

HARYANA VIDHAN SABHA

Bill No. 9 — HLA of 2023

The Haryana Municipal (Amendment) Bill, 2023
(Bill as passed by the Haryana Vidhan Sabha)

The following Bill was passed by the Haryana Vidhan Sabha:—

A

Bill

further to amend the Haryana Municipal Act, 1973.

Be it enacted by the Legislature of the State of Haryana in the Seventy-fourth Year of the Republic of India as follows:—

1. This Act may be called the Haryana Municipal (Amendment) Act, 2023. Short title.
2. In section 10 of the Haryana Municipal Act, 1973 (hereinafter called the principal Act,- Amendment of section 10 of Haryana Act 24 of 1973.
 - (i) in sub-section (3), for the figures, brackets, sign and word “(1), (2) and (4)”, the figures, brackets and word “(1) and (2)” shall be substituted and shall be deemed to have been substituted with effect from the 16th May, 2023;
 - (ii) for sub-section (4), the following sub-section shall be substituted and shall be deemed to have been substituted with effect from the 16th May, 2023, namely:—
 - “(4) (a) The seats shall be reserved for the Backward Classes ‘A’ in every municipality and the number of seats so reserved shall bear, as nearly as may be, the same proportion to the total number of seats in that municipality as one-half of the proportion of Backward Classes ‘A’ population to the total population in that municipality and rounded off to the next higher integer in case the decimal value is 0.5 or more; and such seats shall be allotted by draw of lots among three times of the number of seats, proposed for reservation of Backward Classes ‘A’, after excluding those seats already reserved for Scheduled Castes, drawn from those seats which are having the largest percentage population of Backward Classes ‘A’ and also by rotation in the subsequent elections:

Provided that the municipality shall have at least one member belonging to the Backward Classes ‘A’ if their population is two per centum or more of the total population of the municipality:

Provided further that where the number of seats so reserved for Backward Classes 'A' under this sub-section added to the number of seats reserved for the Scheduled Castes exceeds fifty per centum of the total number of seats in that municipality, then the number of seats reserved for the Backward Classes 'A' shall be restricted to such largest number that shall lead to the total of the seats reserved for the Backward Classes 'A' and Scheduled Castes not exceeding fifty per centum of the total seats in that municipality.

Explanation.- (1) For the purposes of reservation of Backward Classes 'A' under this sub-section, the population of the municipal area and the population of Backward Classes 'A' in that municipality shall be such as drawn from the Family Information Data Repository established under the provisions of the Haryana Parivar Pehchan Act, 2021 (20 of 2021) on such date, as may be notified by the State Government.

Explanation.- (2) For the purposes of the second proviso, fifty per centum of the total seats in the municipality shall be taken as one-half of the total seats of the municipality rounded up to the next higher integer where the decimal value is 0.5 or more or rounded down to the next lower integer where the decimal value is less than 0.5.

- (b) Not less than one-third of the total number of seats reserved under this sub-section shall be reserved for women belonging to the Backward Classes 'A' and such seats may be allotted by rotation and by lots amongst the wards reserved under this sub-section.”;
- (iii) in sub-section (5), for the words “Backward Classes”, the words, sign and alphabet “Backward Classes 'A' ” shall be substituted and shall be deemed to have been substituted with effect from the 16th May, 2023;
- (iv) in sub-section (7), the sign, brackets and figure “, (4)” shall be omitted and shall be deemed to have been omitted with effect from the 16th May, 2023.

Amendment of
section 203 of
Haryana Act 24
of 1973.

3. In section 203 of the principal Act,-

- (i) for the proviso to sub-section (1), the following proviso shall be substituted, namely:-

“Provided that where an individual or a company applies for preparation or approval of town planning scheme over its land,

then the un-built area shall not be declared and no resolution from the committee shall be required. In case an application is received from an individual or a company for the town planning scheme, the Deputy Commissioner shall forward the same alongwith all relevant documents to the State Government within a period of thirty days from the date of the receipt of the application. However, a resolution from the committee shall be required if the committee draws a town planning scheme for un-built area and building scheme for built area on its land or jointly with an individual or a company.”;

(ii) in sub-section 2,-

(a) for the sign “.” existing at the end, the sign “:” shall be substituted;

(b) the following proviso shall be added, namely:-

“Provided that public notice shall not be required in case town planning scheme is applied by an individual or a company on its land.”.

4. (1) The Haryana Municipal (Amendment) Ordinance, 2023 (Haryana Ordinance No. 1 of 2023) is hereby repealed. Repeal and savings.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under this Act.

Chandigarh :
The 13th September, 2023.

R. K. Nandal,
Secretary.

