

HARYANA VIDHAN SABHA

BILL NO. 1—HLA OF 2023

**THE HARYANA MUNICIPAL CORPORATION (AMENDMENT)
BILL, 2023**

A

BILL

further to amend the Haryana Municipal Corporation Act, 1994.

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

1. (1) This Act may be called the Haryana Municipal Corporation (Amendment) Act, 2023. Short title.

(2) It shall be deemed to have come into force with effect from the 14th November, 2022.

2. For section 6 of the Haryana Municipal Corporation Act, 1994, the following section shall be substituted, namely:— Substitution of section 6 of Haryana Act 16 of 1994.

“6. Fixation of seats of Corporation.— (1) The total number of seats shall be fixed by the Government in such manner, as may be prescribed.

(2) For the purpose of election of members, the Municipal area shall be divided into wards in such manner, as may be prescribed.”.

STATEMENT OF OBJECTS AND REASONS

1. As per the provision of sub-section (1) of section (6) of the Haryana Municipal Corporation Act, 1994 (Act No. 16 of 1994), in case certain area is included or excluded from the limits of a Corporation, the population is to be ascertained on the spot in respect of such area and shall be added to or excluded from the latest census figures of that Corporation for the purpose of re-fixation of seats. Whereas as per the latest provision of sub-rule (2) of rule 3 of the Haryana Municipal Corporation Delimitation of Ward Rules, 1994, the population in respect of included/excluded area is to be taken into consideration 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 Government which shall be considered for the purpose of fixation of seats of the Corporation.
2. Besides this, the provisions mentioned in sub-section (2), (3) & (4) of section 6 of the *ibid* Act, 1994 are not available in the Haryana Municipal Act, 1973 and the work of wardbandi of Municipal Councils and Municipal Committees is being dealt as per the provisions of rule 7 of the Haryana Municipal Delimitation of Ward Rules, 1977 which are also available in rule 7 of the Haryana Municipal Corporation Delimitation of Ward Rules, 1994. As such section 6 of *ibid* Act, 1994 is required to be substituted with effect from 14th November, 2022 i.e., the date on which the notification for substitution of rule 3 of the Haryana Municipal Corporation Delimitation of Ward Rules, 1994 has been issued.
3. Hence, it is necessary to carry out amendment in the Haryana Municipal Corporation Act, 1994 (Act No. 16 of 1994) by way of enacting the Haryana Municipal Corporation (Amendment) Bill, 2023.

DR. KAMAL GUPTA,
Urban Local Bodies Minister, Haryana.

Chandigarh :
The 16th February, 2023

R.K. NANDAL,
Secretary.

N.B.—The above Bill was published in the Haryana Government Gazette (Extraordinary), dated the 16th February, 2023, under proviso to rule 128 of the Rules of Procedure and Conduct of Business in the Haryana Legislative Assembly.

ANNEXURE
EXTRACT FROM THE HARYANA MUNICIPAL
CORPORATION ACT, 1994

6. Fixation of seats of Corporation.— (1) After every official census, the total number of seats shall be fixed by the Government on the basis of latest census figures. In case certain area is included, or excluded from the limits of a Corporation, the population shall be ascertained on the spot in respect of such area and shall be added to, or excluded from the latest census figures of that Corporation for the purpose of re-fixation of seats.

(2) For the purpose of election of members, the Municipal area shall be divided into wards in such manner, as may be prescribed.

(3) Wards shall, as far as practicable, be geographically compact areas, and having regard to physical features, existing boundaries of administrative units, if any, facilities of communication and public convenience.

(4) The population of each ward, as far as practicable, should be the same throughout the Corporation with a variation upto 10 percent above or below the average population per ward.

(5) Wards reserved for the members of Scheduled Castes and Backward Classes shall, as far as practicable, be located in those areas where the proportion of their population to the total population of the Corporation is the largest.

Explanation.— Here “population” means the population as ascertained locally by the staff, deputed by the Commissioner, after going from door to door in the Corporation.