



A4
13908/2022
016921

Town Panchayats – Implementation of Solid Waste Management Rules, 2016 in Town Panchayats – Maintenance of Street Light System – Water Supply System - Underground Sewerage System - through Service Provider/ Agency/Contractor based on Key performance indicators – orders - Issued.

Municipal Administration and Water Supply (TP.1) Department

G.O.(Ms) No.139

Dated: 03.10.2022

(திருவள்ளூர் ஆண்டு 2053)

சுபகிருது, புரட்டாசி-16)

Read:

- Ref: 1. G.O. (Ms) No.205, Rural Development Department, Dated 23.03.1989.
2. G.O. (Ms) No.72, Municipal Administration And Water Supply (TP.1) Department, Dated 05.05.1998.
3. G.O. (Ms) No.198, Municipal Administration and Water Supply (ME.3) Department, Dated 26.10.1998.
4. G.O. (Ms) No.199, Municipal administration and water supply (TP.2) Department, Dated 12.08.1997.
5. G.O. (Ms) No.242, Municipal Administration and Water Supply (TP.1) Department, Dated 10.12.2009.
6. G.O. (Ms) No.111, Municipal Administration and Water Supply (ME.3) Department, Dated 17.08.2022.
7. G.O (Ms) No.112, Municipal Administration and Water Supply (ME.3) Department, Dated 17.08.2022.
8. G.O (Ms) No.113, Municipal Administration and Water Supply (ME.3) Department, Dated 17.08.2022.
9. G.O. (Ms) No.116, Municipal Administration and Water Supply (ME.3) Department, Dated 24.08.2022.

Read also:-

10. From the Commissioner of Town Panchayats letter Na.Ka.No. 13908/2022/A4, dated. 29.08.2022.

ORDER:

In the Government Order first read above, orders have been issued for Town Panchayats Establishment Rules, 1988, enumerating sanctioned posts including for Street Light Maintenance, Water Supply System and Sanitation Management.

2. In the Government Order 2nd read above, norms were prescribed for creation of new posts for Street Light Maintenance and authorising the Commissioner of Town Panchayat to sanction the required post to the respective Town Panchayats.

3. In the Government Order 3rd read above, norms were prescribed for creation of new posts for Water Supply System and the Commissioner of Town Panchayat was authorised to sanction the required post to respective Town Panchayats.

4. In the Government Order 4th read above, norms were prescribed for creation of new posts to sanitation, street sweeping, drain cleaning, collection of water and disposal of waste to dump yard, authorising the Commissioner of Town Panchayat to sanction required post to respective Town Panchayats.

5. In the Government Order 5th read above, the authorization already given to the Commissioner of Town Panchayat to sanction new post was revoked.

6. In the Government Order 6, 7, 8 and 9th read above the Government have issued orders for implementation of Solid Waste Management Rules, Maintenance of Street Lights, Water Supply and Underground Sewerage System in Municipalities and Corporations through Service Provider/Agency/Contractor based on Key performance indicators.

7. The Commissioner of Town Panchayats in his letter 10th read above has stated that, after the retirement of individuals many of the sanctioned posts in Street Light sector are in vacant. However, the expansion of neighbourhoods with residential colonies has been spiked by urbanization. It is necessitated for appropriate erections, extensions and maintenance of Street Lights, considering the increased households, commercial and industrial establishments within Town Panchayats. Access of advanced accessories required technical expertise and engagement of full time employees with technical expertise for limited hours of interventions is not feasible considering the necessity to fulfil the requirements of increased population and increasing water supply demand, the urban local bodies have developed the additional infrastructures of water supply system based on the source of availability and availing new technology. Considering the fiscal position of Town Panchayats and to ensure the personnel expenditures are not exceeding 49% of revenue, the Town Panchayats are operating and maintaining the Water Supply System through adhoc contractual arrangements.

8. The Commissioner of Town Panchayats has further stated that the Solid Waste Management Rules was introduced to encourage door to door collection, segregation at source, safe transportation to final disposal at Resource Recovery Park. Therefore, flexible arrangements to engage manpower became imperative. On the other hand, the State Finance Commission has been advising the Town Panchayat to ensure its personnel

expenditures are not exceeding 49% of its revenue. As an interim measure, the Commissioner of Town Panchayats has issued a Circular vide its Na.Ka.No.5030/08/B4, dated 24.06.2008 permitting Town Panchayats to engage Self Help Group / Non Government Organizations to supply manpower on contractual arrangements.

9. Also, he has further added that 12 number of Town Panchayats are provided with the underground sewerage system and 8 number of Town Panchayats are provided with Faecal Sludge Treatment Plant's and likely to be increased in numbers. Though the underground sewerage infrastructures are maintained initially by the developer or by the parastatal agency, the systems have to be maintained sustainably by the urban local bodies after taking over the infrastructure for public usage due to poor financial constrain of the Town Panchayats and in order to minimise establishment expenses within the ceiling of 49% of the total income creation of new posts for operation and maintenance would weaken further the financial position of the Town Panchayats.

10. The Commissioner of Town Panchayats has therefore requested the Government to consider the above facts and to issue orders on the following:-

- (i) To permit the Commissioner of Town Panchayats to accord permission to the Executive Officers of Town Panchayats to engage Private Service Provider/ Contractor / Agency to operate and maintain the Street Light System, Water Supply System, Underground Sewerage System and Solid Waste Management activities on contract basis for a period of three years following the Tamil Nadu Tender Transparency Act 1998 and Rule 2000. Once in three years new tender shall be called to identify the New Service Provider / Contractor / Agency.
- (ii) To engage Private Service Provider/ Contractor / Agency to operate and maintain the Street Light System, Water Supply System, Underground Sewerage System and Solid Waste Management activities on contract basis based on the key performance index.
- (iii) To permit to follow the lowest rate among the Schedule of Rates of Public Works Department or Tamil Nadu Water Supply and Drainage Board or District Collector to prepare estimate and to ascertain the cost need to incur towards Private Service Provider/Contractor on contract basis for to operate and maintain the Street Light System, Water Supply System, Underground Sewerage System and Solid Waste Management activities in Town Panchayats.
- (iv) Permission to incur the said expenditure from Revenue Fund of Town Panchayats.

11. The Government after careful examination of the proposal of the Commissioner of Town Panchayats, hereby orders as follows:-

- i. To permit the Commissioner of Town Panchayats to accord permission to the Executive Officers of Town Panchayats to engage Private Service Provider / Contractor / Agency to operate and maintain the Street Light System, Water Supply System, Underground Sewerage System and Solid Waste Management activities on contract basis for a period of three years following the Tamil Nadu Tender Transparency Act, 1998 and Rule, 2000.
- ii. To engage Private Service Provider / Contractor / Agency to operate and maintain the Street Light System, Water Supply System Underground Sewerage System and Solid Waste Management activities on contract basis based on the Key performance index.
- iii. To permit to follow the lowest rate among the Schedule of Rates of Public Works Department or Tamil Nadu Water Supply and Drainage Board or District Collector to prepare estimate and to ascertain the cost need to incur towards Private Service Provider/Contractor/Agency on contract basis for operation and maintenance of Street Light System, Water Supply System, Underground Sewerage System and Solid Waste Management activities in Town Panchayats.
- iv. To Permit to incur the said expenditure from Revenue Fund of Town Panchayats.

12. Consequent to the orders issued in paragraph 11 above, the Commissioner of Town Panchayats is hereby directed to prescribe the tasks to be performed and Key Performance Indicators for engaging the service providers in consultation with the Director of Municipal Administration

(By order of the Governor)

**SHIV DAS MEENA
ADDITIONAL CHIEF SECRETARY TO GOVERNMENT**

To

The Commissioner of Town Panchayats, Chennai-600 028.

Copy to :

The Director of Municipal Administration, Chennai -600 028.

The Accountant General (A&E), Chennai - 600 018.

The Special Personal Assistant to Hon'ble Minister for Municipal Administration,
Chennai - 600 009.

The Senior Private Secretary to Additional Chief Secretary to Government,
Municipal Administration and Water Supply Department, Chennai- 600 009.
Stock file / Spare copy.

//Forwarded By order//

A. Srinivasan
26/10/2022
Section Officer
26/10/22