



## **Mumbai Municipal Corporation Act, 1888**

### *Obligatory & Discretionary Duties of the Corporation*

In Municipal Corporations, there are different kinds of duties that the Municipality has. Some of these duties are obligatory - making them mandatory for the municipality to take care of, whereas, others are discretionary, which the municipality can undertake if they have the budget, or if there is a need to undertake that work.

The Corporation must mandatorily undertake the following duties:

- Providing water for public and private usage.
- Construction, maintenance and cleaning of drains, sewage facilities and public washrooms.
- Removal of public nuisances like noxious odours.
- Preventing the spread of diseases.
- Urban forestry, protection of environment and promotion of ecology.
- Registration of birth and deaths as well as regulation of burial grounds and crematoriums.
- Public vaccination in accordance with the provisions of the Bombay Vaccination Act, 1877.
- Establishing and maintaining public hospitals and dispensaries through a monthly sum provided by the Corporation to medical institutions. Fees charged by such medical institutions would be controlled by the Corporation.
- For schools run by the Corporation, they may receive guidance from the State Government on the books and curriculum to be taught. Schools maintained by the Corporation will also be open for inspection by the State Government.
- The Corporation must provide an annual sum for the maintenance of the Prince of Wales Museum.
- The Corporation must provide for the care of those who are mentally unwell and in need of a asylum at a mental health facility.

The Corporations discretionary duties are:



- Slum improvement and upgradation.
- Enhancing public education in the city.
- Taking a census of the population.
- Promote public health and safety.

Such duties can be performed by the Corporation or by an agency appointed by the Corporation, under guidelines issued by the State Government. A complete list of the duties can be found [here](#).

In case of any disaster or unforeseen event, the Mayor - with the approval of the Commissioner - can undertake any action which they deem necessary to combat the unforeseen circumstance. Any proposals made at such a time need to be approved by the municipalities committees within 45 days from the date of the Committee's next meeting.

In 2010, additional provisions were added which said that the Commissioner will publish a Citizen's Charter that has a list of facilities and services provided by the Corporation, to the general public. In addition, a list of powers of officials in the Municipality will also need to be prepared and published, this list will be updated on April 1st every subsequent year.

Every Municipal Officer and servant will be obligated to discharge her/his official duties and the official work assigned to him most diligently and as urgently as possible. Immediate and urgent files shall be disposed of by any Municipal Officer or servant as per the urgency of the matter; as expeditiously as possible, and preferably the immediate file in one day or the next day morning and the urgent file in four days.

With respect to the files not required to be referred to any other Department within the Corporation and not required to be submitted to any Statutory Committee, the concerned Department shall take the decision and necessary action in the matter within forty-five days and in respect of the files required to be referred to any other



Department but not to any Statutory Committee, necessary action shall be taken within three months.

Any willful or intentional delay or negligence in discharge of the duties or in carrying out the official work assigned to such Municipal Officer and servant shall amount to desertion of official duties and shall make such Municipal Officer or servant liable for appropriate disciplinary action under the relevant disciplinary rules applicable to such employees.

Subject to any regulations made, a Councillor can question the Commissioner, or ask for documentation and plans maintained by them. The Commissioner must answer any questions raised. However, the Mayor is not bound to answer a question if in her/his opinion, it cannot be answered without any negative repercussions to the interests of the Corporation.

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