carry on the duties of Fireman.

OR

b) Promotion from amongst the candidates who

- 1) are literate and physically fit to carry on the duties of Fireman and
- 2) are working in the posts of Sweepers, Scavengers and also in casual vacancies of Fireman and are senior and efficient.

62 MALJ (GARDENER)

Appointment shall be made by

Rs. 45-4-65-EB-5-120

a) Nomination from amongst the candidates who

311

(232)

312

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62 Contd.

- 1) unless already in the service of the Corporation are not more than 35 years of age,
- 2) have passed Marathi IV std. examination
- 3) have practical experience in gardening for not less than three years. Preference will be given to those who have passed any examination in gardening from a recognised Institute

OR

b) Promotion from amongst the candidates who

- 1) Coolies (kamgar) according to the seniority, efficiency and having minimum two years experience of work in municipal gardens.

(233)

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63 SELECTION GRADE SWEEPER.

Rs. 45-4-65-EB-3-120

Appointment shall be made by promotion from amongst the candidates who

- 1) are working in the posts of Sweepers continuously for a period of not less than 15 years and
- 2) are senior and efficient.

64. SELECTION GRADE SCAVENGER

Rs. 45-4-65-EB-5-120

Appointment shall be made by promotion from amongst the candidates who

- 1) are working in the posts of Scavengers continuously for a period of not less than 15 years,
- 2) are senior and efficient.

65 SELECTION GRADE DRAINAGE COOLIES (KAMGAR)

Rs. 45-4-65-EB-5-120

Appointment shall be made by promotion from amongst the candidates who

- 1) are working in the posts of Drainage Coolies (Kamgar) continuously for a period of not less than 15 years and
- 2) are senior and efficient.

313

(234)

314

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66	SELECTION GRADE COMPOST COOLIES Rs. 45-4-65-EH-5-120	Appointment shall be made by promotion from amongst the candidates who 1) are working in the posts of Compost Coolies (Kamgar continuously for a period of not less than 15 years and 2) are senior and efficient.	
67	ASSTT. CARPENTER (WORKSHOP) Rs. 45-4-65-FB-5-120	Appointment shall be made by a) Nomination from amongst the candidates who 1) unless already in the service of the Corporation are not more than 25 years of age, 2) have passed Certificate examination in the trade of Carpentry from a recognised Institute and	

(235)

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		3) have an experience of minimum 3 years of similar work in a workshop of reputation. OR b) Promotion from amongst the candidates who 1) are working in the posts of helpers continuously for a period not less than 7 years, out of which minimum 3 years in carpentry section and are senior and efficient and 2) have passed the certificate examination from a recognised Institute in the trade of Carpentry. Provided that, if no candidate is available who has passed the said certificate examination, promotion may be granted from amongst the suitable candidates on the condition that the promotee will have to pass the said examination within a period of 3 years from the date of his promotion. If he fails to do so, he shall be liable to be reverted to the lower post.	

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(236)

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68 ASSTT. CARPENTER
(PUBLIC WORKS
DEPARTMENT).

Rs. 45-4-65-EB-5-124

Appointment shall be made by

- a) Nomination from amongst the candidates who
 - 1) unless already in the service of the Corporation are not more than 25 years of age and,
 - 2) possess the trade certificate in Carpentry from a recognised Institute.

69 Peon, Watchman, Labkari,
Ward-boy, Superior Field-
Worker, Ambulance attendant,
Cycle-Swar cum-Peon, Labo-
ratory Attendant.

Rs. 40-3-70-EB-5-110

Appointment shall be made by

- a) Nomination from amongst the candidates who,
 - 1) unless already in the service of the Corporation are not more than 25 years of age and,
 - 2) have passed Marathi IV std. examination,

OR

(237)

1	2	3	4
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- b) Promotion from amongst the candidates who
 - 1) have passed Marathi IV std. examination,
 - 2) are working as Scavengers, Sweepers or Coolie (Kamgar) in the Corporation continuously for a period of not less than 15 years and are senior and efficient.

70 CLEANER.

Rs. 40-3-70-EB-5-110

Appointment shall be made by

- a) Nomination from amongst the candidates who
 - 1) unless already in the service of the Corporation are not more than 25 years of age,
 - 2) have passed Marathi IV std. examination,
 - 3) are physically fit to carry on duties attached to the post.

317

1	2	3	4
71	SWEEPER (DRY) Rs. 40-3-70-EB-5-110	Appointment shall be made by nomination from amongst the candidates who,	
		<ol style="list-style-type: none"> 1) are working as casual or substitute workers, 2) are included in the waiting list maintained for Sweepers (Dry) and 3) are senior and efficient. 	
72	FEMALE SWEEPER (MATERNITY HOME) Rs. 40-3-70-EB-5-110	Appointment shall be made by nomination from amongst the woman candidates who	
		<ol style="list-style-type: none"> 1) unless already in the service of Corporation are not more than 25 years of age, 2) are literate and physically fit to carry on the duties assigned to the post. 	

1	2	3	4
73	AYA. Rs. 40-3-70-EB-5-110	Appointment shall be made by nomination from amongst the woman candidates who are physically fit to carry on the duties of the post and unless already in the service of the Corporation are not more than 25 years of age.	
		Preference will be given to those who possess the training certificate of "DAIS" from a recognised Institute of one year's training.	
74	SCAVENGER. Rs. 40-3-70-EB-5-110	Appointment shall be made by nomination from amongst the candidates who	
		<ol style="list-style-type: none"> 1) are working as Casual or Substitute Workers, 2) are included in the Waiting list maintained by the Corporation for Scavengers and 3) are senior and efficient. 	

(240)

320

1	2	3	4
75	DRAINAGE COOLIE (WORKER) Rs. 40-3-70-EB-5-110	Appointment shall be made by nomination from amongst the candidates who, 1) are working as Casual or Substitute Workers, 2) are included in the Waiting list, maintained for Drainage coolies and 3) are senior and efficient.	
76	COMPOST WORKER Rs. 40-3-70-EB-5-110	Appointment shall be made by promotion from amongst the candidates who 1) are working as Casual or Substitute Workers, 2) are included in the Waiting list maintained for compost workers and 3) are senior and efficient.	

(241)

1	2	3	4
77	KAMGAR. R. 40-3-70-EB-5-110	Appointment shall be made by nomination from amongst the candidates who, 1) unless already in the service of the Corporation are not more than 25 years of age and 2) are physically fit to carry on the duties assigned to the posts.	
78	HELPER. Rs. 40-3-70-EB-5-110	Appointment shall be made by nomination from amongst the candidates who 1) unless already in the service of the Corporation are not more than 25 years of age and 2) have passed certificate examination in Automobiles Engineering Trade from a recognised Institution.	

(242)

322

1	2	3	4
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79 ROAD ROLLER FIREMAN Appointment shall be made by nomination from amongst the candidates who

Rs. 40-3-70-EB-5-110

- 1) unless already in the service of the Corporation are not more than 25 years of age and
- 2) are physically fit to carry on the duties of the Fireman.

80 WIREMAN-HELPER. Appointment shall be made by nomination from amongst the candidates who

Rs. 40-3-70-EB-5-110

- 1) Unless already in the service of the Corporation are not more than 25 years of age and
- 2) have passed the examination of II class Wireman

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81 CARTMAN. Appointment shall be made by nomination from amongst the candidates who, Fixed pay Rs. 150 plus admissible allowances.

(243)

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- 1) unless already in the services of the Corporation are not more than 30 years of age,
- 2) own a pair of bullocks good enough to work and bullockcart in good condition and
- 3) are physically fit to carry on the duties of cartman.

62 HEAD MISTRESS RAJMATA JIJABAI GIRLS' HIGH SCHOOL. Appointment shall be made by a) Nomination from amongst the candidates who

- 1) Unless already in the service of the Corporation are not more than 30 years of age,
- 2) are trained post-graduates (B. T. B. Ed.) or equivalent.

OR

323

(244)

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324

- b) Promotion from amongst the candidates who,
- 1) are trained post graduates and
 - 2) are working in the post of Asstt. Teacher (B. T.) or [B Ed] continuously for a period of not less than ten years.

83 ASSTT HEAD MASTER.

Appointment shall be made by promotion from the amongst the candidates who,

- 1) are trained graduates [B. T. Or B. Ed] and
- 2) are working in the posts of Asstt. Teachers for a continuous period of not less than 5 years.

84 SUPERVISOR.

Appointment shall be made by promotion from amongst the candidates who,

(245)

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- 1) are trained graduates (B. T., B. Ed.) and
- 2) are working in the posts of Asstt. Teachers for a continuous period of not less than 5 years.

85 ASSTT. TEACHER, GIRL'S HIGH SCHOOL AND NIGHT HIGH SCHOOL.

a) Appointment shall be made by Nomination from amongst the candidates who

- 1) Unless already in the service of the Corporation are not more than 28 years of age,
- 2) are trained graduates (B. T. or B. Ed.) and
- 3) have an experience of teaching in any Secondary Schools

OR

b) Appointment shall be made by nomination from amongst candidates who

325

(246)

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85 Contd.

- 1) unless already in the service of the Corporation are not more than 28 years of age,
- 2) are trained graduates and
- 3) have an experience of teaching in any Secondary Schools

OR

- c) Appointment shall be made by nomination from amongst the candidates who,
 - 1) unless already in the service of the Corporation are not more than 28 years of age,
 - 2) have passed Matric or S. S. C. with S. T. C. or T. D. or D. Ed. and
 - 3) have an experience of teaching in any Secondary Schools.

(247)

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86 HINDI TEACHER

Appointment shall be made by nomination from amongst the candidates who

- 1) unless already in the service of the Corporation are not more than 28 years of age
- 2) are graduates with Senior H. S. S. and
- 3) have an experience of Teaching in the Secondary School.

87 ASSTT. TEACHER

Appointment shall be made by nomination from amongst the candidates who,

- 1) unless already in the service of the Corporation are not more than 28 years of age,
- 2) have passed M. A. in II class and B. Ed.

(248)

328

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88	CO-ORDINATOR (FAMILY PLANNING) Rs. 100-10-150-EB-15-300	Appointment shall be made by nomination from amongst the candidates who, 1) unless already in the service of the Corporation are not more than 30 years of age, 2) possess a degree in Science of recognised University and 3) have passed Sanitary Inspector's Course.	
89	STATISTICAL ASSISTANT Rs. 150-8-190-10-220-EB-10-270 (As per Badkas payscale).	Appointment shall be made by nomination from amongst the candidates who, 1) unless already in the service of the Corporation are not more than 25 years of age; 2) are graduates in Mathematics, Statistics or Economics and 3) have an experience of minimum two years in the work of collection and compilation of statistics.	

(249)

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90	SENIOR CLERK (HIGH SCHOOL).	Appointment shall be made by promotion from amongst the candidates who 1) have passed Matric or S. S. C. with English as one of the subjects, 2) are working in the posts of Junior Clerk for a continuous period of not less than 5 years	
91	FEMALE FIELD WORKER (FAMILY PLANNING) Rs. 85-5-120-EB-10-200	Appointment shall be made by nomination from amongst the candidates who, 1) unless already in the service of the Corporation are not more than 30 years of age and 2) possess the B. Sc. degree in Nursing recognised by the Indian Nursing Councils	

OR

329

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- 91 Contd.
- 3) are qualified Nurses, Midwives and
 - 4) are recognised with the Maharashtra Nursing Council or are eligible for such registration.
- 92 P. E. TEACHER. Appointment shall be made by nomination from amongst the candidates who
- 1) Unless already in the service of the Corporation are not more than 28 years of age,
 - 2) have passed Matric or S. S. C. and are holding certificate of Physical Education from a recognised University
 - 3) have an experience in teaching and physical education.
- 93 DRAWING TEACHER. Appointment shall be made by nomination from amongst the candidates who

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- 1) Unless already in the service of the Corporation are not more than 28 years of age,
 - 2) have passed Matric or S. S. C. and are holding certificate of Drawing Teacher from a recognised Institution and
 - 3) have experience of teaching in a Secondary Schools
- 94 CRAFT TEACHER. Appointment shall be made by nomination from amongst the candidates who
- 1) Unless already in the service of the Corporation are not more than 28 years of age
 - 2) have passed P. S. C. examination and have a certificate in a Tailoring and Embroidery Course, approved by the Director of Technical Education and
 - 3) have an experience of teaching in Secondary Schools.

1	2	3	4
95	MUSIC TEACHER.	Appointment shall be made by nomination from amongst the candidates who	
		<ol style="list-style-type: none"> 1) Unless already in the service of the corporation are not more than 28 years of age, 2) have passed 'Sangit Vishrad and 3) have an experience in teaching "Sangit" for 3 years. 	
96	STORE-KEEPER- CUM-ACCOUNTANT CUM-CLERK.	Appointment shall be made by nomination from amongst the candidates who	
	Rs. 65-5-100-EB-10-150 EB-15-240	<ol style="list-style-type: none"> 1) Unless already in the service of the Corporation are not more than 25 years of age, 2) have passed Matric or S. S. C. examination, with English as one of the subjects, 	

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97	JUNIOR CLERK- CUM-TYPIST	<ol style="list-style-type: none"> 3) have practical experience of similar work in Govt. or Local body or in a private concern. Appointment shall be made by nomination from amongst the candidates who	
	Rs. 65-5-100-EB-10-150 EB-15-240	<ol style="list-style-type: none"> 1) Unless already in the service of Corporation are not more than 25 years of age, 2) have passed Matric or S. S. C. examination, 3) are holding a certificate of Typing in English or in Marathi with minimum speed of 30 W. P. M. (and of short hand with minimum speed 80 W. P. M. from a recognised Institute) 	
98	JUNIOR CLERK (High School).	Appointment shall be made by nomination from amongst the candidates who	
		<ol style="list-style-type: none"> 1) Unless already in the service of the Corporation are not more than 25 years of age and 	

(254)

334

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- 2) have passed Matric or S. S. C. examination with English as one of the subjects.

99 VACCINATOR.

Appointment shall be made by nomination from amongst the candidates who

- 1) Unless already in the service of the Corporation are not more than 25 years of age and
- 2) have appeared for S. S. C. or equivalent examination with English as one of the subjects (Irrespective of whether they have passed or failed) and have obtained Vaccinator's training certificate issued by the Govt. Bombay Municipal Corporation or such other Institutes approved by the State Government.

Preference will be given to those who have passed Sanitary Inspectors' Course

(255)

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100 ATTENDANT
(FAMILY PLANNING)

Rs. 40-3-70-EB-5-110

Appointment shall be made by nomination from amongst the candidates who

- 1) Unless already in the service of the Corporation are not more than 25 years of age
- 2) have passed Marathi IV std. examination and
- 3) have an experience of similar work in Family Planning Centre or in hospitals

101 PEON
(HIGH SCHOOL)
WATCHMAN

Appointment shall be made by nomination from amongst the candidates who

- 1) unless already in the service of the Corporation are not more than 25 years of age and
- 2) have passed Marathi IV std. examination.

335

(256)

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102	HONORARY ANAESTHETIST	Appointment shall be made by nomination from amongst the candidates who	
		1) Unless already in the services of the Corporation are not more than 45 years of age and	
		2) Possess the degree of M. B. B. S. and Diploma in Anaesthesia.	
103	MUNICIPAL PLEADER	Appointment shall be made by nomination from amongst the candidates who	
	Rs. 500/-fixed honorarium. Rs. 75/- Conveyance Allowance	1) Unless already in the service of the Corporation are not more than 35 years age,	
		2) possess a degree in Law of a recognised University and	
		3) have practical experience of Court work continuously for a minimum period of 5 years.	

(257)

337

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104	HEAD MASTER (MUNICIPAL NIGHT HIGH SCHOOL)	Appointment shall be made by	
		a) Nomination from amongst the candidates who,	
		1) Unless already in the services of the Corporation are not more than 30 years age and	
		2) are trained graduates [B. T., B. Ed. or equivalent].	
		Preference will be given to those who possess the degree in M. A. and M. Ed.	
		OR	
		Appointment shall be made by	
		b) Promotion from amongst the candidates who,	
		1) are trained graduates and	

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104 Contd.

- 2) are working in the post of Asstt. Teacher (B.T. or B.Ed.) continuously for a period of not less than 5 years.

105 HONORARY
PATHOLOGIST.
Rs. 150/- Honorarium.

Appointment shall be made by nomination from amongst the candidates who,

- 1) unless already in the service of the Corporation are not more than 35 years of age,
- 2) possess the degree of M. B. B. S. and degree or diploma in Pathology and
- 3) have an experience of similar work for not less than 5 years in a hospital or laboratory.

106 HONORARY X-RAY
SPECIALIST.

Appointment shall be made by nomination from amongst the candidates who,

- 1) unless already in the service of the Corporation are not more than 35 years of age,

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- 2) possess the degree of M. B. B. S., are post-graduates or having a degree in Radiology and
- 3) have an experience of similar work for not less than 5 years.

107 HONORARY
OBSTETRICIAN AND
GYNAECOLOGIST

Appointment shall be made by nomination from amongst the candidates who

- 1) unless already in the service of the Corporation are not more than 45 years of age, and
- 2) possess the degree of
 - 1) M. D., D. G., O. D. F. P. P. or
 - 2) M. B. B. S., D. G. O. or
 - 3) M. D. [Gynaic].

reverted to the lower post.
 date of his promotion. If he fails to do so, he will be liable to be
 to pass the said examination within a period of 3 years from the
 the suitable candidates on the condition that promotee will have
 the said examination, promotion may be granted from amongst
 Provided that if no candidate is available who has passed

- 2) have passed certificate examination from Industrial Training Institute in the trade of Automobile Engineering.
- 1) are working in the posts of Mechanics or Asstt. Mecha-nics continuously for a period of not less than 5 years and are senior and efficient and

Rs. 110-10-150-EB-10-290

113 HEAD MECHANIC

Appointment shall be made by promotion from amongst the candidates who

- 2) have passed Varanasi Final Examination or equivalent examination.

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(263)

112 SOCIAL WORKER
 (PART TIME) CHILD WELFARE CENTRES
 Rs. 118-50 fixed pay

Appointment shall be made by nomination from amongst the candidates who

- 1) Unless already in the service of the Corporation are not more than 25 years of age and

- 2) have passed Metric or S. S. C. and have a certificate of Library Science.
- 1) Unless already in the service of the Corporation are not more than 25 years of age, and

111 LIBRARIAN - PART TIME

Appointment shall be made by nomination from amongst the candidates who

- 2) have knowledge of playing " Tabala. "
- 1) Unless already in the Service of the Corporation are not more than 30 years of age,

110 Condi.

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(262)

340

(260)

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108 HONORARY SURGEON & PHYSICIAN. Appointment shall be made by nomination from amongst the candidates who

- 1) unless already in the service of the Corporation are not more than 45 years of age, and
- 2) Possess the degree of-

1) M. S. D. O. R. L. [Bombay]

OR

2) F. R. C. S.

OR

3) M. S. F. C. P. S.

OR

4) M. S. [Plastic Surgery]

OR

5) M. S. F. R. C. S.

OR

(61)

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Appointment shall be made by nomination from amongst the candidates who

- 1) unless already in the service of the Corporation are not more than 28 years of age and
- 2) have passed Matric or S. S. C. and possess the certificate in Drawing Teaching.

Appointment shall be made by nomination from amongst the candidates who

109 ASST. TEACHER
DRAWING [NIGHT
HIGH SCHOOL]
PART TIME.

110 TABALA WADAK.

34

(260)

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108 HONORARY SURGEON & PHYSICIAN. Appointment shall be made by nomination from amongst the candidates who,

- 1) unless already in the service of the Corporation are not more than 45 years of age, and
- 2) Possess the degree of-
 - 1) M. S. D. O. R. L. [Bombay]
OR
 - 2) F. R. C. S.
OR
 - 3) M. S. F. C. P. S.
OR
 - 4) M. S. [Plastic Surgery]
OR
 - 5) M. S. F. R. C. S.
OR

(261)

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- 6) M. D. [Medicine]
OR
- 7) M. B. B. S., D. O. R. L.
OR
- 8) M. B. B. S., D. C. H.

109 ASST. TEACHER
DRAWING [NIGHT
HIGH SCHOOL]
PART TIME.

Appointment shall be made by nomination from amongst the candidates who

- 1) unless already in the service of the Corporation are not more than 28 years of age and
- 2) have passed Matric or S. S. C. and possess the certificate in Drawing Teaching.

110 TABALA WADAK.

Appointment shall be made by nomination from amongst the candidates who

341

(262)

	1	2	3	4					

110 Contd.

- 1) Unless already in the Service of the Corporation are not more than 30 years of age,
- 2) have knowledge of playing " Tabala. "

111 LIBRARIAN PART TIME-

Appointment shall be made by nomination from amongst the candidates who

- 1) Unless already in the service of the Corporation are not more than 25 years of age, and
- 2) have passed Matric or S. S. C. and have a certificate of Library Science.

112 SOCIAL WORKER (PART TIME) CHILD WELFARE CENTRES. Rs. 118.50 fixed pay

Appointment shall be made by nomination from amongst the candidates who

- 1) Unless already in the service of the Corporation are not more than 25 years of age and

(263)

	1	2	3	4					

113 HEAD MECHANIC

Rs. 110-10-150-EB-10-290

Appointment shall be made by promotion from amongst the candidates who

- 1) are working in the posts of Mechanics or Asstl. Mechanics continuously for a period of not less than 5 years and are senior and efficient and
- 2) have passed certificate examination from Industrial Training Institute in the trade of Automobile Engineering.

Provided that if no candidate is available who has passed the said examination, promotion may be granted from amongst the suitable candidates on the condition that promotee will have to pass the said examination within a period of 3 years from the date of his promotion. If he fails to do so, he will be liable to be reverted to the lower post.

(264)

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114 VEHICLE INSPECTOR Appointment shall be made by

Rs. 90-5-140-EB-10-260

- a) Nomination from amongst the candidates who
- 1) unless already in the service of the Corporation are not more than 25 years of age,
 - 2) have passed Diploma in Automobile Engineering or in Mechanical Engineering with Automobile as one of the subjects and
 - 3) have an experience of minimum 3 years in Automobile repairing works in an Automobile Workshop of reputation.
- a) Promotion from amongst the candidates who
- 1) are holding trade certificate in Automobile repairing works from an Institute recognised by Government and

(265)

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115 ASST. ELECTRICIAN Appointment shall be made by

Rs. 55-3-85-EB-5-150

- a) promotion from amongst the candidates who,
- 1) are working in the posts of *Fitters* or Fuel Attendant or Starter continuously for a period of not less than 5, 5, and 7 years respectively and are senior and efficient.
 - 2) are working in the posts of *helpers*, continuously for a period of not less than 3 years and are senior and efficient and
 - 2) have passed the certificate examination in Auto-Electric trade from an Institute recognised by the Government.

PROVIDED that if no candidate is found who has passed the said certificate examination, promotion may be granted from amongst the suitable candidates on the condition that the promotee will have to be passed the said certificate

345

(266)

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115 Contd.

examination within a period of three years from the date of his promotion. If he fails to do so, he will be liable to be reverted to the lower post.

116 STARTER.

Appointment shall be made by

Rs. 55-3-85-EB-5-150

Promotion from amongst the candidates who

- 1) are working in the posts of helpers continuously for a period of not less than 5 years and are senior and efficient
- 2) have a sound knowledge of reading and writing Marathi and knowledge of Auto-mechanic and of removing defects of the vehicles and knowledge of repairs of vehicles
- 3) are holding licence of heavy duty motor driving and
- 4) have passed IV std. examination.

(267)

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117 TOOL-MAN.

Appointment shall be made by

Rs. 55-3-85-EB-5-150

Nomination from amongst the candidates who

- 1) unless already in the service of the Corporation are not more than 25 years of age
- 2) have passed Matric or S. S. C. examination with English as one of the subjects and
- 3) have an experience of similar work in any renowned workshop and have a sound knowledge of tools required for Automobile repairs.

OR

b) Promotion from amongst the candidates who

- 1) are working in the posts of helpers continuously for a period not less than five years and are senior and efficient.

347

(268)

1	2	3	4
117	Contd.		

2) have passed minimum VII std. examination with English as one of the subjects and

3) have sound knowledge of tools required for Automobile repairing.

118 TIN-SMITH.

Rs 55-3-85-EB-5-150

Appointment shall be made by

a) Nomination from amongst the candidates who,

1) unless already in the service of the Corporation are not more than 25 years of age

2) have passed the certificate examination in the trade of Tin-smith from a recognised Institute,

3) have an experience of similar work for not less than 3 years in a workshop of reputation and

4) have knowledge of reading and writing of Marathi.

(269)

1	2	3	4
119	ASSTT. WELDER.		

Rs. 45-2-55-EB-5-130

Appointment shall be made by

Nomination from amongst the candidates who,

1) unless already in the service of the Corporation are not more than 25 years of age,

2) have passed the certificate examination in the trade of welding from a recognised Institute.

3) have an experience of at least 3 years of similar work in a workshop of reputation and

348

349

(270)

350.

119 Contd.

4) have knowledge of reading and writing Marathi.

OR

b) Promotion from amongst the candidates who

- 1) are working in the posts of helpers for a continuous period of not less than 5 years and are senior and efficient and
- 2) have passed the certificate examination in the trade of welding from a recognised Institute.

Provided that if no candidate is found who has passed the said examination, promotion may be granted from amongst the candidates on the condition that promotee will have to pass the said examination within a period of 3 years from the date of his promotion. If he fails to do so, he will be liable to be reverted to the lower post.

(271)

120 ASST. BLACK-SMITH Appointment shall be made by

Rs. 45-2-55-EB-5-120

a) Promotion from amongst the candidates who

- 1) Unless already in the service of the Corporation are not more than 25 years of age
- 2) have passed the certificate examination in the trade of black-smith from a recognised Institute and
- 3) have an experience of minimum 3 years of similar work in a workshop of reputation.

OR

b) Promotion from amongst the candidates who are working in the posts of helpers continuously for a period of not less than 3 years, out of which two years in the Black-smith Section and are senior and efficient.

(D. N. CAPOOR)
ADMINISTRATOR,
KOLHAPUR MUNICIPAL CORPORATION

अध्यक्ष - शहरीकरण कार्यलय
कोल्हापूर नगरपालिका

351

KOLHAPUR MUNICIPAL TRANSPORT

SCHEDULE 'A'

Showing the qualifications necessary for the posts other than those specified in Sub-Clause (a) of Clause 3 of the Section 457

352

Sr. No.	Name of the post	Qualifications	Remarks.
1	2	3	4

1) Transport Manager &
Pay Scales 500-30-800
EB-40-920 (unrevised)

Appointment shall be made by

a) Nomination from amongst the candidates who,

- i) Unless already in the service of the Corporation, are not more than 35 years of age.
- ii) possess the degree in Arts or Science or Commerce or Law or Engineering
- iii) possess the Diploma of A. M. I. R. T. from the Indian Institute of Road Transport or have taken training as Traffic Officer from Central Institute of Road Transport (Training and Research) and

A candidate appointed under Clause 'C' below shall have pay scale as per terms and condition of deputation.

(273)

1	2	3	4
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iv) have an experience of minimum five years in a State Transport Undertaking or in other Transport Undertaking of repute in a responsible post not below the rank of Divisional Traffic Officer in State Transport Undertaking.

OR

b) Promotion from amongst the candidates who,

- i) possess the degree in Arts or Science or Commerce or Law or Engineering
- ii) possess the Diploma of A. M. I. R. T. from Indian Institute of Road Transport or have taken training as Traffic Officer from Central Institute of Road Transport (Training and Research) and
- iii) are working in any Officer's post above Superintendent's cadre for a continuous period of not less than Five years

353

(274)

1	2	3	4
1	Contd.	OR	

c) Obtaining a suitable officer of the Government on deputation

2) Auditor
 Pay Scale
 Rs. 200-15-260-EB-20-500
 EB-25-550
 Special pay Rs. 25/- P. M.

Appointment shall be made by

- a) Nomination from amongst the candidates who,
- 1) Unless already in the service of the Corporation are not more than 30 years of age
 - 2) Possess a degree of B. Com. with Accountancy and Auditing as special subjects and
 - 3) have an experience of similar work in Govt., Semi Govt., Treasury, Transport Undertaking or in a renowned private concern of repute for not less than 5 years.

(275)

1	2	3	4
		OR	

b) Promotion from amongst the candidates who,

- 1) possess a degree in Commerce, with Accountancy and Auditing as special subjects and
- 2) are working continuously for a period of not less than 10 years in the rank of Senior Clerk, out of which 5 years in Audit and Accounts Section.

3 ACCOUNTANT.

Rs. 200-15-320-EB-70-500
 Special Pay Rs. 25/-p.m.

Appointment shall be made by

- a) Nomination from amongst the candidates who
- 1) Unless already in the service of the Corporation are not more than 30 years of age,
 - 2) possess a degree of B. Com. with Accountancy and Auditing as special subject and

(276)

356

1	2	3	4
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3) have an experience of similar work in a Government, Semi-Government, Treasury, Transport Undertaking or in a private concern of repute for not less than 5 years.

OR

- b) Promotion from amongst the candidates who
- 1) possess a degree in Commerce with Accountancy and Auditing as special subject and
 - 2) are working continuously for a period of 10 years in the rank of Senior Clerk, out of which 5 years in Audit and Account Section.

4. OFFICE SUPERINTENDENT.

Rs. 200-15-320-EB-20-500
Special Pay Rs. 25/-p.m.

Appointment shall be made by

- a) Nomination from amongst the candidates who,
- 1) unless already in the service of the Corporation are not more than 30 years of age;

(277)

1	2	3	4
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4 Contd.

- 2) possess a degree in Arts, Science, Commerce or Law and
- 3) have an experience of office administration of minimum 5 years in Government, Semi-Government or Transport Undertaking.

OR

- b) Promotion from amongst the candidates who,
- 1) have passed Matric or S. S. C. examination with English as one of the subjects,
 - 2) possess Diploma from Local Self Government Institute,
 - 3) are working as Senior Clerks continuously for a period of not less than 10 years and
 - 4) are senior and efficient in Senior Clerk's cadre.

357

1	2	3	4
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5. STORES

Appointment shall be made by

SUPERINTENDENT.

Rs. 200-15-320-EB-20-500 a) Nomination from amongst the candidates who,

- 1) unless already in the service of Corporation are not more than 30 years of age,
- 2) possess degree in Arts or Commerce of any recognised University and
- 3) have an experience of minimum 5 years in handling the Stores in Govt., Transport Undertaking, Semi-Govt. Body or in a Private Concern of renowned, preferably in handling Automobile Stores.

OR

b) Promotion from amongst the candidates who,

- 1) have passed Matric or S. S. C. examination, with English as one of the subjects,

1	2	3	4
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- 2) possess diploma in Local Self Government's Institutes
- 3) have taken training in Material Management Course from Central Institute of Road Transport (T & R) (C. I. R. T.) Poona and
- 4) are working in posts of Senior Clerks continuously for a period of not less than 10 years, out of which 3 years in Stores Section.

6. LABOUR OFFICER.

Appointment shall be made by

Rs. 200-15-320-EB-20-500

a) Nomination from amongst the candidates who,

- 1) unless already in the service of the Corporation are not more than 30 years of age,
- 2) are graduate of recognised University,

(280)

1	2	3	4
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- 3) possess a degree or diploma in Social-Sciences from an Institute recognised by Government Labour Institute and
- 4) have an experience of minimum 5 years in handling labour matters preferably in Govt., Semi. Government or in a Transport Undertaking

OR

- b) Promotion from amongst the candidates who,
 - 1) are graduate of any recognised University with Sociology as a special subject relating to Labour Laws,
 - 2) have an experience of minimum three years in a cadre of senior clerk and
 - 3) have knowledge of handling labour matters.

(281)

1	2	3	4
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7. STORE KEEPER.

Appointment shall be made by

Rs. 155-10-225-EB-15-300

- a) Nomination from amongst the candidates who,
 - 1) Unless already in the service of the Corporation are not more than 30 years of age.
 - 2) possess a degree in Arts or Commerce of any recognised University and
 - 3) have an experience of minimum 5 years in handling the stores in Government, Transport Undertaking, Semi-Government Body or in a private concern of renowned, preferably in handling Automobile Stores.

OR

- b) Promotion from amongst the candidates who
 - 1) have passed the Matric or S. S. C. examination with English as one of the subjects.

(282)

36

1 2
7 Contd.

- 2) possess diploma in Local Self Govt. Institute,
- 3) have taken training in Material Management Course from Central Institute of Road Transport (T & R) (C. I. R. T.) Poona and
- 4) are working in the posts of Senior Clerks continuously for a period of 10 years, out of which 3 years in Stores Section.

8 SECURITY OFFICER. Appointment shall be made by

Payscale:

Rs. 155-10-225-EB-15-330

- a) Nomination from amongst the candidates who,
- 1) have passed Matric or S. S. C. with English as one of the subjects,
 - 2) are officers retired from Police or Military Services not below the rank of P. S. I. or Subhedar respectively.

(283)

1 2

- 3) have taken training in Security work from a recognised University and
- 4) have an experience of similar work in a Government, Semi Government, Local Body or in a public renowned concern.

OR

- b) Promotion from amongst the candidates who,
- 1) are working satisfactory in the post of Asstt. Security Officer for a period continuously not less than 5 years.

9 ASSTT. SECURITY OFFICER

Rs. 130-8-170-EB-10-270

Appointment shall be made by

a) Nomination from amongst the candidates who

- 1) have passed Matric or S. S. C. examination with English as one of the subjects.

363

(284)

364

1	2	3	4
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9 Contd.

- 2) have taken training of Security work from an Institute recognised by Government and
- 3) are retired from Police or Military services as not below the rank of P. S. I. or Subedar respectively.

10 STATISTICAL INCHARGE.

Rs. 130-8-170-EB-10-270

Appointment shall be made by

- a) Nomination from amongst the candidates who
 - 1) possess a degree of B. Com. with statistics,
 - 2) have an experience of similar work for not less than 5 years in a Government, Semi Government or in a Transport Undertaking.
 - 3) unless already in the service of the Corporation are not more than 30 years of age

(285)

1	2	3	4
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10 Contd.

OR

- b) Promotion from amongst the candidates who
 - 1) have passed the Matric or S. S. C. examination with English as one of the subjects,
 - 2) have taken training in Central Institute of Road Transport (C. I. R. T.) Poona of Statistical Officer and
 - 3) are working continuously for a period of not less than 5 years as Senior Clerks, out of which 3 years in Statistical Section.

11 SENIOR CLERK

Appointment shall be made by

Rs 100-10-150-EB-15-300
Audit Account Section
Spl Pay Rs. 15/- P. M.

- a) Nomination from amongst the candidates who
 - 1) Unless already in the service of the Corporation are not more than 25 years of age,

36

(286)

366

1	2	3	4
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11 Contd.

- 2) possess a degree in Arts, Science, Commerce or Law,
- 3) possess diploma in Typewriting with a minimum speed of 40 W. P. M. in English as well as in Marathi and
- 4) have an experience of minimum 3 years of Clerical work in Govt., Semi Govt. or Local Body or any Transport Undertaking or in a renowned private concern

OR

- b) Promotion from amongst the candidates who
 - 1) have passed Matric or S. S. C. examination with English as one of the subjects,
 - 2) possess a diploma in Local Self Government Institute and
 - 3) are working in the posts of Junior Clerks for a period of not less than 5 years.

(287)

1	2	3	4
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- 12 a) Junior Clerk
b) Typist Clerk
c) Time Keeper.

Rs. 65-5-100-EB-10-150-
EB-15-240

- 1) Typing allowance
Rs. 15/- p. m.
- 2) Store Issue Clerk
Rs. 20/- p. m.
- 3) Cashier Rs. 15/-p.m.

Appointment shall be made by

- a) Nomination from amongst the candidates who,
 - 1) unless already in the service of the Corporation are not more than 25 years of age,
 - 2) have passed Matric or S. S. C. examination and Typing with a minimum speed of 40 W. P. M. in English as well as in Marathi.
- Preference will be given to those having additional qualifications.

OR

- b) Promotion from amongst the candidates who,
 - 1) have passed Matric or S. S. C. examination and
 - 2) are working in the posts of IV class cadre for a period of not less than 5 years and are senior and efficient.

367

(288)

1	2	3	4	
13	PETROL ATTENDANT Rs. 65-5-100-EB-10-150- EB-15-240. Allowance Rs. 20/-p.m.	Appointment shall be made by		368
		a) Nomination from amongst the candidates who,		
		1) unless already in the service of the Corporation are not more than 25 years of age,		
		2) have passed S. S. C. examination or its equivalent examination and		
		3) have worked in Fuel Department in Government, Semi-Govt., Local Body, Transport Undertaking or in a private concern for not less than 3 years.		
		OR		
		b) Promotion from the amongst the candidates who,		
		1) are working in the post of Gate-Keeper, Watchmen or Peon continuously for a period of not less than 5 years and are senior and efficient and		

(289)

1	2	3	4	
14	Maistry or Sub-Overseer Rs. 65-5-100-EB-10-200	Appointment shall be made by		
		a) Nomination from amongst the candidates who		
		1) unless already in the service of the Corporation are not more than 25 years of age,		
		2) have passed Civil-Maistry's examination from an Institute recognised by Govt. and		
		3) have an experience of minimum 3 years of similar work.		
		FOR SUB-OVERSEER		
		1) Possess Diploma in Civil Engineering of a recognised Institute and		
		2) have an experience of Civil Engineering works.		

369

1	2	3	4
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15 GATE KEEPER
Pay Scale Rs. 55-5-100
EB-10-110

Appointment shall be made by

a) Nomination from amongst the candidates who,

- 1) have passed P. S. C. Examination or equivalent examination.
- 2) have worked in Watch and Wards section in Govt., Semi-Govt., Local-Body, Transport Undertaking or in a private concern for not less than 3 years.

Preference will be given to those who have retired from Police or Military service and

- 3) Are not more than 25 years of age. The terms of age limit will be relaxed in case of candidates from Police and Military services.

a) Promotion from amongst the candidates who

1	2	3	4
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16 Head-Peon

Rs. 55-5-100-EB-10-110

- 1) Are working in the posts of Watchman or Peon continuously for a period of not less than 5 years and are senior and efficient and
- 2) have passed at least V. F. Examination or VII Std.

Appointment shall be made by

a) Nomination from amongst the candidates who,

- 1) have passed P. S. C. Examination or equivalent examination,
- 2) Unless already in the service of the Corporation are not more than 25 years of age and
- 3) have worked in Watch and Ward section in Govt., Semi-Govt., Local Body, Transport Undertaking or in a Private concern for not less than 3 years.

Preference will be given to those who have retired from police or Military services.

(292)

1	2	3	4
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16 Contd.

OR

- b) Promotion from amongst the candidates who,
- 1) are working in the posts of Watchman or Peon continuously for a period of not less than 5 years and are senior and efficient and
 - 2) have passed at least V. F. Examination or VII Std.

17 Peon

Rs. 40-3-70-EB-5-110
 Store Peon Rs. 10/-
 Special Pay

- Appointment shall be made by nomination from amongst the candidates who,
- 1) unless already in the service of the Corporation are not more than 25 years of age, and
 - 2) have passed Marathi VII std. Examination.

(293)

1	2	3	4
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18 Cycle-Swar
 Rs. 40-3-70-EB-5-110
 Rs. 10/- p. m. Cycle Allowance
 Rs. 6/- p. m. Special Pay

- Appointment shall be made by nomination from amongst the candidates who
- 1) Unless already in the service of the Corporation are not more than 25 years of age and
 - 2) have passed Marathi VII std. Examination.

19 Watchman

Rs. 40-3-70-EB-5-110

- Appointment shall be made by nomination from amongst the candidates who
- 1) Unless already in the service of the Corporation are not more than 25 years of age and
 - 2) have passed Marathi VII std. Examination.

20 Sweeper

Rs. 40-3-70-EB-5-110

..... Nil.....

21 Kamgar

Rs. 40-3-70-EB-5-110

..... Nil.....

KOLHAPUR MUNICIPAL CORPORATION

WORK-SHOP DEPARTMENT

SCHEDULE 'A'

S. No.	Name of the post	Qualification	Remarks
1	2	3	4

1 Works Manager

Appointment shall be made by

Rs. 300-20-500-EB-25-675 a) Nomination from amongst the candidates who

- 1) unless already in the service of the Corporation are not more than 35 years of age,
- 2) have passed degree or diploma Examination in Automobile, Engineering or in Mechanical Engineering with Automobile as one of the subjects.

Preference will be given to those who in addition to above have taken training in Central Institute of Road Transport as Technical Officers, and

(295)

1	2	3	4
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3) have minimum experience of 5 years in Govt. Semi-Govt. or in a Transport Undertaking of the simiar work and in a responsible post not below the rank of Forman.

OR

b) Promotion from amongst the candidates who,

- 1) have passed degree or diploma in Antomobile Engineering or in Mechanical Engineering with Automobile as one of the subjects. and
- 2) are continuously working in the post of Foreman for not less than 10 years,

2 Foreman

Appointment shall be made by

Rs. 200-10-280-EB-15-400 a) Nomination from amongst the candidates who;

- 1) possess the degree or diploma in Automobile Engineering or Mechanical Engineering with Automobile as one of the subjects and

(296)

1	2	3	4
2	Contd.		

2) have an experience of minimum 3 years in a Automobile work-shop of Govt., Semi-Govt. or Local Body in a responsible post not below the rank of Mechanic.

OR

1) unless already in the service of the Corporation are not more than 30 years of age,

OR

b) promotion from amongst the Candidates who,
 1) are continuously working in the post of Head-Mechanic for a period of not less than 5 years and his efficiency and record is good.

3 HEAD-ARTISAN (Auto)
 (Head-Mechanic)
 Rs.110-10-190-EB-15-280

Appointment shall be made by

a) Promotion from amongst the Candidates who,

1) are working in the posts of Mechanic continuously for a period of not less than 5 years and are senior and efficient and

(297)

1	2	3	4
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2) have passed certificate examination from Industrial Training Institute in trade of Automobile Engineering provided that if no candidate, is available, who has passed the examination, promotion may be granted from amongst the suitable candidates on the condition that, promotee will have to pass the said examination within a period of 3 years from the date of his promotion. If he fails to do so, he will be liable to be reverted to lower post.

4 HEAD-ARTISAN (Electric)
 (Head Electrician)
 Rs. 110-10-190-EB-15-280

Appointment shall be made by

b) Promotion from amongst the candidates who

1) are working as Auto-Electrician for a continuous period of not less than 5 years and are senior and efficient and

2) possess the training certificate in Auto-Elect. trade from an Institute recognised by the Government.

(298)

378

1	2	3	4
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4 Contd.

OR

Nomination from amongst the candidates who

- 1) Unless already in the service of the Corporation are not more than 30 years of age.
- 2) possess diploma in Auto-Electric and
- 3) have an experience of similar work for not less than 5 years in Govt, Semi-Govt. or in a Transport Organisation.

5 HEAD-ARTISAN (Tyre) Appointment shall be made by
(Head-Tyre-Fitter)

Rs. 110-10-190-EB-15-280 a) Nomination from amongst the candidates who

- 1) Unless already in the service of the Corporation are not more than 30 years of age

(299)

1	2	3	4
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- 2) have taken training in the trade of Tyre Maintenance from a recognised Institute or from a renowned Tyre Manufacturing Company and
- 3) have an experience of minimum 5 years in maintenance of tyres in a renowned work-shop.

OR

b) Promotion from amongst the Tyre-Fitters who

are working satisfactorily and continuously for a period of not less than 5 years and are Senior and efficient.

6 ARTISAN CLASS 'A' Appointment shall be made by

(Auto-Electrician)

Rs. 100-5-140-EB-10-250

a) Promotion from amongst the candidates who,

- 1) are working as Asstt. Elec. for a continuous period of not less than 3 years, and are Senior and efficient and

379

(300)

1	2	3	4
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6 Contd.

- 2) have passed the certificate examination in Auto-Electric trade from an Institute recognised by Government.
- OR
- have passed the 2nd class wireman examination conducted by Government.

Appointment shall be made by

7 ARTISAN-CLASS 'A'
(Mechanic)
Rs. 100-5-140-EB-10-250

- a) Nomination from amongst the candidates who
 - 1) Unless already in the service of the Corporation are not more than 30 years of age,
 - 2) have passed diploma in Automobile Engineering or Mechanical Engineering with Automobile as one of the subjects and
 - 3) have an experience of minimum 3 years in Automobile repairing work from a renowned work-shop

(301)

1	2	3	4
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OR

- b) Promotion from amongst the Candidates who,
 - 1) are holding trade certificate in Automobile from an Institute recognised by Government and
 - 2) are working as Fitters or vehicle examiners continuously for a period of 5 years and are senior and efficient

8 HEAD ARTISAN
(Vehicle-Examiner)

Rs. 100-5-140-EB-10-250

Appointment shall be made by

- a) Nomination from amongst the candidates who,
 - 1) unless already in the service of the Corporation are not more than 28 years of age
 - 2) have passed diploma in Automobile Engineering or Mechanical Engineering with Automobile as one of the subjects and

(302)

382

8 Contd

- 3) have an experience of minimum 3 years in Automobile repairing work from a renowned work-shop.

OR

- b) Promotion from amongst the candidates who,

- 1) are holding Trade certificate in Automobile repairing works from an Institute recognised by Government.

OR

- 2) are working as Fitters or Starters continuously for a period of not less than 5 years and are Senior and efficient.

9 VEHICLE EXAMINER;
Artisan 'A'

Appointment shall be made by

Rs. 100-5-140-EB-10-250

- a) Nomination from amongst the candidates who

(303)

1 2

3

4

- 1) unless already in the service of the Corporation are not more than 28 years of age,

- 2) have passed diploma in Automobile-Engineering or Mechanical Engineering with Automobile as one of the subjects and

- 3) have an experience of minimum 3 years in Automobile repairing work from a renowned work-shop

- b) Promotion from amongst the candidates who,

- 1) Are holding Trade certificate in Automobile repairing works from an Institute recognised by Government.

OR

- 2) are working as Fittere or Starters continuously for a period of not less than 5 years and are senior and efficient.

383



1	2	3	4
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10 TURNER ARSTIAN
Class 'A'

Appointment shall be made by

Rs. 100-5-140-EB-10:250

a) Nomination from amongst the candidates who,

- 1) unless already in the service of the Corporation are not more than 30 years of age
- 2) have passed certificate examination in the trade of Turning from a recognised Institute and
- 3) have an experience of minimum 3 years of turning work from a work-shop or a renowned firm

OR

b) Promotion from amongst the Asstt. Turners who are working as such for a continuous period of not less than 5 years and are senior and efficient.

1	2	3	4
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11 PAINTER Artisan
Class 'A'

Appointment shall be made by

Rs. 100-5-140-EB-10-250

Nomination from amongst the candidates who

- 1) unless already in the service of the Corporation are not more than 28 years of age
- 2) have passed Matric or S. S. C. Examination
- 3) have passed drawing III grade Examination and
- 4) have experience of Automobile Painting works in renowned workshops for not less than 3 years.

OR

b) Promotion from amongst the candidates who are working in the post of Asstt. painter (Artisan Class 'B') continuously for a period of not less than 5 years and are senior and efficient.

1	2	3	4
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12 WELDER Artisan
Class 'A'

Rs. 100.5.140,EB.10.250

Appointment shall be made by

- a) Nomination from amongst the candidates who,
 - 1) have passed the training certificate examination in welding from an Institute recognised by Government
 - 2) Unless already in the service of the Corporation, are not more than 30 years of age
 - 3) have an experience of minimum 5 years in welding works in any work-shop of repute

OR

- b) Promotion from amongst the welders who are working as such for not less than 5 years and are senior and efficient.

1	2	3	4
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13 BODY REPAIRER
Artisan 'A'

Rs. 100-5-140-EB-10-250

Appointment shall be made by

- a) Nomination from amongst the candidates who
 - 1) unless already in the service of the Corporation are not more than 28 years of age
 - 2) Possess the training certificate in the carpentry trade from a recognised institute and
 - 3) have an experience of minimum 3 years of similar works in workshop of renowned firm.
- b) Promotion from amongst the candidates who
 - 1) Are working in the posts of Body builders continuously for a period of not less than 5 years and are senior and efficient.

(308)

1	2	3	4
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14 BLACK-SMITH
Artisan 'A'

Rs. 100-5-140-EB-10-250

Appointment shall be made by

- a) Nomination from amongst the candidates who,
 - 1) Unless already in the service of the Corporation are not more than 30 years of age,
 - 2) possess the certificate of Training in trade of Welding from a recognised Institute and
 - 3) have an experience of minimum 3 years of Welding work in a work-shop of renowned Firm

OR

- b) Promotion from amongst the candidates who are working in the posts of Black-smith for a continuous period of not less than 5 years and are senior and efficient.

(309)

1	2	3	4
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15 ASSTT. MECHANIC,
Rs. 80-5-140-EB-8-180

[4 Fitters should be converted into the posts of Asstt. Mechanic]

Appointment shall be made by

- b) Promotion from amongst the fitters who are working as such for continuous period of not less than 5 years and are senior and efficient.

16 WELDER
Artisan Class 'B'

Rs. 65-5-100-EB-10-180

Appointment shall be made by promotion from amongst the Asstt. Welders and who are working as such continuously for a period of not less than 5 years.

17 BODY REPAIRER
Artisan Class 'B'

65-5-100-EB-10-180

Appointment shall be made by promotion from amongst Asstt. Body Repairers who are working as such continuously for a period of not less than 5 years.

18 UPHOLSTERER
Artisan Class 'B'

Rs. 65-5-100-EB-10 180

Appointment shall be made by

- [i] Promotion from amongst the Asstt. Upholsterer and who are working as such continuously for a period not less than 5 years and

308

309

1	2	3	4
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[ii] have knowledge of reading and writing of Marathi and experience in Tailoring and Hood and Coach making for at least 3 years.

19 **BLACK-SMITH**
Artisan Class 'B'
Rs. 65-5-100-EB-10-180

Appointment shall be made by promotion from amongst the Asstt Black-smiths or Hammerman who are working as such continuously for a period of not less than 5 years.

20 **FITTER**
Artisan Class 'B'
Rs. 65-5-100-EB-10-180

Appointment shall be made by promotion from amongst the candidates who

- 1) possess the driving licence of heavy duty vehicles,
- 2) are working in the posts of helpers for a continuously period of not less than 7 years and are senior efficient.

21 **ASSTT. ELECTRICIAN**
Artisan Class 'B'
Rs. 65-5-100-EB-10-180

Appointment shall be made by

a) Nomination from amongst the candidates who,

1	2	3	4
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- 1) unless already in the service of the Corporation are not more than 30 years of age,
- 2) have passed a certificate examination in Auto Electric Trade from a recognised Institute and
- 3) have an experience of at least 3 years of similar work from a renowned workshop.

OR

b) Promotion from amongst the candidates who

- 1) have passed certificate examination from recognised Institute in the trade of Auto Electric or
- 2) are working in the posts of helpers for a continuous period of not less than 5 years and are senior and efficient and

(312)

1	2	3	4
21	Contd.		

- 3) have knowledge of reading and writing of Marathi and thorough knowledge of Auto Electric maintenance and repairing works.

22 ASST. WELDER
Artisan Class 'C'
Rs. 55-5-100-EB-10-150

Appointment shall be made by

- a) Nomination from amongst the candidates who,
- 1) unless already in the service of the Corporation are not more than 25 years of age,
 - 2) have passed certificate examination in Welding trade from a recognised Institute,
 - 3) have an experience of at least 3 years of similar work from Work shop of renowned firm,
 - 4) have a knowledge and writing of Marathi.

(313)

1	2	3	4
		OR	

- b) Promotion from amongst the candidates who,
- 1) have passed certificate examination from a recognised Institute in the trade of welding and
 - 2) are working as helpers for a continuous period of not less than 5 years and are senior and efficient.

23 ASST. TYRE FITTER
Artisan Class 'C'
Rs. 55-5-100-EB-10-150

Appointment shall be made by

- a) Nomination from amongst the candidates who,
- 1) Unless already in the service of the Corporation are not more than 25 years of age
 - 2) have taken training in respect of tyre maintenance repairs from a renowned Institute or firm or from a renowned tyre manufacturing co. and

- | | | | |
|---|---|---|---|
| 1 | 2 | 3 | 4 |
|---|---|---|---|
- 3) have an experience of minimum 3 years of similar work in renowned Workshop

OR

- b) Promotion from amongst the candidates who,

- 1) Are working in the posts of helpers for a continuous period of not less than 5 years and are senior and efficient and
- 2) have taken training in any recognised Institute or in a manufacturing Tyre Company of renowned regarding maintenance and repairs of tyres.

24 ASSTT. PAINTER
Artisan Class 'C'
Rs. 55-5-100-EB-10-150

Appointment shall be made by

- a) Nomination from amongst the candidates who,

- 1) unless already in the service of the Corporation are not more than 28 years of age;

- 2) Have passed second Trade Drawing Examination of a recognised institute and
- 3) have an experience of painting works in an Automobile work shop of renown for a minimum period of 3 years.

OR

- b) Promotion from amongst the candidates who

- 1) are working in the post of helpers continuously for a period of not less than 5 years out of which minimum 3 years in painting section and are senior and efficient and
- 2) have knowledge of reading and writing Marathi and English lettering and painting.

25 ASSTT. BODY
REPAIRERS
Artisan Class 'C'
Rs. 55-5-100-EB.10.150

Appointment shall be made by

- Nomination from amongst the candidates who,

(316)

396

1	2	3	4
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25 Contd.

- 1) unless already in the service of the Corporation are not more than 28 years of age,
- 2) have passed the certificate examination in the trade of carpentry from a recognised Institute, and
- 3) have an experience of minimum 3 years of similar work in Automobile workshop of renowned firm

OR

- a) Promotion from amongst the candidates who,
 - 1) are working as helpers continuously for a period of not less than 5 years, out of which minimum 3 years in Body building section and are senior and efficient

26 ASST. BLACK SMITH
Artisan Class 'C'
Rs. 55.5.100.EB.10.150

Appointment shall be made by

- a) Nomination from amongst the candidates who,

(317)

1	2	3	4
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- 1) Unless already in the service of the Corporation, are not more than 25 years of age,
- 2) have passed certificate examination in the trade of black smith from a recognised Institute and
- 3) have an experience of minimum 3 years of similar work from a workshop of a renowned firm.

- b) promotion from amongst the candidates who, are working in the post of helpers continuously for a period of not less than 5 years, out of which 3 years in the black-smith section and are senior and efficient.

27 ASST. TURNER
Artisan Class 'C'
Rs. 55.5.100.EB.10.150

Appointment shall be made by

- a) Nomination from amongst the candidates who,
 - 1) unless already in the service of the Corporation are not more than 25 years of age

397

1	2	3	4
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- 2) have passed certificate examination in the trade of turning from a recognised Institute and
- 3) have an experience of similar work for not less than 3 years from a renowned work shop

OR

- b) Promotion from amongst the candidates who,

are working in the post of helpers continuously for a period of not less than 5 years in Turning Section and are senior and efficient.

28 ASSTT. UPHOLSTERER Appointment shall be made by
Artisan Class 'C'

Rs. 55-5-100-EB-10-150

- a) Nomination from amongst the candidates who

- 1) unless already in the service of the Corporation are not more than 28 years of age,

1	2	3	4
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- 2) have passed certificate examination of Tailoring from a recognised Institute and
- 3) have an experience of hood and coach making for not less than 3 years in a Automobile workshop.

OR

- b) Promotion from amongst the candidates who,

- 1) are working in the posts of helpers for a continuous period of not less than 5 years out of which 3 years in upholstery section and
- 2) have a knowledge of tailoring, Hood-work and coach and are senior and efficient.

29 HAMMERMEN

Artisan Class 'C'

Rs. 55-5-100-EB-10-150

Appointment shall be made by

- a) Nomination from amongst the candidates who

(320)

1 2
29 Contd.

3

4

400

- 1) unless already in the service of the Corporation are not more than 25 years of age,
- 2) have passed certificate examination in the trade of black smith from a recognised Institute and
- 3) have an experience of minimum 3 years of similar work from a work-shop of a renowned firm.

b) Promotion from amongst the candidates who are working in the posts of helpers continuously for a period of not less than 5 years, out of which 3 years in the black-smith section and are senior and efficient.

30 TIN SMITH
Artisan Class ' B '
Rs. 55-5-100-EB-10-150

Appointment shall be made by

a) Nomination from amongst the candidates who

(321)

1 2
30 Contd.

3

4

- 1) unless already in the service of the Corporation are no more than 25 years of age,
 - 2) have passed certificate examination in the trade of Tin-Smith from a recognised Institute
 - 3) have an experience of similar work for not less than 3 years in a work-shop of renowned firm and
 - 4) have knowledge of reading and writing of Marathi
- b) Promotion from amongst the candidates who,
- 1) are working in the posts of helpers for a continuous period of not less than 5 years, Out of which 3 years in the Tin-Smith section and are senior and efficient and.
 - 2) have knowledge of reading and writing Marathi.

401

31 TOOL-MAN

Appointment shall be made by

Rs. 55-5-100-EB-10-150

a) Nomination from amongst the candidates who,

- 1) unless already in the service of the Corporation are not more than 25 years of age,
- 2) have passed Matric or S. S. C. Examination and
- 3) have an experience of similar work in renown workshop and have a sound knowledge of tools required for Auto-mobile repairs.

OR

b) Promotion from amongst the candidates who,

- 1) are working in the posts of helpers continuously for a period of not less than 5 years and are senior and efficient.

1 2

3

4

32 STARTER

Artisan Class 'C'

Rs. 55-5-100-EB-10-150

Appointment shall be made by

b) Promotion from amongst the candidates who

- 1) are working in the posts of helpers continuously for a period of not less than 5 years and are senior and efficient.
- 2) have a sound knowledge of reading and writing Marathi and knowledge of Auto-mechanism and Running defects of vehicles and knowledge of repairs of vehicles
- 3) are holding licence of heavy-duty motor driving and
- 4) have passed IV std. Examination.

TRAFFIC SECTION

KOLHAPUR MUNICIPAL CORPORATION
SCHEDULE 'A'

406

Showing the qualification necessary for the posts other than those specified in sub-clause (a) of clause 3 of the section 457.

Sr. No.	Name of the post 2	Qualifications 3	Remarks 4
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1 TRAFFIC
SUPERINTENDENT
Rs. 200-15-260-20-320
EB-20-500

Appointment shall be made by

a) Nomination from amongst the candidates who

- 1) Unless already in the service of the Corporation are not more than 25 years of age,
- 2) have passed degree in Arts, Science, Commerce or in Engineering.
- 3) Possess the diploma from Indian Institute of Road Transport or certificate from central Institute of Road Transport of A S R T U S for the training taken as Traffic Officer.

(327)

1	2	3	4
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- 4) have at least five years experience as a Traffic Officer in any state road Transport undertaking, city Transport undertaking or any passenger/ or renowned concern and Transport
- 5) Preference will be given to experienced man from the Corporation and relaxation can be made about qualification if his record is good.

OR

b) Promotion from amongst the Candidates who,

- 1) are working in the posts of Traffic Inspectors continuously for a period of not less than 10 years and are senior and efficient.
- 2) have a sound knowledg of preparation of Time Table schedules etc.

407

(328)

1	2	3	4
2	TRAFFIC INSPECTOR	Appointment shall be made by	

Rs. 155-10-225-EB-15-330

- a) Nomination from amongst the candidates who,
- 1) Unless already in the service of the Corporation are not more than 28 years of age
 - 2) are graduates of a recognised University and
 - 3) Possess the diploma from Indian Institute of Road Transport or a certificate of Traffic Officer from central Institute of Road Transport (T & R) Poona for having taken training.

OR

- b) Promotion from amongst the candidates who,
- 1) have passed Matric or S. S. C. with English as one of the subjects

(329)

1	2	3	4

- 2) have taken training of Traffic Officers from central Institute of Road Transport (T&R) Poona and
- 3) are working in the posts of Asstt. Traffic Inspectors continuously for a period of not less than 5 years and are senior and efficient.

3 ASSTT. TRAFFIC INSPECTOR

Appointment shall be made by

Rs. 130-8-170-EB-10-270

- a) Promotion from amongst the candidates who,
- 1) have passed Matric or S. S. C. examination with English as one of the subjects
 - 2) have passed training examination as Traffic Officer from central Institute of Road Transport (T&R) Poona

OR

409

(330)

410

1 2

3

4

- 3) are working in the post of Traffic Controller continuously for a period of not less than 5 years and are senior and efficient.

4 HEAD DRIVER

Appointment shall be made by

Rs. 130-8-170-EB-10-270

- b) Promotion from amongst the candidates who,

- 1) have passed the V.F. examination or VII std examination
- 2) Possess the driving licence for heavy duty standing for not less than 7 years.
- 3) are working as drivers for not less than 10 years continuously
- 4) have a sound knowledge in mechanism of Auto-mobile vehicles and
- 5) possess the badge of Public Carrier from R. T. O.

(331)

1 2

3

4

5 CONTROLLER

Appointment shall be made by

Rs. 90-5-120-EB-10-210

- a) Nomination from amongst the candidates who,

- 1) Unless already in the service of the Corporation are not more than 25 years of age
- 2) have passed Matric or S. S. C. examination and
- 3) have an experience of minimum 3 years of the similar work in any passenger Transport organisation.

OR

- b) Promotion from amongst the candidates who,

- 1) have passed Matric or S. S. C. examination with English as one of the subject and
- 2) are working in the posts of conductors or drivers continuously for a period of not less than 7 years and senior and efficient.

411

(332)

412

1	2	3	4
6	DRIVER Rs. 70-3-110-EB-10-190	Appointment shall be made by a) Nomination from amongst the candidates who, 1) Unless already in the service of the Corporation are not more than 25 years of age, 2) possess the licence of driving heavy-duty motor vehicle 3) possess the R. T.O. Badge for driving Public Carrier and 4) have an experience of minimum five years of driving heavy duty vehicle, preference will be given to those who are included in the waiting list of drivers.	
7	CONDUCTOR Rs. 65-5-100-EB-10-180	Appointment shall be made by a) Nomination from the candidates who	

(333)

1	2	3	4
		1) Unless already in the service of the Corporation are not more than 25 years of age, 2) Possess the licence and badge allotted by the R. T. O. office for conductor, and 3) have taken practical training of the conductor work in a Transport undertaking Provided that, preference will be given to those who are included in the 'Waiting List' maintained for the conductors and who are senior and efficient in conductor work.	
	GENERAL ALLOWANCES 1) Uniform-Allowance-	These who are provided uniform washing allowance at the rate of Rs. 2-50 P. M.	
	2) Night Allowance-	For workers who work at night duty, night duty allowance at the rate of Rs. 1/- per day.	

413

1	2	3	4
3)	Tea Allowance-	For those who are working in Traffic Department Tea Allowance at the rate of Rs. 1/- per day excepting those working in the central office.	414

(D. N. Capoor)
Administrator
Kolhapur Municipal Corporation

(49-A)

1	2	3	4
1	PROJECTIONIST-CUM-MECHANIC. Rs. 100-10-170-EB-15-290	<p>Appointment shall be made by</p> <p>a) Nomination from amongst the candidates who</p> <p>i) Unless already in the service of the Corporation are not more than 25 years of age,</p> <p>ii) have certificate of operating 16 m. m. Film Project Machine, obtained from the Government Institute or from an Institute recognised by the Government,</p> <p>iii) have experience of operating 35 m. m. Project machine for a period of 2 to 3 years and holds a licence.</p>	
2	HON. GYMNASIUM COACH-CUM-SUPERVISOR. Honorarium Rs.150/-fixed p.m.	<p>Appointment shall be made by</p> <p>a) Nomination from amongst the candidates who</p> <p>i) unless already in the service of the Corporation are not more than 30 years of age,</p>	415

(49-B)

1	2	3	4
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416

- ii) have passed B. A., N. I. S. (National Institute of Sports, Patiyala) or passed A. S. P. T. (Army School of Physical Training) or have passed A. P. T. C. or have passed B. A. Exam. and have 5 years experience as Gymnasium Coach.

3 ASSTT. GROUNDMAN
Rs. 55-5-100-EB-10-160

Appointment shall be made by

- a) Nomination from amongst the candidates who,
 - i) unless already in the service of the Corporation are not more than 30 years of age,
 - ii) have passed Marathi 7th std. and have got experience of work of Groundman.

4 SWIMMING COACH
Honorarium Rs. 150/-
(Fixed) p. m.

Appointment shall be made by

- a) Nomination from amongst the candidates who,

(49-C)

1	2	3	4
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- i) unless already in the service of the Corporation are not more than 30 years of age,
- ii) have passed S. S. C. examination, with minimum ten years experience as a good swimmer.

5 DRAUGHTSMAN
(Architectural)
Rs. 65-5-90-EB-10-140
EB-15-260

Appointment shall be made by

- a) Nomination from amongst the candidates who,
 - i) unless already in the service of the Corporation are not more than 25 years of age,
 - ii) have passed the S. S. C. examination with English as one of the subjects and
 - iii) have successfully completed a course of Architectural Draughtsman recognised by the State or the Central Government.

417

(49-D)

418

1 2 3 4

OR

- b) Promotion from amongst the candidates who,
- i) have passed S. S. C. examination with English as one of the subjects,
 - ii) have successfully completed a course of Architectural Draughtsman recognised by the State or the Central Government
- and
- iii) are working in the posts of Tracer continuously for a period of not less than 5 years.

OR

- c) Candidates possessing experience of drawing works for more than 3 years in a reputable firm of Architects and possessing minimum S. S. C. as educational qualification may be considered.

(49-E)

1 2 3 4

6 ASSTT. FIRE
SUPERINTENDENT
Rs. 120-10-170 EB-15-275 a)
EB-15-350.

Appointment shall be made by

- a) Nomination from amongst the candidates who,
- i) unless already in the service of the Corporation are not more than 30 years of age,
 - ii) have passed Matric or S. S. C. examination with physics and chemistry as one of the subjects.
 - iii) have passed the Sub-Officers Course of N. F. S. Nagpur or Station Officer and Instructor's Course or its equivalent examination recognised by the Government and
 - iv) have an experience of 3 years in Fire Service in case Sub-Officers those who have passed Sub-Officer's course and that of one year in case of those who have passed Station Officer and Instructor's Course.

419

Kolhapur Municipal Corporation

Subj: Compulsory retirement of Municipal servants and
premature retirements of unsuitable municipal
servants.

Framing of regulation for the

READ:

- 1) Government in GAD Circular No. SRC-1076/1275
XV dated 16-8-76
- 2) This Office Circular No. GAD-WS-X-171/76 dated
9-12-1976

Administrator's Resolution No. 1112/17-2-1977

In exercise of the powers conferred upon me vide sub-para
(ab) of para 22 of part IV of the Bombay Provincial Municipal
Corporations Act, 1949, read with Sec. 465 (3) (a) *ibid*, I, N. M.
Deosthale, Administrator of the Municipal Corporation of City
of Kolhapur, do hereby confirm the regulations regarding compul-
sory retirement of municipal servants framed under Sections 465
(g) of the Act.

N. M. DEOSTHALE

Administrator,

Kolhapur Municipal Corporation

Regulations framed under clause (g) of section 465 of the Bombay Provincial Municipal Corporation Act 1949, regarding compulsory retirement of municipal servants.

(1) Short title and commencement.

These Regulations may be called as "The Regulations of the Kolhapur Municipal Corporation regarding compulsory retirement of Municipal officers and servants" and they shall come in to force on the date of their confirmation under sub-section (3) of Sec. 465 of the Act.

(2) Definitions :-

Unless there is any repugnant in subject or context :-

- (a) "Act" means the Bombay Provincial Municipal Corporations Act, 1949.
- (b) "Financial year", shall be the year which commence on 1st April and ends on 31st March of subsequent year.
- (c) "Section" means section of the Act.

(3) Distribution into classes.

For the purpose of these Regulations and for other service Regulations, Municipal servants are divided into four classes as follows :-

First class shall include :-

- (A) (i) Officers appointed under section 45 of the Act.
- (ii) Officers, minimum of whose pay scale is Rs. 400/- or above.
- (iii) Such other officers to whom corporation deems to be included.
- (B) Second class shall include all municipal servants whose minimum of pay scale is Rs. 200/- or more, but less than Rs. 400/- per month.

(C) The third class shall include all other municipal servants in superior service.

(D) The fourth class shall include all municipal servants not included in any one above class.

Note:- For the purpose of these Regulation and other service Regulations, the servants indicated in the Annexure 'A' shall be deemed to be the servants in inferior service and those not included therein shall be deemed as servants in superior service.

(4) The age of compulsory retirement.

Subject to the provisions contained in Rule 8 of these regulations:-

- (a) The date of compulsory retirement of a municipal servant, other than any class fourth servant, is the date on which he attains age of 58 years.
- (b) The date of compulsory retirement of municipal servant in class fourth is the date on which he attains age of 60 years.
- (c) No municipal servant shall be continued in service after the date of compulsory retirement, without previous sanction of the Corporation.

(5) Extension of service

- (i) Notwithstanding anything contained in foregoing Regulations, the Corporation may grant an extension of services to a municipal servant beyond the age of 58 years on public grounds, which must be recorded in writing.
- (ii) Each Municipal Servants case shall be taken up when he is approaching age of superannuation and before expiry of each

extension of service. Extension may not be granted for any period exceeding one year at one time. The first extension being given generally upto the end of the financial year. In case in which it is proposed to grant extension of service, reports shall be made to the Corporation at least three months before the necessity for sanction arises.

(6) Promotion or increment during the extension of service.

Without previous sanction of the Corporation, no promotion whether acting or substantive in permanent or temporary establishment, shall be given to a Municipal servant who is under extension. This does not debar such a Municipal servant from earning an increment if the pay of the appointment held by him is on time scale and does not, apply to a Municipal servant the pay of whose appointment is enhanced e. g. as part of scheme.

(7) Voluntary retirement.

Any Municipal servant may, by giving notice of not less than three months in writing to the Municipal Commissioner, retire from Municipal service after he has attained the age of 55 years.

(8) Premature retirement.

Notwithstanding anything contained in the foregoing rules, the appointing authority on receipt of report from review committee as per rule 12 (b) of this regulations and after careful consideration of the same may, or may not, at its discretion, retire any Municipal servant on the grounds of unsuitability for retaining in Municipal service, at the age 50 or 55 years in case of Municipal servant in classes first, second and third and at the age of 50, 55, or 58 in the case of servants in class fourth, provided that written notice of 3 months shall be given to the Municipal servant before such action is taken.

(9) How to judge unsuitability.

Unsuitability of amunicipal servant shall be judged on the

basis of his service record and physical fitness after scrutiny and review by committee appointed under Regulation No: 10.

(10) Review Committees.

Following shall be the Review Committees for judging the suitability of amunicipal servants in different classes :-

(a) Review Committee for Class I officers:-

- [i] Mayor
- [ii] Chairman of Standing Committee.
- [iii] Municipal Commissioner.

(b) Review Committee for Class II officers and servants in Class III:-

- [i] Deputy Municipal Commissioner.
- [ii] Medical officer of Health.
- [iii] City Engineer.
- [iv] Chief Auditor.
- [v] Municipal Secretary.

(c) Review Committee for Class IV servants. :-

- [i] Asstt. Commissioner.
- [ii] Chief Accountant.
- [iii] Administrative officer. (Public Health)
- [iv] Labour officer.
- [v] Internal Auditor.

(d) Review Committee (Physical Examination) for all Classes.

- (i) Medical officer of Health.
- (ii) Medical officer—1 (Male)
- (iii) Medical officer—1 (Female)

Note:- Nomination of member No. 2 & 3 of Committee at (d) shall be done by Medical Officer of Health with the consent of the Municipal Commissioner.

(11) Standards for judging suitability.

Standards for judging suitability of a Municipal servant shall be as indicated in Annexure 'B' attached to these Regulations

(12) Procedure of Review.

(a) The Heads of Departments/offices shall submit, every year before 1st of August, Confidential Reports and other information in prescribed form in respect of municipal servants in Class I, II and III who have attained the age of 49, 54 and such information as will be prescribed in respect of Class IV servants who have attained the age of 49, 54, 57, respectively to the Appropriate Review Committee

(b) On receipt of such record and information, the Review Committee will take Review of the case and taking into consideration the standards for judging the suitability, take the decision in respect of suitability of the Municipal servant and thereafter will send the case papers to the appointing authority before close of that year.

(13) Repeal.

Any rules and bye-laws corresponding to these regulations in force immediately before the commencement of these regulations shall stand repealed except as respects things done or omitted to be done before such repeal.

N. M. DEOSTHALE.

Administrator.

Kolhapur Municipal Corporation.

ANNEXURE 'A'

List of Municipal Servants included in inferior services.

- (1) Mukadam
- (2) Welder
- (3) Painter
- (4) Carpenter
- (5) Blacksmith
- (6) Mason
- (7) Junior Wireman
- (8) Mukadam-cum-clerk
- (9) Dresser
- (10) Book binder.
- (11) Naik
- (12) Fireman
- (13) Mali
- (14) Selection grade sweeper
- (15) Selection grade scavenger
- (16) Selection grade Drainage Kamgar.
- (17) Selection grade Compost pit Kamgar.
- (18) Asslt. carpenter.
- (19) Peon
- (20) Watchman
- (21) Labekari
- (22) Wordboy
- (23) Superior field worker
- (24) Ambulance attendant.
- (25) Cycleswar-cum-peon.
- (26) Laboratory attendant.
- (27) Cleaner.
- (28) Sweeper.
- (29) Female sweepers.

- (30) Aya.
- (31) Scavenger.
- (32) Drainage Coolies.
- (33) Compost worker.
- (34) Kamgar
- (35) Helper.
- (36) Wireman-helper.
- (37) Carpenter.
- (38) Attendant in Medical Unit.
- (39) Starter.
- (40) Toolman.
- (41) Tin-smith.
- (42) Asst. Welder.
- (43) Asst. Blacksmith.
- (44) Other equivalent posts not mentioned in the list.

N. M. DEOSTHALE
 Administrator, Kolhapur M. C.

ANNEXURE 'B'

Statement showing standards prescribed for judging suitability of Municipal Servant

Class of service	Standards in the case of those who do not belong to any of the Backward classes.	Standard in the case of those who belong to any of the Backward classes.
1	2	3

I STANDARDS FOR CONTINUANCE IN SERVICE BEYOND THE AGE OF 50 YEARS

(a) (i) Class I & Class II :

Officers who have entered municipal service before attaining the age of thirty five years.

The record should be "Good" and should show that the officer is competent to carry the responsibilities assigned to the post which he holds or is liable to hold.

The record should be 'Average Plus'

(ii) Others

There is no review

There is no review

1	2	3
(b) Class III employees.		
(i) Those who have entered municipal service before attaining the age of thirty five years.	The record should be 'Good'	The record should be 'Average Plus'
(ii) Others.	There is no review	There is no review.
(c) Class IV employees.	The record should be satisfactory	The record should be satisfactory

11 STANDARDS FOR CONTINUANCE IN SERVICE BEYOND THE AGE OF 55 YEARS.

[a] Class I & II Officers

who have entered the municipal service on or after attaining the age of thirty five years.

The record should be 'Positively Good' and it should indicate that the officer has something to contribute his work.

The record should be 'Good' and should show that the officer is competent to carry the responsibility assigned to the post which he holds or is liable to hold.

1	2	3
[b] Class III employee [i] Those holding pensionable posts.	The record should be 'Positively Good'	The record should be 'Good'
[ii] Those holding non-pensionable post & have completed 30 years service before they attain the age of 58 years.	The record should be 'Positively Good'	The record should be 'Good'
(c) Class IV employees [i] Those who have entered the municipal service on or after attaining the age of twenty five years.	The record should be 'Good' or at least 'Average plus'	The record should be satisfactory.
[ii] Others.	There is no review	There is no review

III STANDARDS FOR CONTINUANCE IN SERVICE BEYOND THE AGE OF 58 YEARS.

Class IV employees :

(i) Those holding pensionable posts.

The record should be ' Positively Good '

The record should be ' Good '

(ii) Those holding non-pensionable posts and have completed 30 years of service before they attain the age of 60 years.

The record should be ' Positively Good '

The record should be ' Good '

N. M. DEOSTHALE

Administrator

Kolhapur Municipal Corporation.

Kolhapur Municipal Corporation
Confirmation of Oetroi
Standing Orders made by the

GOVERNMENT OF MAHARASHTRA

Urban Development Public Health and Housing Department, Resolution No. K. M. C. 2873/72205-C. Sachivalaya, Bombay 32.

Read:- Letter No. OCT-WS-1-3/1699, dated the 20 th September, 1973 from the Administrator, Kolhapur Municipal Corporation.

Resolution:-

Under Section 466 (2) of the Bombay Provincial Municipal Corporations Act, 1949, Government is pleased to confirm the accompanying Oetroi Standing Orders made by The Kolhapur Municipal Corporation Under Section 466 (1) [A] of the said Act.

By Order and in the name of the Governor of Maharashtra.

Sd/-
(H. D. Kopardekar)
Under Secretary to Government

OCTROI STANDING ORDERS
of the
Municipal Corporation of The City of Kolhapur.

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OCTROI STANDING ORDERS

OF THE

Municipal Corporation of The City of Kolhapur.

WHEREAS it is necessary to make Standing Orders in respect of the matters specified in Sub-clause (a) to (g) of Clause (A) of Sub-section (1) of Section 466 of the Bombay Provincial Municipal Corporations Act, 1949 the Administrator is pleased to make the Standing Orders as follows :—

- 1 Short Title : These Standing Orders be cited as the Kolhapur Municipal Corporation Octroi Standing Orders.
- 2 Definitions : In these Standing Orders, unless there be something repugnant in the subject to context.
- 1 ' Act ' shall mean the Bombay Provincial Municipal Corporations Act, 1949.
- 2 ' Commissioner ' shall include any Municipal Officer or servant empowered by the Commissioner under Sub-section (1) of Section 69 of the Act to exercise, perform or discharge powers, duties and functions conferred or imposed upon or vested in the Commissioner by or under the provisions of these Standing Orders or the Rules of the Act.
- 3 ' Corporation ' shall mean the Municipal Corporation of the City of Kolhapur.
- 4 ' Export ' shall mean the conveying of goods out of the Octroi Limits of the Corporation to any other area without any change or being consumed, used or sold.

5 ' Exporter ' shall mean the person who is shown in the Import Bill as the Importer who is to be deemed to be the Importer according to the provisions contained in the Standing Orders and who exports the goods imported by him in accordance with the conditions prescribed by these Standing Orders.

6 ' Export Naka ' shall mean the Naka at which the goods arrive for the purpose of their exportation outside the Octroi Limits of the Corporation.
7 ' Export Naka Officer ' shall mean any Municipal employee at the Export Naka on duty.

8 ' Goods intended for immediate exportation ' shall mean goods in transit only and which are imported into the Octroi Limits only and which are imported into the Octroi Limits of the Corporation not for consumption, use or sale therein but are intended for immediate export without being unloaded and detained ' en route ' to the Export Naka and are actually exported in the manner and in accordance with the conditions prescribed in the Standing Orders for the export of such goods within three hours from the time of import or such longer period not exceeding one hundred and sixtyeight 168 hours calculated from the time of import as may be permitted in accordance with the provision of the Standing Orders without unloading and detention, without break of bulk or quantity without change of hands or form, condition or appearance by any process of manufacture or otherwise and, without their being used, consumed or sold within the Octroi Limits of the Corporation.

9 ' Government ' shall mean Government of the State of Maharashtra or any other State in India or the Union Government.

10 ' Import ' shall mean the conveying of goods into the Octroi Limits of the Corporation from any other area.

11 ' Import Bill ' shall mean a receipt in the prescribed form and signed and issued by the Octroi Naka Officer, in accordance with the conditions prescribed in that behalf.

12 ' Importer ' shall mean the person who is shown as an Importer in the Import Bill and shall also include a person who is to be deemed to be an Importer according to the provisions contained in the Standing Orders.

13 ' Import Naka ' shall mean the Naka to which the goods arrive for the purpose of their importation within the Octroi Limits.

14 ' Import Naka Officer ' shall mean any Municipal Employee at the Import Naka on duty.

15 ' Local Authority ' shall mean a Municipal Corporation, Municipality, Zilla Parishad, Village Panchayat, Cantonment, Notified Area Committee or other Authority legally entitled to or entrusted by the Government with the Control or management of a Municipal or Local Fund and shall include a Market Committee constituted under Section 5 of the Bombay Agricultural Produce Markets Act, 1939

16 ' Octroi Naka ' shall mean a Municipal Naka at which the goods are being imported or exported and Octroi Limits of the Corporation shall be co-extensive with the limits of the Corporation as prescribed.

17 ' Prescribed ' shall mean required or authorised by any Rule or Standing Order for the time being in force or by the order of the Commissioner.

18 ' Rule ' or ' Rules ' shall mean the Rule or Rules made by the Corporation to levy the Octroi under clauses (7) and (17) of Section 457 of the Act and Rules in the schedule to the Act.

19 ' Schedule ' shall mean the Schedule annexed to these Standing Orders.

20 'Standing Order' or 'Standing Orders' shall mean the Standing Order or Standing Orders relating to the collection of Octroi etc. and made by the Commissioner under Clause (A) of Sub-section (1) of Section 466 of the Act.

21 'Value of the Goods' where the Octroi is charged ad valorem shall mean the value of the goods made up of the cost price of the goods ascertained from the original invoice plus Shipping Dues, Insurance, Custom Duties, Excise Duties, Sales Tax, Vend Fee, Freight Charges, Carriage Charges and all other incidental charges incurred by the Importer till the arrival of the goods at the Import Naka.

'Word and Expression' used and not defined herein shall have the same meaning as are respectively assigned to them in the Act.

3 Names of the Import and Export Nakas :

The Municipal Import and Export Nakas are the same and they are as follows :- Any change shall be notified by the Commissioner as and when occurs.

No.	Name	No.	Name
1	Shitoli	17	Port Shitoli
2	Tembalai	18	Market Yard
3	Ambai	19	Railway Goods.
4	Kandalgaon	20	Post Parcel
5	Race Course		(Central Office)
6	Vashi	21	Office Naka and Amanat
7	Phulewadi		(Central Office)
8	Rankala	22	Raj. Shahu.
9	Uttareshwar	23	Tararani (Central)
10	Shivajipul	24	Takala
11	Nigawe	25	G. P. T. Urunkar
12	Shive	26	Mahalaxmi
13	Station	27	Ud:amragar
14	Station Parcel	28	" Godown
15	Engne Shed	29	T. C. I.
16	S. T. Stand		

4 Every person bringing goods into the Octroi Limits to stop at the Import Naka :

Every person bringing goods into the octroi limits of the Corporation shall stop at the Import Naka to enable the Import Naka Officer to ascertain whether the goods in the possession of the said person are liable to octroi.

5 Duty of the driver of a vehicle to stop at the Import Naka :

Every driver of a vehicle or conveyance of any nature whatsoever shall stop his vehicle or conveyance at the Import Naka to enable the Import Naka Officer to ascertain whether the said vehicle or conveyance contains any goods liable to octroi.

6 Duty of the person in charge of the goods imported for consumption use or sale to give declaration in the prescribed form at the time of import :

Every person in charge of the goods that are being imported into the Octroi Limits for consumption, use or sale shall at the time of import duly fill in and deliver to the Import Naka Officer a declaration under his signature in the form prescribed in Schedule 'A'.

7 Scrutiny of imported goods and Import Bill to be issued for Octroi recovered :

1 The Import Naka Officer shall after proper scrutiny of the goods that are being imported into the Octroi Limits of the Corporation for consumption, use or sale calculate the octroi due on such goods and shall demand the amount so assessed from the person in charge of the goods in the manner prescribed in this behalf in the rules or Standing Orders. On receipt of the octroi demanded, the Import Naka Officer shall pass on octroi receipt (hereinafter called 'Import Bill') in the form prescribed in Schedule 'B'.

(6)

2 In the said Import Bill the Importer shall be shown as follows-

(a) The name of the person who appears to be the importer from the contents of the invoice, bill or other documents of a like nature.

(b) If no invoice is produced or if the name of the importer cannot be ascertained for the invoice that is produced, the name of the person who is declared to be an importer by the person in charge of the goods.

3 The entry made in the Import Bill regarding the name of the Importer shall be deemed to be final and conclusive and no person will be permitted to urge that he or some other person and not the person named in the Import Bill as an Importer is the Importer of the goods imported.

8 A person in charge of the goods on unload and load the said goods at his own expense for the purpose of assessing their weight:

In all cases in which the Import Naka Officer or the Export Naka Officer, with a view to to ascertain the correct weight of the goods brought to the Naka either for import or for export, requires the person in charge of the goods to weigh them on the weighing machine at the said Naka, the said person shall, without any delay, cause the said goods to be conveyed to the said weighing machine at his expense, and after the said goods are duly weighed, he shall forthwith at his own expense remove the said goods from the said weighing machine.

9 Every person bringing goods into the octroi limits to produce the original invoice relating to goods imported :

1 In order to enable the Import Naka Officer to ascertain the value of the goods for the purpose of assessing octroi, every person who brings or introduces goods into the octroi limits of the Corporation for consumption,

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use or sale therein shall produce before the Import Naka Officer the original invoice, bill and other documents of a like nature showing the correct value of such goods and he shall further fill in and deliver the said officer a declaration in the form prescribed in Schedule 'A'.

2 If the contents of the invoice, bill or other documents, do not appear to be reliable to the Import Naka Officer, the value stated therein shall not be accepted and octroi shall be calculated in the manner laid down in Standing Order No. 10

10 Assessment of Octroi when the original invoice is not produced or the invoice produced is unreliable or is incomplete :

1 If the original invoice is not produced at the time of import or if the invoice that is produced and declaration that is given in pursuance of Standing Order No. 9 are not deemed reliable by the Import Naka Officer or if the invoice or the declaration is incomplete or if the person in charge of the goods refuses or is unable to declare the true value of the goods in declaration form prescribed by Standing Order No. 9 the Import Naka Officer shall calculate and recover the octroi according to the value fixed by the Commissioner from time to time.

2 Where octroi is levied under Clause (1), the Commissioner, may, if a written complaint is made to him by the Importer that the octroi so levied is in excess of octroi that would be leviable according to the invoice value of the goods, grant refund of the excess amount to the said Importer only of the following conditions are fulfilled and not otherwise-

(a) He shall make under his signature written application to the Commissioner about the excess recovery of octroi.

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- (b) The said application must reach the office of the Commissioner within thirty days from the date of import.
- (c) The said import shall produce along with the said application but not afterwards the following documents viz.
 - (i) The original invoice and all other documents of a like nature which will enable the Commissioner to ascertain the true and correct value of goods;
 - (ii) a declaration in the form prescribed in Schedule 'C' duly filled in and signed by the said Importer.
 - (iii) The original receipt against which the claim is made.
- 3 The said importer shall satisfy the Commissioner about the correctness and genuineness of the complaint regarding the excess recovery of octroi.
- 4 Where an application is not accompanied by such documents as are prescribed by this Standing Order but is otherwise complete, the Commissioner may, if he is satisfied that the omission is due to good and sufficient reasons, extend the period upto two months from the date of import for submitting the documents.

11 Recovery of Octroi on goods imported by Railway :

Goods, when imported by rail which are subject to octroi on weight basis, shall be charged octroi at the rates prescribed for the goods on the weight and description mentioned in the Railway Receipt. If, however, the Import Naka Officer on duty on actual inspection or re-weighment finds that there is an error in the description or in the weight of the goods mentioned in the Railway Receipt, Octroi shall be leviable at the rate

(9)

- chargeable according to the description and weight of goods actually found on inspection or / and re-weighment as the case may be.
- 12 Procedure to be followed for exporting the goods imported for consumption, use or sale in order to become eligible for obtaining refund admissible under the rules. :
 - 1 An Importer who wants to export goods shall comply with the following procedure prescribed for exporting such goods in order that he may become entitled to obtain refund of 90% of octroi that is allowed in pursuance of the rules.
 - (a) The said importer shall produce before the Export Naka Officer the goods which are to be exported. At the same time he shall deliver to the said Officer the following documents viz.,
 - (i) the original Import Bill issued to him when the said goods came to be imported.
 - (ii) Export Note in duplicate of which one copy is marked 'Duplicate' in the form prescribed in Schedule 'D' duly signed by him. This Export Note in duplicate shall be prepared in accordance with the manner prescribed in Sub-clause (b) and it shall further comply with the provision herein-after prescribed :
 - (iii) Original invoice bill or other documents of like nature on the basis of which octroi came to be levied.
 - (b) The Export Note (in duplicate) shall be prepared by the said Importer on the printed forms purchased by him from the Octroi Office of the Corporation on payment of such reasonable price as shall be fixed by the Commissioner from time to time. Any Export Note which is not prepared on the printed form of the Corporation shall not be accepted.

(10)

- (c) The contents of the Export Note in duplicate shall be written either in Marathi-Hindi (in Deonagari Script) or English language.
- (d) The said Importer i. e. the person exporting the goods shall fill in all the blank spaces in the said printed form of the Export Note in duplicate with correct, true, complete and relevant information.
- (e) When the goods and the documents referred to above are produced before the Export Naka Officer he shall satisfy himself:-
- (i) that the Import Bill is genuine and that the goods produced before him for export are the very goods specified in the Import Bill and that the said goods have not since their import changed in any manner their original form, condition, state or appearance by any process of manufacture or otherwise.
 - (ii) that the goods are being exported within three months from the date of import,
 - (iii) that the amount of refund of octroi which will be due in respect of one Export Certificate granted in respect of goods that are to be exported will not be less than five rupees;
 - (iv) that the Export Note in duplicate complied with the provision hereinafter prescribed;
 - (v) that the contents of the Export Note in duplicate are exactly the same;
 - (vi) that the contents of the Export Note in duplicate regarding number of goods, weight of goods, description of the goods and the value of the goods exactly correspond with the actual number, actual weight, actual description and actual value of the goods that were imported are brought for export;

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- (vii) that the very person who is named in the Import Bill as an Importer is the Exporter;
- (viii) that the Importer is in continuous possession of the goods that are being exported from the time of import to the moment of export and that no intermediate use or sale or transfer of possession of the goods that were imported has taken place between the date of import and the transaction in pursuance of which the goods are being exported;
- (ix) that the goods brought for export have not been sold within the Octroi Limits of the Corporation.
- (x) that all the conditions prescribed by the rules for entitling a person to the refund are duly fulfilled;
- (i) When the Export Naka Officer is satisfied (but not otherwise) about all the matters specified in clause (e) he shall-
- (i) prepare an Export Certificate in the form prescribed in Schedule 'E'
 - (ii) make a note on the Export Note in duplicate about the export certificate number and its date;
 - (iii) note on the Import Bill,
 - (a) the full list of the goods that are to be exported;
 - (b) weight, value (when octroi is charged and valorem) and full description of the goods to be exported;
 - (c) export Certificate number and its date.

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(g) The Export Naka Officer shall then register the original Export Note in the Register to be kept for the purpose in such form as the Commissioner may from time to time prescribe and thereafter he shall note register number and the date of its registration on the Export Note in duplicate.

(h) The Export Naka Officer shall then handover to the person exporting the goods the following documents viz :—

- (i) the invoice of value, bill or other documents of a like nature;
- (ii) the original Export Note;
- (iii) the original Export Certificate.

The person receiving these documents shall acknowledge under his signature the receipt of the said documents by writing a note to that effect on the Duplicate Export Note.

The documents referred to in (i) and (ii) above be stamped in the manner prescribed before they are delivered to the person exporting the goods. The Export Naka Officer shall send the next day the Duplicate Export Note to the Octroi Office of the Corporation.

1 If the goods are to be exported by the Railway or State Transport Corporation or by Post, the Importer shall after preparing the Export Note in duplicate in the manner prescribed above present the same (in duplicate) to the Export Naka Officer along with the goods to be exported. The said officer after satisfying himself about all matter specified in Sub-clause (e) shall allow the goods to be carried to the Railway premises or the State Transport Booking Officer or to the Post Office. The Exporter (i. e. the Importer) after obtaining

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the receipt from the Railway or the State Transport or Post Office, as the case may be, in token of its having received the goods for carriage, produce the said receipt for the inspection of the Export Naka Officer. The said officer after satisfying himself that the details of the goods, i. e. weight, description and number of packages or bags entered in the said Railway or State Transport Receipt or postal receipt correspond exactly with the details noted on the Export Note in duplicate prepare an Export Certificate and thereafter shall do all the things that are hereinbefore prescribed. The date of the said Railway or the State Transport receipt or postal receipt shall be deemed to be the date of export.

2 The Export Naka officer shall refuse to prepare and issue an Export Certificate :

- (a) If the conditions laid down in the rule above were not fulfilled by the Exporter
- (b) If the person who wants to export the goods refuses to unload the goods and convey them to the weighing machine at that Export Naka where the machine is installed and also if the said person does not extend to the Export Naka Officer the necessary facility and freedom for the inspection of the goods to be exported.

(c) If the goods that are to be exported are such that no refund of octroi levied thereon is admissible under the Rules or Standing Orders even if such goods are brought for export.

13 The routes by which the goods meant for immediate exportation are to be conveyed :

The routes by which the goods meant for immediate exportation will have to be conveyed from the Import Naka outside the Octroi Limits of the Corporation will be those that are specified by the Commissioner from time to time.

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14. Procedure to be followed for exporting the goods intended for immediate exportation :

Any person in charge of the goods intended for immediate exportation that are being imported into the Oetroi Limits of the Corporation will be bound to convey the said goods from the Import Naka to the Export Naka under the municipal supervision in accordance with the conditions and in the manner prescribed below :—

- 1 The said goods will have to be exported within three hours from the time of import or such longer period as may be permitted in accordance with the provisions contained therein after
- 2 The said goods will have to be conveyed from the Import Naka direct to the Export Naka without unloading or without any detention 'en route' to the Export Naka or without any change of hands (due to sale or otherwise) or form, condition or appearance by any process of manufacture or otherwise and without there being use, consumed or sold within the oetroi limits of the Corporation.
- 3 The said person on arrival of the goods at the Import Naka shall give a declaration and an undertaking to the Import Naka Officer in the form prescribed in Schedule ' F ' pay the supervision fees prescribed in Schedule, ' L ' and obtain from him a Transit Pass in the form prescribed in Schedule ' G '.
- 4 After obtaining the Transit Pass, the said person will be bound to proceed to the Export Naka direct with the said goods in company of the Municipal Escort provided for this purpose by the route prescribed and not otherwise.
- 5 The said person after arriving at the concerned Export Naka shall handover the Transit Pass to the Export Naka Officer who shall after satisfying himself that the goods brought to the Export Naka are the same as

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those that are noted in the Transit Pass and that they are brought in accordance with the conditions prescribed, note the time of export and other necessary details and certify the export on the Transit Pass. The said person, thereupon, shall be bound to remove the said goods outside the Oetroi Limits of the Corporation forthwith. The Transit Pass shall be retained by the Export Naka Officer.

- 6 In case the said person intended to export the said goods by Railway or State Transport or by Post he shall after following the procedure prescribed in Clauses (1) to (4), export the said goods in the following manner and subject to the conditions prescribed below :
 - (a) He shall produce the said goods and the Transit Pass obtained under Clause (3) before the Export Naka Officer at the concerned Export Naka for inspection.
 - (b) The said Export Naka Officer after satisfying himself that the goods are the same as those that are noted in the Transit Pass and that they are brought to the Naka in accordance with the conditions prescribed and within the time prescribed for the export of the said goods, return the Transit Pass to the said person with a note on it signed by him to the effect 'Goods allowed to be removed to the Railway Yard or State Transport Booking Office or Post Office.'
 - (c) The said goods will then be removed direct to the Railway Yard or State Transport Booking Office or Post Office in the company of the Municipal Escort.
 - (d) The said person shall after booking the said goods within the time prescribed for the export of the said goods produce the Transit Pass, Railway Receipt or the Receipt issued by the State Transport or Post before the Export Naka Officer who shall after satisfying himself that the description, weight

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and number of packages or bags noted in the Transit Pass tally with the goods noted in the aforesaid receipt and that the said goods were exported by Railway or State Transport or Post within three hours from the time of the export on the said Transit Pass after noting therein the time of export and the details of the aforesaid receipt. The Export Naka Officer shall return the aforesaid receipt to the said person and shall retain the Transit Pass.

7 (a) In case the said person finds it impossible to export the said goods within three hours from the time of import on account of any difficulty in the way of obtaining the Railway Booking or the State Transport Booking or postal receipt without any laches on his part, he shall, before the expiry of the prescribed period for the export of the said goods produce the Transit Pass before the Export Naka Officer.

(b) In case the vehicle conveying the goods intended for immediate exportation goes out of order 'on route' to the Export Naka and if it is not possible to put it in order in a couple of minutes or if for any other reason beyond the control of the said person it is not possible to export the said goods without making any halt 'on route' to the Export Naka before the expiry of three hours from the time of import, the said person shall before the expiry of three hours from the time of import contact the concerned Export Naka Officer and produce the Transit Pass before him

(c) The said person in either of the cases mentioned in sub-clauses (a) and (b) shall give intimation to the concerned Export Naka Officer regarding the breakage of the vehicle or difficulty in obtaining the Railway or State Transport Booking or postal receipt or other circumstances beyond his control

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which make it impossible for him to export the said goods immediately or within the time prescribed for the Export of the said goods and at the same time he shall make a written application in the form prescribed in Schedule I to the Export Naka Officer for extension of time prescribed for exporting the said goods.

(d) The said person shall after getting the amount of Octroi assessed from the Export Naka Officer shall then prepare a receipt in the form prescribed in Schedule 'H'.

(e) The Export Naka Officer on being satisfied about the genuineness of the grievance shall extend the period for exporting the said goods from time to time upto a maximum period of one hundred sixty eight hours calculated from the time of import and shall make a note of the extension granted on the Transit Pass, on the Deposit Receipt and its office copy. The Transit Pass and the Deposit Receipt shall be returned by the Export Naka Officer to the said person who shall be bound to export the said goods within the time extended by the Export Naka Officer and in accordance with the conditions prescribed in clause (2).

(f) If the said goods are exported by Railway or State Transport or Post, the said person shall produce the Railway Receipt or the Receipt issued by the State Transport or Post, the Transit Pass and the Deposit Receipt before the Export Naka Officer. The Export Naka Officer after satisfying himself that the goods noted in the Railway Receipt or the State Transport or Post are the same as those that are mentioned in the Transit Pass and that the said goods are exported in accordance with the conditions prescribed within the period extended by him, certify that the export on the Transit Pass after noting the time of export and the details of the

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Railway Receipt or State Transport Receipt or postal receipt. After obtaining the receipt of the said person on the Deposit Receipt, the Export Naka Officer shall return the deposit amount to him. The Transit Pass and Deposit Receipt will be retained by the Export Naka Officer. In case it is found that the said goods have been exported after the expiry of three hours from the time of import or after the expiry of the period extended by the Export Naka Officer, the Export Naka Officer shall make a note of the time of export and other necessary details on the Transit Pass and the original Deposit Receipt. He shall also make a note on the documents mentioned above to the effect 'Exported late'. The Export Naka Officer shall return the Transit Pass and the Deposit Receipt to the said person.

(g) If the said goods are to be exported in any manner other than Railway or State Transport or Post, the said person at the time of exporting the said goods shall produce the goods, the Transit Pass and the Deposit Receipt before the Export Naka Officer. The Export Naka Officer after satisfying himself that the goods noted in the Transit Pass are the same as those that are produced before him and that the said goods are being exported in accordance with the conditions prescribed in within the period extended by him, shall certify the export on the Transit Pass after noting the time of export and other necessary details therein. After obtaining the receipt of the said person on the Deposit Receipt, Export Naka Officer shall return the Deposit amount to him. The Transit Pass or the Deposit Receipt will be retained by the Export Naka Officer. In case it is found that the said goods have been brought for export after the expiry of the period extended by the Export Naka Officer, the Export Naka Officer shall make a note of the time of export and other necessary details

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on the Transit Pass, the Deposit Receipt and shall further make a note on the above mentioned documents to the effect 'Exported late'. The Export Naka Officer shall then return the Transit Pass and the Deposit Receipt to the said person.

8

Notwithstanding anything contained in Clauses (3) and (4) any person who at the time of import is in charge of the goods intended for immediate exportation, may be allowed to export the said goods without the Municipal Escort in case the amount of octroi that would be leviable on the said goods had they been imported for consumption, use or sale within the Octroi Limits of the Corporation provided the said person for the purpose of exporting the said goods abides by the following procedure :-

(a) The said person shall give to the Import Naka Officer a Declaration and undertaking in the form prescribed in Schedule 'F'.

(b) The said person shall then deposit the amount equal to the Octroi that would be leviable on the said goods and the Import Naka Officers shall issue him a Transport Pass in the form prescribed in Schedule 'F'.

(c) The goods shall be conveyed from the Import Naka to the Export Naka in accordance with the conditions prescribed in Clauses (1) and (2).

(d) The said person after arriving at the Export Naka shall produce the Transport Pass and said goods before the Export Naka Officer. The Export Naka Officer shall follow the procedure prescribed in Clause (5). However, whatever entries are required to be made by the Export Naka Officer on the Transit Pass according to the said clause shall be made on the Transport Pass. After obtaining the receipt of the said person on the Transport Pass, the

and number of packages or bags noted in the Transit Pass tally with the goods noted in the aforesaid receipt and that the said goods were exported by Railway or State Transport or Post within three hours from the time of the export on the said Transit Pass after noting therein the time of export and the details of the aforesaid receipt. The Export Naka Officer shall return the aforesaid receipt to the said person and shall retain the Transit Pass.

7 (a) In case the said person finds it impossible to export the said goods within three hours from the time of import on account of any difficulty in the way of obtaining the Railway Booking or the State Transport Booking or postal receipt without any laches on his part, he shall, before the expiry of the prescribed period for the export of the said goods produce the Transit Pass before the Export Naka Officer.

(b) In case the vehicle conveying the goods intended for immediate exportation goes out of order 'on route' to the Export Naka and if it is not possible to put it in order in a couple of minutes or if for any other reason beyond the control of the said person it is not possible to export the said goods without making any halt 'on route' to the Export Naka before the expiry of three hours from the time of import, the said person shall before the expiry of three hours from the time of import contact the concerned Export Naka Officer and produce the Transit Pass before him.

(c) The said person in either of the cases mentioned in sub-clauses (a) and (b) shall give intimation to the concerned Export Naka Officer regarding the breakage of the vehicle or difficulty in obtaining the Railway or State Transport Booking or postal receipt or other circumstances beyond his control

which make it impossible for him to export the said goods immediately or within the time prescribed for the Export of the said goods and at the same time he shall make a written application in the form prescribed in Schedule I to the Export Naka Officer for extension of time prescribed for exporting the said goods.

(d) The said person shall after getting the amount of Oerroi assessed from the Export Naka Officer shall then prepare a receipt in the form prescribed in Schedule 'H'.

(e) The Export Naka Officer on being satisfied about the genuineness of the grievance shall extend the period for exporting the said goods from time to time upto a maximum period of one hundred sixty eight hours calculated from the time of import and shall make a note of the extension granted on the Transit Pass, on the Deposit Receipt and its office copy. The Transit Pass and the Deposit Receipt shall be returned by the Export Naka Officer to the said person who shall be bound to export the said goods within the time extended by Export Naka Officer and in accordance with the conditions prescribed in clause (2).

(f) If the said goods are exported by Railway or State Transport or Post, the said person shall produce the Railway Receipt or the Receipt issued by the State Transport or Post, the Transit Pass and the Deposit Receipt before the Export Naka Officer. The Export Naka Officer after satisfying himself that the goods noted in the Railway Receipt or the State Transport or Post are the same as those that are mentioned in the Transit Pass and that the said goods are exported in accordance with the conditions prescribed within the period extended by him, certify that the export on the Transit Pass after noting the time of export and the details of the

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Railway Receipt or State Transport Receipt or postal receipt. After obtaining the receipt of the said person on the Deposit Receipt, the Export Naka Officer shall return the deposit amount to him. The Transit Pass and Deposit Receipt will be retained by the Export Naka Officer. In case it is found that the said goods have been exported after the expiry of three hours from the time of import or after the expiry of the period extended by the Export Naka Officer, the Export Naka Officer shall make a note of the time of export and other necessary details on the Transit Pass and the original Deposit Receipt. He shall also make a note on the documents mentioned above to the effect - Exported late'. The Export Naka Officer shall return the Transit Pass and the Deposit Receipt to the said person.

(e) If the said goods are to be exported in any manner other than Railway or State Transport or Post, the said person at the time of exporting the said goods shall produce the goods, the Transit Pass and the Deposit Receipt before the Export Naka Officer. The Export Naka Officer after satisfying himself that the goods noted in the Transit Pass are the same as those that are produced before him and that the said goods are being exported in accordance with the conditions prescribed and within the period extended by him, shall certify the export on the Transit Pass after noting the time of export and other necessary details therein. After obtaining the receipt of the said person on the Deposit Receipt, Export Naka Officer shall return the Deposit amount to him. The Transit Pass or the Deposit Receipt will be retained by the Export Naka Officer. In case it is found that the said goods have been brought for export after the expiry of the period extended by the Export Naka Officer, the Export Naka Officer shall make a note of the time of export and other necessary details

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on the Transit Pass, the Deposit Receipt and shall further make a note on the above mentioned documents to the effect - Exported late'. The Export Naka Officer shall then return the Transit Pass and the Deposit Receipt to the said person.

8 Notwithstanding anything contained in Clauses (3) and (4) any person who at the time of import is in charge of the goods intended for immediate exportation, may be allowed to export the said goods without the Municipal Escort in case the amount of octroi that would be leviable on the said goods had they been imported for consumption, use or sale within the Octroi Limits of the Corporation provided the said person for the purpose of exporting the said goods abides by the following procedure:—

(a) The said person shall give to the Import Naka Officer a Declaration and undertaking in the form prescribed in Schedule 'F'.

(b) The said person shall then deposit the amount equal to the Octroi that would be leviable on the said goods and the Import Naka Officers shall issue him a Transport Pass in the form prescribed in Schedule 'I'.

(c) The goods shall be conveyed from the Import Naka to the Export Naka in accordance with the conditions prescribed in Clauses (1) and (2).

(d) The said person after arriving at the Export Naka shall produce the Transport Pass and said goods before the Export Naka Officer. The Export Naka Officer shall follow the procedure prescribed in Clause (5). However, whatever entries are required to be made by the Export Naka Officer on the Transit Pass according to the said clause shall be made on the Transport Pass. After obtaining the receipt of the said person on the Transport Pass, the

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Export Naka Officer shall return the deposit amount to him. The Transport Pass shall be retained by the Export Naka Officer.

(c) In case the said person wants to export the said goods by Railway or State Transport or post, the procedure prescribed in clause (6) shall be followed by the said person and the Export Naka Officer. In following this procedure, the said person shall produce the Transport Pass in lieu of the Transit Pass and the Export Naka Officer shall make the entries prescribed by the said clause on the Transport Pass. The Export Naka Officer after obtaining the receipt of said person on the transport pass return the deposit amount to him. The Transport Pass shall be retained by him.

(f) Under the circumstances mentioned in Clause (7) the said person and the Export Naka Officer shall follow the procedure prescribed in that clause mutatis mutandis.

9 Whenever the person importing the goods intended for immediate exportation, gives an application to the Export Naka Officer, for an extension of time prescribed for the export of the said goods or whenever such a person asks the Import Naka Officer for permission to export the said goods without the Municipal Escort as prescribed in Clause (8), the Export Naka Officer or the Import Naka Officer as the case may be, may in order to ascertain and identify the said goods at the time of export require the said person to get such of the said goods stamped as he may think necessary. When so required by the said Naka Officer, the said person shall get goods stamped as directed by said Naka Officer. For the purposes of such stamping the said person shall at his own expense arrange the goods, articles or packages in such manner as to facilitate the stamping and place each article or package separately before the Stamping Officer for stamping.

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In the event of any bag or covering being tattered or the portion of such bag or covering selected by the Stamping Officer for affixing the stamp being so spoiled or damaged as to be incapable of receiving a clear and satisfactory impression of such stamp, the said person shall at his own expense remove such bag or covering and put on another clean and sound one. In case the goods or the articles is necessary to have such covering for affixing the stamp, the said person shall at his own expense put on a proper covering to enable the Stamping Officer to stamp the said goods or the article. In case the said person refuses to allow the goods stamped as prescribed-

(a) The Import Naka Officer shall

(i) Make a note on the declaration furnished in pursuance of Sub-clause (a) of Clause (8) to the effect that the person in charge of the goods refused to allow the goods to be stamped.

(ii) refuse to issue a Transport Pass.

(iii) refuse the goods to be exported without Municipal Escort;

(iv) recover full octroi on the goods as if the said goods were imported for consumption, use or sale.

AND

(b) The Export Naka Officer shall

(i) make a note on the Transit Pass to the effect that the person in charge of the goods refused to allow the goods to be stamped.

(ii) refuse to extend the time for exporting the said goods.

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(iii) recover full octroi on the goods as if the said goods were imported for consumption, use or sale.

10 Notwithstanding anything contained in Clause (1) the Commissioner may condone the delay upto the maximum time of one hour in the matter of exporting the said goods within the prescribed time or within the time extended by the Export Naka Officer in case it is proved to the satisfaction of the Commissioner that it was due entirely to some bonafide reason or circumstance beyond the control of the person importing the said goods. When the delay is thus condoned the said goods shall be deemed to be exported within the prescribed time.

11 If the goods declared at the time of import to be the goods intended for immediate exportation are not conveyed out of the Octroi Limits of the Corporation within the prescribed time of three hours from the time of import or within the time extended by the Export Naka Officer or if the said goods are not exported in the manner prescribed in the foregoing provisions, the said goods shall for all intents and purposes be deemed as goods imported for use, consumption or sale within the Octroi Limits of the Corporation and

(i) octroi due thereon if not already deposited in pursuance of the foregoing provisions shall be recovered in the manner prescribed in the Rules or by having recourse to a Civil Court;

(ii) the deposit equal to the amount of octroi paid by the importer in pursuance of the foregoing provisions shall be treated as octroi, and the person from whom the deposit is received shall alone be deemed to be the importer.

12 Any person who happens to be in charge of the goods intended for immediate exportation at the time of the

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introduction into the Octroi Limits of the Corporation shall alone or any authorised person by him shall alone be deemed to be the importer.

15 Sealing of goods and vehicles: The Naka Officer shall arrange to seal in such manner as may be directed by the Commissioner from time to time.

(a) the goods declared to be goods intended for immediate exportation.

(b) vehicle loaded with such goods:

(c) When the vehicle itself is goods intended for immediate exportation such vehicle even though it may not carry goods intended for immediate exportation;

with a view to ensure that the said goods are conveyed out of the Octroi Limits, with a view to ensure that the entry of the said goods is not fraudulently acted in the Octroi Limits of the Corporation for consumption, use or sale.

15 The manner of claiming refund of 90% of Octroi levied on the goods imported and the manner of claiming 90% refund of octroi the goods which were originally declared as goods intended for immediate export by which goods later on are to be deemed to be the goods, imported for consumption, sale or use in pursuance of the provisions contained in Standing Order 14

(1) The manner of claiming refund (if admissible according to the conditions prescribed by rules) of 90% of octroi on the export within Three months from the date import of the goods that were imported into octroi limits of the Corporation shall be as follows:

(a) The Importer alone shall make an application for refund to the Commissioner.

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- (b) The said application shall be duly signed by the said importer.
 - (c) The said application must reach the Office of the Commissioner within seven days from the date of export and in no case an application received by the Commissioner beyond this time will be entertained.
 - (d) A separate application for refund of each export certificate will have to be made.
 - (e) The said application shall be accompanied by the following documents viz.
 - (i) Original Import Bill.
 - (ii) Relative Export Certificate
 - (iii) Original Export Note.
- Provided that if the original Import Bill produced with the application be demanded by the importer for export ing remaining quantity out of the goods imported under the Import Bill and if the same be returned to him accordingly, the importer shall have to produce the same within two months from the date of import.
- Provided further that the importer shall not be entitled for the refund on the application if the original Import Bill returned to him is not produced within the aforesaid two months period.
- 2 When the refund of 90% of octroi is to be claimed in respect of the goods which were originally declared as goods intended for immediate exportation, but which goods are later on to be deemed to be the goods imported for consumption, use or sale in pursuance of the provisions contained in Standing Order 14 the said application, shall be accompanied by the following documents :

(25)

- (i) Transit Pass and Transport Pass as the case may be :
 - (ii) Deposit Receipt in pursuance of which the amount equal to octroi was deposited and which amount lateron is treated as octroi according to the provisions contained in Standing Order 14.
- 3 No refund will be allowed and the application for refund shall be rejected if the said application is not accompanied by the documents prescribed above.
- 17 The manner of making refund of Octroi claimed under Standing Order 16 : Whenever a refund of Octroi claimed under Standing Order 16 is to be made, it shall be made as follows :—
- 1 The refund if admissible, may be paid either to the importer or his authorised agent or person or to the person holding a power of attorney from the said importer duly executed in accordance with Law and authorising the said person to receive the refund from the Corporation on behalf of the said importer. Provided the said importer or the said person holding the Power of Attorney attends the office of the Corporation on any working day during office hours to receive payment of refund and provided further the importer or the person holding a Power of Attorney from him takes necessary steps.
 - (a) to get himself identified to the satisfaction of the Municipal employee entrusted with the duty of making the refund, and
 - (b) to satisfy the said employees that the authority and the Power of Attorney is a genuine duly executed by the person entitled to receive the refund in his own right
- 2 At the desire of the person entitled to receive the refund, the amount of refund that may be admissible

after deducting the Money Order Commission may at the discretion of the Commissioner be sent by Money Order to the said person at the address given by him, provided the person entitled to the refund gives a written undertaking to the Commissioner to the effect that he will not hold the Corporation responsible for the loss, in case the amount of the Money Order is paid to a wrong person by the Postal Department or in case the amount sent by the Corporation by Money Order is not received by him either on account of the misappropriation of the concerned postal employee or on account of any other reason whatsoever.

3 The amount of refund shall be paid either in cash or by cheque as may be deemed proper by the Commissioner.

18 Manner of claiming refund of octroi levied in pursuance of Standing Order 10.

1 In cases where octroi was levied in pursuance of Standing Order 10 refund of the same, if admissible, shall be claimed in the following manner :-

(a) The importer alone shall make an application for refund to the Commissioner.

(b) The said application shall be duly signed by said importer.

(c) The said application must reach the office of the Commissioner within thirty days from the date of import.

In no case an application received by the Commissioner beyond this time will be entertained.

(d) The said application shall be accompanied by the following documents :—

(i) Import Bill

(ii) Original invoice, bill or document of a like nature.

(iii) a declaration in the form prescribed in a Schedule 'C' duly filled in and signed by the applicant for refund.

2 No refund will be allowed and the application for refund shall be rejected if the said application is not accompanied by the documents prescribed above.

Where an application is not accompanied by such documents as may be prescribed by this Standing Order but is otherwise complete the Commissioner, may, if he is satisfied that the omission is due to good and sufficient reasons, extend the period up to two months from the date of import for submitting the documents.

19 The Manner of making refund of octroi claimed under Standing Order 18 :-

The refund claimed under Standing order 18 shall be paid in the manner prescribed by Standing Order 17.

20 Application received on the first working day after the holiday shall be admissible :- In the last day on which any application or complaint is required to be received in the office of the Commissioner in pursuance of any rule or octroi Standing Order happens to be a Municipal holiday, such application or complaint if received in the office of the Commissioner on the first working day after the holiday or holidays as the case may be, shall be deemed to have been received by the Commissioner within the time prescribed.

21 Conditions under which agents shall be recognised for obtaining refund of octroi :-

1 If any person entitled to receive the refund of octroi as a principal desires the refund to be paid to his agent on his behalf, he shall execute in favour of such agent an authority or a Power of Attorney in the manner prescribed by law authorising him to receive on his behalf the refund from the Corporation. The person in whose favour such authority or a Power of Attorney

is executed shall be entitled to receive from the Corporation the amount of refund for and on behalf of his principal.

2 Every such Agent in whose favour such authority or a Power of Attorney is executed shall, whenever the Commissioner so requires, produce for his inspection the said Power of Attorney or authority.

3 Any person who is entitled to receive the refund of Octroi and who has executed such a Power of Attorney or authority and every person in whose favour such a Power of Attorney or authority has been executed shall be bound, if so required by the Commissioner, to furnish under his signature a true copy of the said Power of Attorney.

22 Importer's signature on documents :- Any application, declaration, undertaking or any other documents required under the Rules or the Standing Orders to be signed by the Importer shall be deemed to have been duly so signed.-

(a) If it is signed by the said Importer himself,

(b) In any case in which the said Importer is a firm if it is signed by any Partner thereof on behalf of the said Firm,

(c) In case the goods have been imported in the name of the shop or business, if it is signed by any of the said shop or business who is specially nominated for the purpose of this standing order to sign the said application, declaration, undertaking or other document,

(d) In case the goods have been imported by any Company registered under the Companies Act, if

it is signed by any Director or Manager of the said Company.

23 The Commissioner may require the Importer to file specimen signature at the Municipal Office :- The Commissioner may whenever he thinks necessary, require any Importer to file in the Octroi Office a letter in the form prescribed in Schedule 'K' containing a specimen of his signature, such signature being certified in such manner as the Commissioner may prescribe and the said Importer shall be bound to comply with the said requisition within the time prescribed by the Commissioner.

24 Standing orders to apply to persons who have kept account current with the corporation:- Any person who has kept an account current with the Corporation as prescribed in the rules shall be governed by the provisions of these standing orders excepting that he shall not be required to pay octroi in cash at the time of import.

25 No complaint regarding the description etc. will be entertained if a written complaint therefor is not made at the Naka :- After the goods imported or exported are removed from the Octroi Naka no complaint from any person shall be entertained as regards any alleged mistake or discrepancy in stating the weight and the description of the goods or in stating any other detail which it may be necessary to specify in the various prescribed documents that come to be prepared by the Municipal employee in relation to the recovery deemed to be the duty of the person concerned to point out within three days in writing to the concerned Municipal Authority any such mistake or discrepancy verification of the said complaint becomes impossible.

26 Penalty :- whoever commits a breach of any of the foregoing standing orders or whoever supplies any false information or prefers a false refund claim or produces

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a false Transport Pass, Transit Pass, Import Bill or Deposit Receipt shall be punishable with fine which may extend to Five Hundred Rupees and in the case of continuing breach the offender shall be punishable with fine which may extend to Twenty Rupees for every day during which the breach continues after conviction for the first breach.

Municipal Commissioner,
Kolhapur Municipal Corporation.

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SCHEDULE 'A'
(See Order No. 5 and 9)
DECLARATION

To

The Commissioner,
Kolhapur Municipal Corporation

If residing at declare that (a) the below-mentioned goods are being imported into the octroi limits-of the Corporation for consumption use or sale, (b) the below mentioned value of the said goods is true and correct and is according to the original invoice/invoices shown by me today to the Import Naka Officer and that the said invoice/invoices fully covers/cover all the said goods that are being imported under R. R. No./S. T. R. No. date month year (c) according to the said invoice/invoices the full name of the importer importing the said goods is and his address is

OR

2 If declare that the invoice/invoices produced by me before the Import Naka Officer relating to the below mentioned goods that are being imported into the octroi Limits of the Corporation, for consumption use or sale do not disclose the name and address of the Importer of the said goods, I, however declare that according to my personal knowledge the full name of the importer of the said goods is Shri and his full address is

OR

I declare that I am not, in possession of the /invoice relating to the below mentioned goods that are being imported into the Octroi Limits of the Corporation for consumption, use or sale and I am not, therefore in a position to state the invoice value of the said goods. I, however, declare that according to my personal knowledge the full name of the importer of the said goods is Shri and his full address is

Sr. No.	Rly. Receipt No. S. T. R. No. Date Month and year.	Number of packages.	Description			Senders name and address in full	Import Bill No and date (to be filled in by the office)	Remarks if any (to be filled in by the office)
			Goods	Weight	Value based on invoice Rs. P.			
1	2	3	4	5	6	7	8	9

(32)

I declare that all the information given in this declaration is true and correct according to my personal knowledge.

Signature of the Declarer.

Note—Out of the three declarations given above make the declaration that is relevant and score out the remaining.

*Give the full name of the person in charge of the goods that are being imported for consumption use or sale.

*†Give full address of the said person.

SCHEDULE 'B'
(See Order No. 7)
IMPORT BILL

Full name of the person in charge of the goods that are imported and his full address _____
Please take notice that you are called upon to pay the below mentioned octroi in respect of the below mentioned goods at the below mentioned rates.

1	2	3	4	5	6	7	8	9	10	11	12
Original marks.	Whether the goods are stamped by the Corporation.	Whether the goods are sealed by the Corporation.	Number of vehicle or R/R No. or S. T. R. No. and date.	Number and description of packages.	Description of the goods.	Weight.	Value of goods when invoice is produced.	Municipal Value.	Rate of octroi.	Amount of Octroi.	Remarks if any.

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Name, of the Government with the contract is entered in to _____
Name number and date of the Government Contract _____
Full name and full address of the Government Contractor _____
Full name and address of the Importer _____
Date, month and year _____ Time of Import _____

Received the Octroi as follows _____ Rs. Naya paise (in words) _____
Date, month and year _____ Signature of the Municipal Officer.
Signature of the Municipal Officer.

SCHEDULE 'C'
(See Order No. 10 & 18)
DECLARATION

To
The Commissioner,
Kolhapur Municipal Corporation, Kolhapur.

Sir,

Here with please find the Original invoice / invoices of value for goods which were imported for consumption, use or sale under : R/R No _____ Date _____ Month _____ Year _____ Vehicle No _____ S. T. R. No. _____ Date _____ Month _____ Year _____ and on which octroi was recovered according to municipal valuation. I am the importer of the said goods.

I have, there fore, to request you to give me refund of excess octroi.

Import Bill No. and date month and year.	Description of goods	No. of packages.	Weight	Full name and address of the consignor.	Invoice value.		Remarks if any (to be filled in by the office).
					Rs.	Ps.	

(34)

I do here by declare that the contents of this document are truly stated and that the value mentioned herein covers fully the goods imported under the above mentioned Import Bill.

Full name and address of the Importer.

Signature of the Importer.

Date Month Year

SCHEDULE 'D'
(See Order No. 12)
EXPORT NOTE

To
The Export Naka Officer,
_____ Export Naka.

Sir,

I have produced before you the goods imported within the Octroi Limits of the Corporation for consumption, use or sale and the Import Bill No. _____ date _____ has been issued to me at the time of Import. Today I want to export all the said goods / or part thereof as shown in the table hereunder. I am the Importer of the said goods. From the moment the goods which are now being exported were imported, I am in continuous possession of the said goods i. e. (goods that are now produced before for export) up to now, and that no intermediate sale or transfer of possession of the said goods has taken place between the date of import and the transaction in pursuance of which the said goods are now being exported. I have not sold the said goods to any person. The said goods are to be exported by Rail / S. T. / Motor Vehicle / Bullock Cart. Please examine the below mentioned goods that are to be exported as I intend to claim refund of Octroi levied in respect of the said goods after the export of the said goods.

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Import Bill No. and date	Original Mark on the goods to be exported	Number and description detail of the packages to be exported	Description in detail of the goods to be exported	Weight of the goods to be exported	Value of the Said goods according to the original invoice when the same was produced at the time of import or within fifteen days from the Date of import with a complaint application as prescribed	Full name and full address of the consignee to whom the said goods are to be sent

(36)

I hereby declare that all the contents of this Export Note are truly and correctly stated and that the abovementioned goods are being exported within three months from the date of import. The said goods that were imported under the Import Bill mentioned above.

My full Name is _____ and address _____ Date _____ Month _____ Year _____

Signature of the Impoter,
i. e. the Exporter
Other remarks of the Export Naka Officer

Remarks of the Export Naka Officer :-
Municipal Value of the Goods :-
Railway Receipt No. and date :-
S. T. R. No. and Date :-
Registration No. and date of the Export Note :-

(37)

I hereby certify that the abovementioned goods have this day passed out of the Octroi Limits vai this Naka.

Export Certificate No. _____ dated _____ issued.

Date -

Signature of the Export Naka Officer

SCHEDULE 'E'
(See Order No. 12 (i))
Export Certificate

Full name of the person shown to be the Importer of the goods in the Import Bill and his full address _____

Full name of the person who is to be deemed to be an imported and his full address _____

Full name of the person exporting the goods and his full address _____

Original marks	Whether the goods are stamped by the Corporation	No. of vehicle R/R No. and Date S. T. R. No. and Date	No. and description of packages	Description of the goods exported	Weight	value of the goods exported according to the original invoice when the same was produced at the time of import or within fifteen days from the date of import along with a complaint application as prescribed	Municipal value of the said goods	Import Bill number and Date

I hereby certify that the abovementioned goods have this day been exported outside the Octroi limits in my presence via this Naka. Export Note Register No. _____ date _____
 Date, Month and Year :- _____
 Time of Export :- _____
 Signature of the Export Naka Officer _____

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SCHEDULE " F "
(See Order No. 14 (3) (8) (a))
Declaration and Undertaking

To
 The Commissioner,
 Kolhapur Municipal Corporation, Kolhapur.

I * _____ residing at ** _____ hereby declare that the goods noted in the table below are imported by me on _____ Date _____ Month _____ and year _____ at _____ a. m. / p. m. at _____ import Naka (name of the import naka). The details of the goods imported by me are given in the table below and they are correct. The goods imported by me are not being imported in the octroi limits for consumption, use or sale but they are intended for immediate ex- portation outside the octroi limits to †

Rly. Receipt No./S T. R. No; Date, Month and Year Vehicle No.	Number and description of packages	Description of goods	Weight	Value as per original invoice	The full name and address of the consigner of the said goods	The full name and address of the consignee of whom the goods are meant to be conveyed

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I hereby undertake

1 to carry the said goods outside the Octroi Limits of the Corporation within three hours from the time of import in accordance with the conditions and manner prescribed for export of the goods intended for immediate exportation.

2 to carry in company of the Municipal Escort and not otherwise the said goods direct to the Export Naka by the prescribed route only, I further undertake to convey the said goods without unloading or making any halt 'on route' to the said Export Naka and without effecting change of hands, form, condition, state or appearance by any process of manufacture or otherwise and without breaking bulk or quantity of the said goods.

(40)

Signature of the person in charge of the said goods.

Date _____ Month _____ Year.

- Give the full name of the person in charge of the goods intended for immediate exportation.
- Give full address of the said person.
- † Give the place to which the said goods are being exported.

Driver's Licence No _____

Date of Import _____

Time of Import _____

SCHEDULE 'G'
(See order No. 14 (3))
Transit Pass

No. of vehicle/R/R No. and date S.T.R. No. and date.	Number and description of packages.	Whether goods are stamped by the Corporation.	Whether goods are sealed by the Corporation.	Description of the goods.	Weight.	Value of the goods when invoice of value is produced.	Municipal value	Rate of Octroi	Amount of Octroi	Remarks if any.

(41)

Received Supervision Fees Rs. _____ P. (in words).

Name and full address of the person in charge of the goods _____

Date, month and year of import and the time of import _____ Signature of the Import Naka Officer.

Remarks to be made by the Export Naka Officer :

I hereby certify that the goods mentioned above have passed outside the Octroi Limits on (date month and year) _____ (time) _____ a. m./P. m. in my presence under R. R. No. _____
 Date, month and year _____ S. T. R. No. _____ date _____ Vehicle No _____ Other remarks if any : _____

Signature of Export Naka Officer.

SCHEDULE 'H'
(See order No. 14 (7) (d))
Deposit Receipt

Received from Shri* residing at** the amount mentioned below in respect of the below mentioned goods :

1	2	3	4	5	6	7	8	9	10	11
Whether the goods are stamped by the Corporation.	Whether the goods are sealed by the Corporation.	Number of vehicle or R/R No. or S. T. R. No. and date.	Number and description of packages.	Description of the goods.	Weight.	Value of goods when invoice of value is produced.	Municipal Value.	Rate of octroi.	Deposit amount equal to octroi.	Transport Pass No. and date.

Received the deposit amount Rs. Paise (in words)

Time when the application for extension of time presented for the export of the said goods was presented to the Export Naka officer.

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† Write here the full name of the person in charge of the goods.

†† Give here the full address of the said person.

Please take notice that you should export the goods mentioned above at the latest on date.....month.....year..... before..... a. m./p. m in accordance with the conditions and the manner prescribed for exporting the said goods. If you fail to do so, the deposit amount will be treated as octroi.

Signature of the Export Naka officer.

Remarks to be made by the Export Naka Officer, when the said goods are brought for export.

I here by certify that the goods mentioned in the deposit receipt have exported outside the Octroi limits under R/R No. Date..... S. T. Receipt No. Date... Vehicle No. This day.... month..... year..... A. M. / P. M. in my presence within the prescribed time.

Signature of the Export Naka Officer.

Received the sum of Rs. Paise (in words) deposited by me.

Signature of the Depositor

Address :

Date :

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SCHEDULE '1'

To The Export Naka Officer,
Export Naka,
Kohapur Municipal Corporation.

Sir, I (full name) _____ residing at (full address) _____ have imported certain goods intended for immediate exportation within the Octroi limits of the Corporation on (Date, Month and Year) _____ at _____ a. m. / p. m. and in respect of the said goods I have been given Transit Pass No. _____ / Transport Pass No. _____ date _____ It is not possible for me to export the said goods within the prescribed time as (1) the vehicle _____ (Give here the description and number of the vehicle) carrying the said goods has gone out of order and it is not possible to put it in order in a couple of minutes, or (2) there is difficulty in obtaining Railway or S. T. Booking or (3) _____ (State here other circumstances which prevent the export of the said goods within the prescribed time) I request you, therefore, to allow me to export the said goods on _____ (date, month and year) before _____ a. m. / p. m. by which time I expect that it will be possible for me to export the said goods. I have deposited the amount equal to octroi that would be leviable on the said goods under Deposit Receipt No. _____ date _____ I have presented this application before you today _____ at _____ a. m. / p. m.

Yours faithfully,

- Signature of the person in charge of the goods _____
 (Remarks to be written by the Export Naka Officer) _____
- 1 Time of presentation of the application _____ a. m./p. m. and date _____
 - 2 Number of packages stamped and sealed _____
 - 3 The goods are allowed to be exported at the latest on _____ (date, month and year) before _____ a. m. / p. m.
 - 4 Other remarks _____
- Signature of the Export Naka Officer _____

(45)

SCHEDULE "J"

(See order No. 14 (B) (b))

Transport Pass

Whether the goods are stamped by the Corporation	
Whether the goods are sealed by the Corporation	
No. of vehicle R. R. No. S. T. R. No. and date	
Number and description of packages	
Description of the goods	
Weight	
Value according to the original invoice	
Municipal value	
Rate of octroi	
Deposit amount equal to octroi	
Remarks if any	

Full name of the person in charge of the goods intended for immediate exportation) _____
 Full address of the said person _____
 Date _____ month _____ year _____ of the import and the time of import _____ a. m. / p. m.
 Received from the said person in charge of goods the deposit amount of Rs. _____ Paise _____ (in words) _____

Signature of the Import Naka Officer _____
 Date : _____
 Time when the goods to be exported and the application for extension of the time prescribed for export of the said goods were presented _____ to the Export Naka Officer _____ a. m. / p. m. date, month and year _____

(46)

Please take notice that you should export the goods mentioned above at the latest on _____ date _____ month _____ year _____ before _____ a m. / p. m. in accordance with the conditions and the manner prescribed for exporting the said goods. If you fail to do so the deposit amount will be treated as octroi.

Signature of the Export Naka Officer.

Remarks to be made by the Export Naka Officer when the goods are brought for export.

I hereby certify that the goods mentioned in the Transport Pass have been exported outside the Octroi Limits under R/R No. _____ date _____ Vehicle No. _____ S. T. R. day _____ month _____ year _____ this day _____ in my presence within the prescribed time. a. m./p.m.

Signature of the Export Naka Officer.

Received the sum of Rs. _____ Paise _____ (in words) _____ deposited by me.

Signatures of the Depositor
Address _____ date _____

(47)

SCHEDULE - K.

Letter of the Importer Forwarding Specimen of his Signature

Name of the Importer _____

Business Address _____

Residential Address _____

To

The Municipal Commissioner,
Kolhapur Municipal Corporation,
Kolhapur.

Sir,

Herewith I submit the specimen of my signature as under.

Yours faithfully,

Signature of the Importer.

Date: _____

Specimen Signature.

Municipal Commissioner,
Kolhapur Municipal Corporation

SCHEDULE 'L'

Supervision Fees On Account of Municipal Supervision

The fees to be levied by the Corporation in pursuance of Section 147 of the Act read with clause (f) of sub section (1) of Section 466 on account of supervision exercised by the Corporation will be as follows :—

- 1 When the goods intended for immediate exportation are Motor-car, bus, Motor-cycle, Motor-chassis, Tractor, Motor-riksha or any other vehicle propelled by motor power which at the time of its import is not registered in the office of the registering Authority of State duly empowered for registering such vehicles under the Motor Vehicles Act, 1939 or any other law passed in substitution thereof or which is imported under a trade certificate issued under the Motor Vehicle Act, 1939 or any other law passed in substitution thereof two Rupees (Rs. 2) per such vehicle.
- 2 When the goods intended for immediate exportation are carried in a motor vehicle or any other vehicle propelled by motor power two Rupees (Rs. 2) per such vehicle.
- 3 When the goods intended for immediate exportation are carried in a vehicle other than a motor vehicle or a vehicle propelled by motor power one rupee per such vehicle.
- 4 When the goods intended for immediate exportation are carried by any person by means other than a vehicle and in any manner whatsoever one rupee per such person conveying the goods.

KOLHAPUR MUNICIPAL CORPORATION

Subject : Standings Orders
Regarding Sale of
immovable property.

ADMINISTRATOR'S RESOLUTION NO. 362 OF 17-7-1973.

Where as it is necessary to frame Standing Orders prescribing the manner in which sales of immovable property attached for the non-payment of municipal dues shall be held, now, therefore, in exercise of the powers conferred upon me vide sub-para (ab) of para 22 of Part IV of Appendix IV of the Bombay Provincial Municipal Corporation's Act 1949 read with sub-Section 2 of Section 466 ibid, I, D. N. Capoor, Administrator of the Municipal Corporation of the City of Kolhapur do hereby accord sanction to the enclosed standing orders framed under Section 466 (1) (B) of the said Act, for prescribing the manner in which sales of immovable property attached for the non-payment of municipal dues shall be held. All the rules of ex-Municipal Council in this respect shall be deemed as cancelled from the date of this Resolution.

For the Administrator
D. N. Capoor
Administrator,
Kolhapur Municipal Corporation.

For the Secretary
Secretary,
Kolhapur Municipal Corporation.

KOLHAPUR MUNICIPAL CORPORATION

Sanctioned vide Administrator's Resolution
No. 362 dated 17-7-1973.

STANDING ORDERS FOR—

"Recovery of Municipal Dues by sale of immovable properties" under Section 466 (1) (B), (2) read with Section 128 (4) and Rules No. 47 (5) of Chapter VIII of the Schedule to the Act.

1) SHORT TITLE :-

These standing orders may be called as "Kolhapur Municipal Corporation Standing Orders 1973 regarding sale of immovable properties

2) DEFINITION :-

Unless there is anything repugnant in the subject of context,

(a) "Act" means the Bombay Provincial Municipal Corporations Act, 1949,

(b) "Rules" mean the Rules contained in Chapter VIII "Taxation Rules" of the schedule appended to the Act,

(c) "Commissioner" shall include any Municipal Officer empowered by the Commissioner under Section 69 (1) of the Bombay Provincial Municipal Corporation Act, 1949, to exercise, perform or discharge the powers, duties and functions conferred or imposed upon or vested in the Commissioner by or under the provisions of these standing orders or the Rules of the schedule to the Act.

(d) Words and expressions used and not defined herein shall have the same meanings as are respectively assigned to them in the Act or the Rules.

3) PROCLAMATION OF SALES BY PUBLIC AUCTION :-

(a) Where any immovable property has been attached under sub-Rule (1) of Rule 45 of the "Rules", the Commissioner shall cause a proclamation of intended sale to be made (in Marathi language).

(b) Such proclamation shall be drawn-up after giving a notice to the defaulter and shall state the time and place of sale and specify as clearly and accurately as possible.

(1) The description of the property to be sold,

(2) Any encumbrances to which the property is liable,

(3) The amount for the Recovery of dues for which the sale is ordered, and

(4) Any other information which the Commissioner considers material for a purchaser to know in order to judge the nature and value of the property.

4) MODE OF MAKING PROCLAMATION :-

(a) Every proclamation shall be made and published as nearby as may be, in the manner prescribed by Sub-Rule (2) of Rule 45 of Taxation Rules (Chapter VIII)

(b) Where the Commissioner so directs, such proclamation shall also be published in one or more local News Papers as he may think fit and the cost of such proclamation shall be deemed to be the cost of the recovery.

(c) When the property proclaimed for sale is divided into lots for the purpose of being sold separately, it shall not be necessary to make a separate proclamation for each such lot

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If the 15th day be a Sunday or holiday, then during the office hours of the first working day after such 15th day.

13) EFFECT OF DEFAULT :-

In default of payment within the prescribed period of the balanced amount of the purchase money as mentioned in the last preceding standing order, the deposit shall, after defraying the expenses of the sale, be forfeited to the Corporation and the property shall be resold and the defaulting purchaser shall forfeit all claims to the property or to any part of the sum for which it may subsequently be sold.

14) FRESH PROCLAMATION IN CASE OF RESALE :-

Every resale of immovable property in default of payment of the purchase money within the period allowed for such payment shall be made after issue of Fresh proclamation in the manner and for the period herein before prescribed for the sale.

15) LIABILITY OF DEFAULTING PURCHASER FOR LOSS OR RESALE :-

If the proceeds of resale which is eventually made be less than the price bid by such defaulting purchaser, the difference together with all other expenses incurred in such resale shall be recoverable from such defaulter as arrears of Property Taxes.

16) APPLICATION TO ASIDE SALE :-

a) Where immovable property has been sold under these standing orders, any person either owing such property or holding an interest therein by virtue of title acquired before such sale, may apply within 20 days from the date of such sale to have the sale set aside on his depositing in the corporation treasury -

(1) For payment to the purchaser a sum equal to 5% of the purchase money,

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(2) For payment to the Corporation the amount specified in the proclamation of sale for the recovery of which the sale was ordered, less any amounts which may since the Date of such proclamation of sale have been received by the Corporation.

(b) Where a person applies under Standing Order No. 16 to set aside the sale of his immovable property he shall not unless he withdraws his application be entitled to make or prosecute an application under this standing order.

(c) Nothing in this standing order shall relieve the defaulter from any liability he may be under in respect of costs and interest not covered by the proclamation.

17) APPLICATION TO SET ASIDE SALE ON THE GROUND OF IRREGULARITY OR FRAUD :-

At any time within the stipulated period of 20 days from the date of sale of immovable property any person whose interests are affected by the sale may apply to the commissioner to set aside the sale on the ground of material irregularities or mistakes or fraud in publishing or conducting it provided that no sale be set aside on the ground of material irregularity or fraud unless the applicant proves to the satisfaction of the Commissioner that he has sustained substantial injury by reason of such irregularity or fraud.

18) SETTING ASIDE THE SALE BY THE COMMISSIONER SUO-MOTU :-

The Commissioner may of his own accord for reasons to be recorded by him in writing, set aside the sale whether or not an application has been made to him for setting aside the sale in pursuance of the preceding order.

19) SALE WHEN TO BECOME ABSOLUTE OR BE SET ASIDE :-

(a) Where no application is made under Standing order No. 16 and 17 or when such application is made and disallowed

the Commissioner shall make an order confirming the sale and thereupon the sale shall be absolute.

(b) Where such application is made and allowed and where in case of application under standing order No. 16, the deposit required by that standing order is made within 20 days from the date of sale, the Commissioner shall make an order setting aside the sale.

Provided that no order shall be made unless notice of the application has been given to all persons affected thereby

20) RETURN OF PURCHASE MONEY IN CERTAIN CASES:-

Where a sale of immovable property is set aside under Standing Order No. 19, the purchaser shall be entitled to an order for repayment of his purchase money.

21) CERTIFICATE OF PURCHASE:-

Where a sale of immovable property has become absolute, the Commissioner shall grant after the purchaser produces the necessary stamp papers etc, a certificate specifying therein the property sold and the name of the person who is declared to be the purchaser at the time of sale. Such certificate shall bear the date of the day on which the sale becomes absolute.

22) PURCHASER'S TITLE:-

Where immovable property is sold under these Standing Orders and such sale has become absolute, the property shall be deemed to have vested in the purchaser from the date when the property is sold and not from the time when the sale becomes absolute.

23) APPLICATION OF PROCEEDS OF SALE:-

When the sale has been confirmed, the proceeds thereof shall be applied to defraying the expenses of the sale and to the

Payment arrears due on the property by the defaulter at the date of confirmation of such sale and the surplus if any, shall be credited to the corporation fund in the name of the defaulter.

24) APPLICATION OF RULES IN THE SCHEDULE TO THE ACT, :-

Rules in chapter VIII of the schedule to the Act regarding the sale of immovable property shall apply mutatis-mutandis.

KOLHAPUR MUNICIPAL CORPORATION.

SUB : GRADATION OF EATING HOUSE.

ADMINISTRATOR'S RESOLUTION NO, 61 / 10 - 4 - 75

In exercise of the powers conferred upon me vide sub-Para (ab) of para 22 of Appendix IV of the Chapter IV of the Bombay Provincial Municipal Corporations Act, 1949 read with Section 466-ibid, I, D. N Capoor, Administrator of the Municipal Corporation of the City of Kolhapur do hereby accord confirmation to the Standing Orders regarding Grading of Eating Houses framed in accordance with the provisions of bye-law 4 of the bye-laws regarding Licensing of Eating Houses. The Standing Orders shall come into force from the date of this resolution.

D. N. Capoor
for Administrator,
Kolhapur Municipal Corporation.

STANDING ORDERS REGARDING

GRADING OF EATING HOUSES.

1. The total number of marks to be given to an Eating House are 100. Out of these 100 marks, 60 marks have been allotted for observance of the bye-laws made in this behalf and enclosed herewith as Appendix 'C'.
- 20 marks have been allotted for special arrangements mentioned below.
- 5 marks have been reserved for special arrangements to augment natural light and ventilation, etc. as indicated in Appendix 'B'.
- 5 marks have been reserved for arrangements such as provision of electricity or gas oven in kitchen, arrangement for preserving articles of food such as refrigerator, Cold-room, etc.
- 10 marks have been reserved for medical examination of all servants employed in an Eating House.
2. Marks have not been allotted to certain conditions of the licence which are a sort of pre-imitation to the licensee or without compliance with which a licence will not be issued.
3. Plus marks will be given for observance of the conditions against which plus marks have been mentioned. Minus marks will be given for breach of the conditions against which "minus marks" have been mentioned as these conditions are important and must be essentially complied with

and for non-compliance with which the licensee must stand to lose marks.

4. Grades are to be allotted on the basis of the marks obtained as mentioned below :

Marks	Grade.
Between 35 & 50	C
Between 51 & 80	B
81 & above.	A

5. Eating House failing to obtain any of the three grades are subject to repeated prosecutions even by withholding or revoking the licence and the action is continued till either the trade is vacated or at least grade 'C' attained.

APPENDIX 'A'

Special arrangement for maintaining the Eating House premises in a clean condition.

	MARKS
a) A special arrangement for cleansing & sterilizing all utensils, dishes, cups, saucers etc, and for keeping them on a suitable metal racks without wiping with any cloth (arrangement such as mechanical washers, separate sinks containing hot water & detergents).	3
b) Personal hygiene of the staff, clean uniform, regular bath before starting work, cleanliness of hair & nails.	3
c) Provision of disinfectant for cleansing the soiled hand of the staff and also arrangement for cleansing their hands with soap & water.	3
d) Special retiring room for workers with lockers to keep their private clothes.	3
e) Perfect fly-proofing of kitchen & room or rooms of the eating house in which the prepared articles are stored.	3
f) Mopping of the floors & walls upto X 6' by some disinfectant at least twice a day.	3