

The Citizens First Bill, 2022

Bill No. of 2022
THE CITIZENS FIRST BILL, 2022

A
BILL

to provide for the empowerment of the Citizens of Mumbai to establish a Citizens' Forum which will interact with all the statutory agencies of the Central and State Governments and all Civic and Planning Authorities to improve and increase the participation of the Citizens of the City of Mumbai in the decision making process; to improve delivery of services provided by these Government and Civic agencies within Greater Mumbai .

WHEREAS, there are numerous mechanisms and Laws that exist that provide for the participation and involvement of the Citizens in the decision making process and for providing better services and amenities.

WHEREAS there is a need to further strengthen the participation and involvement in the decision-making process and the delivery of services and amenities in a timely and efficient manner.

WHEREAS, there is a need to provide a mechanism for addressing grievances related to inadequate or delayed services that are required to be provided to the Citizens.

WHEREAS there is a need to ensure that all decision makers are made accountable through this Act to interact with and respond to the Citizens' Forum in a time bound manner.

It is hereby enacted in the Seventy-third Year of the Republic of India as follows

Short title-

1. (1) This Act may be called the Citizens First Act 2022
- (2) It shall come into force on the 1st of July 2022

Extent :

2. It extends to the whole of Greater Mumbai

3. In this Act, unless the context otherwise requires,-
 - a. ALMs- ALM is a Citizens' Committee registered with the local Ward office of BMC and representing a group of registered Cooperative Housing Societies within the Ward.
 - b. Peace committee (Mohalla Committee) - A group of Citizens within an Administrative Ward nominated by the local Police Station for coordinating with local Police Station.
 - c. Citizens- Any individual who is a resident of Mumbai.
 - d. Citizens' Forum: Citizens' Forum is a body comprising of Citizens of Mumbai who are representatives of ALMs, Housing Society Associations, Area Sabhas, who have experience of working for public cause in voluntary capacity and who are

not affiliated with any political party. Citizens' Forum will be a platform for Citizens of Mumbai to coordinate with various government and civic agencies that provide services to the citizens. Citizens' Forum will consist of a Head, Deputy Head, Regional Heads, Zonal Committee members, Citizen Forum of Wards, Ward representatives and Area Representatives. Citizens' Forum will also have an Advisory Board.

- e. Citizen Forum of a Ward- A group of Citizens representing ALMs, Peace Committees (Mohalla Committee) or Citizens residing within an Electoral Ward of BMC. There shall be total 236 Citizen Forums in Mumbai- one for each Electoral Ward of BMC. The Citizens' Forum of a particular Electoral Ward will consist of the following Citizens who are not affiliated with any political party and have no criminal record
 - i) 2 Administrative Ward Representatives
 - ii) Corporator Ward representative of the electoral ward.
 - iii) 8-10 members representing ALMs/ Housing Society Associations, Mohalla Committee and Area Sabhas (1 member per 6000 population) in the ward.
- f. Area Sabha- Area Sabha is the body of all the persons registered in the electoral rolls pertaining to five contiguous polling booths in the electoral ward of BMC. Each area Sabha consists of approximately 5000-6000 citizens. There will be approximately 8-10 Area Sabhas in each Electoral ward of BMC.

- g. Member of Citizen Forum of a Ward- A Citizen who is a registered voter in the electoral ward and who is duly nominated / elected by an ALM / Housing Society Association or a Peace Committee / Mohalla Committee or an area sabha within the electoral ward of BMC. There shall be one member elected or nominated to be member of Citizen Forum of the ward from each area Sabha in an electoral ward. One official assigned by Assistant Municipal Commissioner and one Officer assigned by Local Police Station shall be ex-officio members of Citizen Forum of the ward. A person with any criminal or political background cannot become a member of Citizen Forum.
- h. Agencies- This will include municipal agencies and other government agencies and government authorities working within the limits of Mumbai municipal corporation such as BMC, Mumbai Police, BEST, MMRDA, MHADA, SRA, etc.
- i. Zones: This means police zone in Mumbai Police. As of now there are 12 police zones in Mumbai Police
- j. Police Regions: A group of zones (two or three) make a police region. As of now there are five regions (South, Central, North, East and West)
- k. Advisory Board of Citizen Forum- Advisory Board of Mumbai Citizen Forum will be of maximum 10 members and will comprise of
- i. Media Person
 - ii. Known social activist(s)

- iii. Lawyer
- iv. Accountant
- v. Educationist
- vi. Technology evangelist(s)
- vii. Ex officio members BMC/Police

Tenure of advisory committee will be of five years from the date it is formed. President of Citizen Forum trust will be the Chairman of the Advisory board of the Citizen Forum

1. Citizen Forum Trust: This trust will be registered as a charitable trust under the Maharashtra Public Trusts Act. Its main role will be to promote and fund the activities of Citizen Forum as advised by the advisory committee of the Citizen Forum

4. **Registration process**

- a. How to register as ALM/Peace Committee
 - i. ALMs as defined above will register with local ward office of BMC. An ALM registered with BMC shall nominate one or more persons to be members of Citizen Forum of the Ward on the basis of population represented by them.
 - ii. Peace Committees / Mohalla Committees- shall be nominated by Local Police Station. Such Mohalla Committee will be registered with Local Police

Station. Mohalla Committee shall nominate one or more persons to be members of Citizen Forum of the Ward

- b. In addition, Area Sabhas which do not have ALM / Housing Society Associations shall nominate one member from each area Sabha within the ward to the Citizen Forum of the ward.

5. **Election process**

- a. Election of Head and Deputy Head of Citizens' forum- Citizens' Forum will elect a Head and a Deputy Head by simple majority. Election will be held in the first meeting of a newly formed Citizen Forum. Persons who are members of the Zonal committees will be eligible to vote.
- b. Structure of the Citizen forum will be as depicted in Annexure Section no 5.
- c. Nomination of Zonal heads (60) - Zones will be defined by police zones in Mumbai City. Each zone will have 5 representatives. These representatives will be nominated by at least 10 persons who live in that zone. Each of these persons who nominate a representative will have a background in social work and ideally be a member of Mohalla Committee or an ALM, though this is not a requirement.

- d. Nomination of regional heads (15) - Regional heads, three each for each region (police regions) will be nominated by members of Zonal Committees. Prior to election they need to be supported by at least 25 persons who are on the zonal committees. These regional heads can also be nominated by persons other than zonal committees provided they reside in the zones which fall within the region. Such persons who nominate should have sufficient background in social work and would ideally be a member of ALM or Mohalla Committee, though this is not a requirement. If there are more than 3 nominated members as Regional Heads then 3 will be elected through a vote. In the vote all members of Zonal Committee who are part of that region can vote and also nominated Regional Heads. In case of a tie, Head Citizen Forum will have the casting vote and his decision will be final.
- e. Nomination of Ward and Area Sabha Representatives- Administrative Ward and Corporator Ward Representatives and Area Sabha representatives will be nominated by atleast 10 persons who reside in that area. In case there are more than one nominated, representative will be decided through a vote. In case of a tie, Citizen Forum head will have the casting vote.

- f. Head of Citizen Forum, Regional Heads and Zonal Committee members will form an Executive Committee at the First Instance which will prepare Draft of the Citizens' First Bill and present it to the government. This Executive Committee will also work towards formation of Citizen Forums for wards within one month from the date of its coming into existence.

6. Objectives of Citizen Forum-

- a. Improving the quality of life for Mumbaikars;
- b. Increasing civic awareness and improving education;
- c. Increased public participation in the decision-making process;
- d. Ensuring that these decisions are properly implemented by citizen monitoring;
- e. Better coordination with Planning Authorities in Mumbai;
- f. Making Policing and Police Stations citizen friendly and implementing Police Reforms;
- g. Improving pedestrianization, cycling and public transport;
- h. Reducing air and noise pollution;
- i. Improving sewage, sanitation and health services and recycling and reuse of water
- j. Eliminating wasteful expenditure on big ticket projects
- k. Increasing the sustainability of Mumbai
- l. Increasing and improving green spaces and tree cover
- m. Protecting and enhancing our environment in all aspects

7.Functions of Citizens' Forum

Citizen Forum of Ward will have following functions-

- a. Work with BMC personnel in monitoring services like solid waste management, supervision of sanitation work, maintenance of parks and gardens, maintenance of roads and footpaths , location and proper functioning of street lights, etc in the ward; identify deficiency in the services and raise complaints about the deficiencies to relevant authorities.
- b. Work with Local Police Station in maintaining law and order in the ward
- c. encourage harmony and unity among various groups of people in the ward
- d. provide assistance to traffic police in smooth flow of traffic, location of traffic signals, pedestrian crossings, identification of No Parking zones & parking lots;
- e. provide information to BMC officers about illegal encroachments, illegal construction activities taking place in the area;
- f. provide immediate inputs to police station on urgent basis when any situation arises affecting law and order in the area;

- g. identify areas within the ward where illegitimate and anti-social activities such as eve teasing, chain snatching, gambling, drinking or drug consumption in public places etc are taking place and coordinate with local police to prevent such activities and assist in monitoring such trouble spots.
- h. provide assistance to BMC and Police in formulating Hawker zones and assisting in monitoring implementation of the rules with respect to Hawker zones;
- i. Raise complaints with relevant police authorities about deficiencies in services provided by any Police personnel;
- j. Raise complaints with relevant authorities about deficiencies in services provided by any government agency.
- k. encourage art and cultural activities and activities of sports and games and ensure people's participation in the voluntary activities necessary for successful implementation of the developmental activities of the ward;
- l. participate in development schemes relating to the ward and provide assistance in the implementation of such schemes;
- m. perform such other functions as may be assigned to it by the BMC or Police.

8 . Powers / Rights of Citizen Forum

- a. This Bill will empower the Citizen Forum of Mumbai constituted by provisions of this act to recommend penalties as specified in Section 12 of this bill.
- b. Citizen Forum will have the power / rights to obtain information from concerned authorities about developmental plans, budgetary provisions for projects undertaken by the government agencies.

9. Roles and responsibilities of Head and Deputy Head of Citizen Forum-

- a. Conduct meeting of Citizen Forum at least once in a month
- b. Prepare and finalize minutes of meeting with help of Secretary or official assigned by BMC / Police dept
- c. Coordinate with BMC and Police authorities regarding suggestions, complaints, etc discussed in the Citizen Forum meeting.
- d. Supervise functioning of all committees of Citizen Forum and provide assistance in efficient functioning.
- e. Make suggestions and form sub-committees , expert Committees from time to time as per rules framed for the same.

10.Role and Responsibilities of Zonal Committee Chairperson

- a. Conduct meeting of Zonal Committee at least once in a month
- b. Prepare minutes of meeting with assistance of Secretary
- c. Coordinate with BMC, Police dept, Zonal Committee members and Citizen Forum Head regarding suggestions and complaints raised in the meeting as well as on day to day activities of BMC and Police dept.
- d. Build Citizen Forum organization for all wards within the zone with assistance of Zonal Committee members and assist in efficient functioning of Citizen Forum of Wards.

11. Role and Responsibilities of Regional Committee Chairperson

- a. Conduct meeting of Regional Committee at least once in a month
- b. Prepare minutes of meeting with assistance of Secretary.
- c. Coordinate with BMC, Police dept and Regional Committee members regarding suggestions and complaints raised in the meeting as well as on day to day activities of BMC and Police dept.

12. Role of Advisory Board

- a. Advisory Board will ensure that Citizen Forum functions efficiently towards achieving its objectives.
- b. It will provide guidance and support to the Head and Deputy Head of Citizen Forum for smooth functioning of the Forum.
- c. it will provide technical assistance to the Citizen Forum with the help of members who are experts on various subjects.
- d. Advisory Board will assist in framing rules for implementation of provisions of the Citizen First Bill and it will suggest amendments to the rules whenever necessary.
- e. Advisory Board will have powers to recommend disciplinary action when it is observed that any member of the Citizen Forum is acting against public interest and against the objectives of the Citizen Forum.

13. Responsibilities of agencies towards Citizens forum

- a. BMC
 - i. Provide assistance in formation of Citizen Forum, Zonal Committee and Regional Committee

- ii. Ensure participation of BMC officials in meetings of the Forum, Zonal and Regional Committees.
 - iii. Assign official to assist in preparing minutes of meetings of Forum and Committees.
 - iv. Ensure prompt action on suggestions and complaints raised in Citizen Forum meeting or in case of urgent situations, any complaints received on day to day basis from Citizen Forum members.
 - v. Inform Citizen Forum meetings about proposed developmental works to be undertaken in their area and act proactively on suggestions of Citizen Forum
 - vi. Obtain prior consensus of Citizen forum for each development schemes in ward and expenditure for the same
- b. Police
- i. Provide assistance in formation of Citizen Forum, Zonal Committee and Regional Committee
 - ii. Ensure participation of Police officials in meetings of the Forum, Zonal and Regional Committees.
 - iii. Assign official to assist in preparing minutes of meetings of Forum and Committees.
 - iv. Ensure prompt action on suggestions and complaints raised in Citizen Forum meeting or in case of urgent situations, any complaints received on day to day basis from Citizen Forum members.

- v. Ensure coordination between Beat Officers and Citizen Forum members of the area on a daily basis.
- c. BEST
 - i. Ensure participation of BEST officials in meetings of the Forum, Zonal and Regional Committees as required by invitation.
 - ii. Ensure prompt action on suggestions and complaints raised in Citizen Forum meeting or in case of urgent situations, any complaints received on day to day basis from Citizen Forum members.
 - iii. Consult Citizen Forum regarding new Routes, location and maintenance of Bus stops.

14.Tenure of the citizen forum and removal process

- i. Citizen Forum will have a term of 3 years. A Member of Citizen Forum can resign any time and a new member representing similar section of the area will be nominated in his place.
- ii. A member of zonal committee, regional committee, area sabha or ward representative if found not fit for the committee based on complaints received and verified by a committee formed by Head Citizen forum can be removed by putting to vote his removal. This vote will be carried

through simple majority of all members present and voting

- iii. Head of the citizen forum can be removed by a resolution moved and supported by atleast 25 members of citizen forum. This will be put to vote and will be carried through provided it is supported by 2/3rd of the members present and voting.

15. Reports to be published by the citizen forum

- i. Minutes of meeting of Citizen Forum
- ii. List of complaints and suggestions from Citizen Forum members in meetings and on day to day basis and report whether satisfactory action was taken by concerned authorities.
- iii. These will be published on the website of Citizen forum periodically

16. Grievances Management

- i. BMC and Police officials will ensure prompt action on complaints received from Citizen Forum.
- ii. Complaints or grievances not resolved satisfactorily at Citizen Forum level will be raised to Zonal Committee & further to Regional Committee. Corresponding authorities of BMC and Police Dept will ensure resolution of the complaints and grievances.

- iii. BMC and Police Officials will prepare list of services provided by their offices and number of days when each service will be provided from date of application by a citizen. BMC and Police authorities will take suitable action against concerned personnel if service delivery is delayed.
- iv. Grievances will be raised either in writing as per forms in appendix or through the website of Citizen Forum

17. Offences and penalties

- i. In case when majority of members of Citizen Forum are not satisfied with the action taken by officials, they will report the matter for suitable redressal and disciplinary action against the erring official/agency. Concerned agency shall report back the action taken within 30 days from such report.
- ii. In case of their (agencies) failure to do so Citizen Forum represented by its head can make a complaint to the concerned agency. After due enquiry the concerned shall levy a fine of INR 250 per day for delay to a maximum of INR 25000.
- iii. If the grievance is not redressed in spite of the fine levied, Citizen Forum after a majority decision can lodge a complaint with local police authorities

- iv. All such complaints will be cognizable in nature and would entail a maximum punishment of six months and or fine of INR 50000.

18. Jurisdiction

Local area JMFC courts will have jurisdiction over offences mentioned above.

19. Rule making powers and ratification process

- i. Head of the Citizen Forum assisted by its members will have the power to make and amend rules made under this Act.
- ii. All such amendments or new rules will be duly published and given wide circulation in press/social media and will be adopted after considering suggestions/objections in a period of 30 days from publishing of such rules.

Appendix

1. Forms for registration

- a. Name:
- b. Address
- c. ALM/Mohalla Committee association
- d. Social work history
- e. References (at least two members of ALM or Mohalla Committee who are already registered)

2. Nomination forms for selection of Citizen Forum

(Zonal/regional and city head)

- a. Name:
- b. Address
- c. ALM/Mohalla Committee Association
- d. Social work history
- e. References (at least 10 members of ALM or Mohalla Committee for zonal heads and 25 members for Regional Heads who are already registered)

3. Grievance form

- a. Name:
- b. Address

- c. ALM/Mohalla Committee association
- d. Grievance
- e. Signed by Zonal/Regional/Head of Citizen forum

4. Response form from agencies

- a. Agency name
- b. Grievance no with date
- c. Raised by:
- d. Details of action taken
- e. Signed by head of agency

5. Structure of the Citizen forum

- a. Head: Chairperson (one)
- b. Supported by : Regional Heads 15
- c. Assisted by : Zonal Committee members 60
- d. Citizen Forum for Wards –
 - i. 2 Ward Representatives each for 24 Administrative Wards of BMC
 - ii. 1 Representative for Each Corporator Ward within the administrative ward.
 - iii. Each Corporator Ward Representative further supported by 8-10 members Representing ALMs/

Housing Society Associations, Mohalla Committee and Area Sabha (1 member per 6000 population) in the ward.