

BAF

APARTMENT

RESIDENTS

CHARTER



GUIDING PRINCIPLES

REMOVAL OF DISCRIMINATION & PARITY IN TARIFF

People living in apartments, no matter how large an apartment complex is, are NOT bulk-consumers. We are the same as individual house owners. **All tariffs applicable to apartments should be on par with individual house owners.** In addition, club house, swimming pool, STP etc. in apartment complexes are not commercial activities, hence all tariffs (water, power etc.) should only be at residential rates and not at commercial rates.

PROVISIONING OF SERVICES

Access to basic amenities like water, sewage network, garbage collection etc. is lacking in quite a few areas. **The Government should work on a war footing to make sure that these basic amenities are made available in all parts of Bengaluru.** The Government should not force citizens, specifically apartments, to do what they need to do (like garbage collection, sewage treatment etc.). particularly on a retrospective basis. Instead, proper incentives need to be offered for apartments that manage on their own / do not avail of these services.

PINNING RESPONSIBILITY / ACCOUNTABILITY ON THE RELEVANT PARTIES AND STOP HARASSMENT OF THE INNOCENT PARTIES

There are violations (of different gradations) in quite a few apartment complexes, which ultimately leads to harassment of apartment associations, who were not responsible for the violations in the first place. **The builders who committed the violations and the agencies which approved the same are responsible but get away completely scot-free. The culpable parties need to be held accountable / liable.** Similarly, for ongoing management of the various assets of an apartment complex, there are no guidelines & procedures laid down. A framework involving the Government, civic agencies, enforcement agencies, vendors & apartment associations needs to be worked out for smoother functioning overall (the same has been enumerated in the specific demands).



SUMMARY OF KEY DEMANDS

1. Water tariff to be brought on par with other domestic / individual house consumers (apartments currently pay 250 – 300% higher tariff for water, compared to individual house owners). In addition, entire water tariff should only be at residential rates
2. Provide UGD Connection at the earliest to the unsewered areas (for example, 110 villages of erstwhile Bellandur Panchayat) and not force apartments in these areas to install STPs retrospectively
3. SWM Cess to be completely waived off for apartment residents, as the solid waste from apartments is not picked up by BBMP and apartments with in-situ composting to be provided a rebate of at least Rs. 1,000 per flat on property tax paid
4. Remove Sanitation Cess for apartments that have STPs & don't let out sewage into UGD. In addition, reverse Zero Liquid Discharge (ZLD) norms, which is impossible to achieve in most existing apartments
5. Implement undiluted RERA immediately. Occupancy Certificate to be made mandatory before residents can move in. Rule to be introduced that any builder found in violation of the same or any official wrongly issuing OC, should be charged with criminal action. The Resident Welfare Association, subsequently formed, should not be held responsible or liable for any violations at the time of construction
6. Power Tariff for apartment complexes to be charged only under LT2 (a) and not LT5 for any asset
7. Each ward committee should have at least 3 representatives of apartment associations in the respective wards



CHARTER OF

DEMANDS

IN

DETAIL



WATER

Tariff, Billing & Incentives

1. Removal of apartments from the “bulk-consumer” category and reinstatement of water tariffs on par with other domestic / individual house consumers
2. Water tariff should only be at residential rates and no part of the tariff should be charged at commercial rates, even on portion of the water consumption, citing activities like use of swimming pool & club house as commercial
3. Discounts of 10% on water bills for apartments with below average (< 150L) per capita per day consumption of water
4. Removal of borewell charges for apartments not having borewells & removal of borewell surcharge which is being charged on a per-apartment-unit basis

New Connections

1. New connections and supply of Cauvery water to apartments coming under the jurisdiction of the Cauvery Stage 4(7 CMCs & Kengeri TMC) and Cauvery Stage 5 (110 villages in 5 zones) by October 2018
2. Strict adherence to the timeline specified (7 days) for approval of permission for new connections as specified by the Karnataka Guarantee of Services to Citizens Act, 2011

Supply Efficiency

1. Clearly communicated schedules on supply of water (preferably on website) with a minimum guaranteed supply of 500 litres per flat every day to apartments
2. AMR water meters for apartments which need replacement of older water meters, to be completed by December 2018

Advocacy & Engagement

1. Publish an empanelled list of vendors - Plumbing contractors, RWH Installation & Maintenance Contractors
2. Constitution of a Water Management Round Table with representatives from apartments
3. Conduct of exclusive water-adalats and education-workshops for apartments



SOLID WASTE MANAGEMENT

BBMP

1. SWM Cess which is collected along with property tax, should be completely waived off for apartments, as the solid waste from apartments is not picked up by BBMP
2. Tariff for collection of waste by private BBMP-empanelled vendors from apartments to be fixed by BBMP and to be on par with the rate that BBMP charges for individual houses
3. Apartments with in-situ composting to be provided incentives, in the form of a rebate of at least Rs. 1,000 per flat on the property tax paid by residents of such apartments
4. KCDC to arrange to collect compost from apartments at a fixed rate of Rs. 4 per kg & BBMP parks in each ward to use the compost collected from the respective wards
5. Identify & empanel vendors in each ward for collecting e-waste & construction debris, and the same to be published on the BBMP website
6. Updated list of empanelled SWM vendors along with names of any black-listed vendors to be published on the BBMP website
7. BBMP to monitor / do surprise checks on empanelled vendors at least once a month and publish the report on website, to make sure that waste is disposed in an environmentally safe & acceptable manner, with penal action enforced on non-compliant vendors



WASTE WATER

BWSSB

1. Remove Sanitation Cess for apartments that have STPs & don't let out sewage into UGD
2. Provide UGD Connection at the earliest to the unsewered areas (110 villages, Mahadevapura, Rajarajeshwari Nagar etc.)
3. Make all BWSSB STPs functional – form an STP monitoring group comprising 5 citizens, including experts, to continuously monitor whether the STPs are functional
4. No differential cess / penalties for sanitation or water for apartments without OC

KSPCB

1. Cancel ZLD norms
2. Publish a list of empanelled STP vendors, for both installation & maintenance and also a blacklist of vendors whose STP installations have failed
3. Publish guidelines for STP installation (including acceptable STP technologies) & maintenance
4. Publish list of accredited labs for treated water testing, along with tariff

Bengaluru Development Department

1. Introduce law which indemnifies apartment associations from mishaps / accidents if the association engages KSPCB-empanelled STP vendors
2. Introduce law which makes it compulsory for STP vendors to provide 10-year warranty on new STP installations, with cost factored in

GST

1. STP installation & maintenance services to be exempt from GST



VOTER REGISTRATION

BBMP

1. Form-7 should not be demanded by any BBMP office when an applicant submits Form-6 for shifting to a new assembly constituency. Revenue Officer to be suspended for any such reported instance.
2. Notarized affidavit should not be demanded and Form-6 to be processed based on the Annexure – III declaration, for first-time applicants above 21 years of age Revenue Officer to be suspended for any such reported instance.
3. Application Tracking Mechanism / alert system to be put in place, akin to the mechanism followed in issuance of passports
4. Online applications and supporting documents should be accepted and processed online only without insisting on separate hard copy submission
5. Where AADHAAR is submitted as a supporting document, no additional proof should be demanded for verifying identity or age or address
6. Individual / bulk acknowledgments and application numbers should be provided for all submissions, without any exception
7. For forms that are rejected, proper process as outlined in the Registration of Electors Rules, 1960, to be followed, including giving detailed reasons for rejection
8. Booth Level Officers to mandatorily visit apartment complexes, if a request for voters registration is made by the apartment complex
9. All applications to be processed within 15 days of submission
10. Online login option to be provided to all registered voters (with proper authorization through mobile / email), for them to make changes to their data, as well as submit Form-6, 7 or 8 online subsequently



RERA / KAOA

Government of Karnataka

1. Implement undiluted RERA immediately
2. Amendments in KAOA & KOFA in line with RERA and in consultation with expert citizens panel
3. Subsequent amendments to KMC Act, Model Byelaws & Building byelaws (BBMP) to be made synchronous with RERA / KAOA
4. Apartments to be allowed to register under KAOA with just a simple majority of flat owners signing the DoD (Flats owned by the builder / landowner to be excluded from arriving at majority to sign the DoD)
5. Appointment & Empowerment of competent authority for KAOA, which will be the only authorized authority to resolve issues & disputes relating to apartments
6. Amended KAOA to be made as the mandatory Act under which Apartment Associations to register
7. Occupancy Certificate to be made mandatory before residents can move in. Rule to be introduced that any builder found in violation of the same or any official wrongly issuing OC, should be charged with criminal action. The Resident Welfare Association, subsequently formed, should not be held responsible or liable for any violations at the time of construction
8. Issue due diligence Guidelines for banks / lending institutions while disbursing loans towards purchase of property in line with RERA / KMC Act

Advocacy & Engagement

1. Constitution of an Expert KAOA Panel which includes RWA representatives, at the earliest, to bring about the needed amendments at the earliest. (Note – Detailed list of amendments have already been submitted to UDD / TCPD by a team of legal experts, RERA / KAOA activists and RWA representatives)



FIRE SAFETY

Fire Safety Department

1. List of empanelled vendors / black-listed vendors for fire safety maintenance in apartment complexes, to be published on the website & updated periodically (Vendors to be empanelled / blacklisted based on their compliance with the guidelines + other qualification parameters to be drawn up)
2. Mandate of 40% residents to travel to R A Mundkur Academy for a training programme to be done away with. Instead, a fire drill to be mandated every year within the apartment complex, with at least 25% of the residents to attend the same.
3. A citizens panel comprising 5 experts & representatives from RWAs to be formed, who will work closely with the fire safety department to monitor & enforce fire safety compliance
4. Fire Safety guidelines to be drawn up for apartments in consultation with citizens panel
5. Apartments to have a self-declaration / self-certification process, against guidelines (to be done by the fire safety vendor that the apartment has engaged). Fire department, together with the citizens panel reps to have the right to inspect apartments at random, to check compliance against the self-certification.
6. For existing apartments with violations which are unrectifiable (like lack of adequate setback), alternatives to be proposed for improving fire safety efficacy, and a grading system for fire safety introduced, rather than harassing them for impossible compliance.
7. Based on compilation of above non-compliance, penal action to be taken against builders who violated fire safety norms at the time of construction. At the least, their names to be listed out on the website as a black-list of builders who violated fire safety norms at the time of construction.



ELECTRICITY / POWER

BESCOM

1. Tariff for apartment complexes to be charged only under LT2 (a) and not LT5
2. List of empanelled vendors for transformer maintenance, to be published on the BESCOM website and updated annually
3. Publish guidelines for transformer installation & maintenance within apartment complexes
4. Online portal for raising BESCOM-related complaints and the same to be resolved within 7 days
5. Abolish captive power generation tax (as RWAs are not commercial power generators)
6. No tariff hike till power supply is provided 24x7

Electrical Inspectorate

1. Cost of the annual inspection to be reduced to Rs. 50/- per flat (so, for a 100-flat apartment complex, the annual inspection fee would be Rs. 5,000/-)
2. Only online / cheque payments to be accepted
3. A citizens panel comprising 5 experts to be formed, who will work closely with the Electrical Inspectorate to monitor & enforce electrical compliance
4. Apartments to have a self-declaration / self-certification process, against guidelines (to be done by the electrical vendor that the apartment has engaged). Electrical Inspectorate, together with the citizens panel reps to have the right to inspect apartments at random, to check compliance against the self-certification.

Government of Karnataka

1. Introduce law which indemnifies apartment associations from mishaps / accidents if the association engages BESCOM-empanelled transformer maintenance vendors
2. Introduce law which makes it compulsory for transformer vendors to provide 10-year warranty on new transformer installations, with cost factored in
3. 30% subsidy on purchase of equipment for Rooftop Solar to be implemented



CITIZEN / RWA ENGAGEMENT IN GOVERNANCE

Ward Committees

1. Each ward committee should have at least 3 representatives of apartment associations in the respective wards

Citizen Panels

1. Citizen Panel (5 Members each), with at least 2 representatives from RWAs, to be formed for each of the following areas: (with guidelines in each area to be framed in consultation with the citizen panel)
 - a. Water
 - b. Waste Water
 - c. Fire Safety
 - d. Voter Registration
 - e. Electricity / Power
 - f. RERA
 - g. Solid Waste

