

Municipal Corporation Delimitation of Ward Rule, 2019

ARUNACHAL PRADESH

India

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Rule

MUNICIPAL-CORPORATION-DELIMITATION-OF-WARD-RULE-2019 of 2019

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Municipal Corporation Delimitation of Ward Rule, 2019Published vide Notification No. DULB/MUN-02/2019-20/3327-36, dated 15.10.2019Last Updated 19th February, 2020No. DULB/MUN-02/2019-20/3327-36. - In exercise of the powers conferred by clause (a), (b) and (c) of section 6 of the Municipal Corporation Act, 2019 (Act No. 8 of 2019) the State Government hereby makes the following rules to regulate the delimitation of Wards in the Municipal Corporation, namely:-

1. Short title, commencement, intent.

(1)These rules may be called the Arunachal Pradesh Municipal Corporation Delimitation of Ward Rules, 2019.(2)They shall come into force at once.(3)They shall apply to all the Corporation.

2. Definitions.

- In these Rules, unless the context otherwise requires,(1)"Act" means the Arunachal Pradesh Municipal Corporation Act, 2019 (No. 8 of 2019).(2)"Associate member" means a member associated under sub-rule (2) of Rule 5;(3)"Adhoc Body" means a Delimitation Committee constituted under Rule 5;(4)"Director" means the Director Urban Local Bodies Government, Arunachal Pradesh;(5)"Government" means the Government of the State of Arunachal Pradesh.

3. Fixation of seats of Corporation.

(1)After every official census, the total number of seats of each Corporation shall be fixed by the

Government on the basis of the latest Census figures. In case certain area is included within, 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 of its corporation. The maximum number of seats to be filled by election of each corporation shall be fixed/re-fixed in accordance with the following formula :-"FormulaOne Councillor for every 5000 population subject to maximum of 25 Councillors."

4. Validity of Existing Seats.

- Notwithstanding, anything contained in Rule 6, the number of seats fixed for each Municipal Corporation on the basis of the figures of the census preceding the latest census, shall continue to be valid till the number of seats is increased/decreased on the basis of the latest census figures in accordance with the provision of Rule 6.

5. Constitution of Delimitation Committee.

(1)For the purpose of carrying out the provisions of these rules, the Deputy Commissioner or the Municipal Electoral Registration Officer, as the case may be, shall as per the direction of State Election Commission constitute an Delimitation Committee for each Corporation consisting of the following members, namely :-(a)Deputy Commissioner of the District, in which the Corporation is situated shall be the Chairperson.(b)The Additional Deputy Commissioner of concerned District.(c)Town Planner.(d)District Land Revenue and Settlement Officer.(2)The Deputy Commissioner shall associate not more than five members belonging various interests/groups out of the sitting members of the Corporation or out of the members of dissolved Corporation, as the case may be (Sic) rule and the number of elected members fixed by the Government for the Corporation under this rule and the number of seats reserved for members of the Scheduled Tribes and Women, and(b)to readjust the wards as and when the limits of the Municipal Corporation are altered or there is increases in population of the Municipal Corporation or there is abnormal variation in population/or voting figures of some of the wards of which requires such re-adjustment :Provided that the Government may, at any time order re-delimitation of wards of any or all of the Municipality, if it considers it expedient to do in the public interest.

6.

7. Procedure and Powers of the Adhoc Body.

(1)The meetings of the delimitation Committee shall be convened by the Deputy Commissioner as per instruction of the State Election Commission, after giving notice of at least seven days of the date, time and place of the meeting to its members.(2)The quorum necessary for the transaction of business at a meeting of the Delimitation Committee shall be three.(3)All questions which come before any meeting of the Delimitation Committee shall be decided by a majority of the votes of the

members present and voting. In case of an equality of votes, the Chairman of the meeting shall have a second or casting vote.(4)The Delimitation Committee shall have power to act notwithstanding the temporary absence of a member or an associate member or of the existence of a vacancy in the body, and no act or proceeding of the Delimitation Committee shall be invalid or called in question on the ground merely of temporary absence of a member or an associate member, or of the existence of such a vacancy.

8. Principles for delimitation of wards of Municipality.

- The following principles shall be observed by the Delimitation Committee in the Delimitation of wards of a committee namely:- (a) wards shall be strictly as per geographical contiguity and compactness of the houses and having regards to physical features, existing boundaries of administrative units etc. However no wards delimitation shall be done in the name of caste, creed, race and religion etc. (b) the population of each ward, as far as practicable, should be the same throughout the Municipal Corporation with a variation upto 10 per cent above or below the average population per ward.

9. Proposal for delimitation of wards to be sent to Government.

- The Deputy Commissioner, shall, as soon as may be, after it has prepared the proposal for the delimitation of wards of the Municipality, submit the same to the State Election Commission for further submission to Government for consideration.

10. Publication of proposal for delimitation of wards.

- The Government shall:- (a) on receipt of the proposals, for delimitation of wards published in the Official Gazette inviting claims and objections within reasonable period, but not less than 30 days, under this rule, for eliciting objections or suggestions from the affected persons of the Municipality; (b) specify a date on or after which the proposal along with objections or suggestions, if any, will be considered by it ; (c) consider all objections or suggestions which may be received by it before the date so specified ; and (d) thereafter, by order, determine the delimitation of wards of the Municipality.

11. Publication of final order of Government.

- The Government shall publish its order made under Rule 10 in the Official Gazette, and upon such publication every such order shall be final.

12. Correction of printing mistakes in the delimitation proposal/order made by Government.

- The Government may, from time to time, by notification in the Official Gazette, correct any printing mistakes in any delimitation proposal/order made by it.

13. Repeal and Saving.

- Any rule relating to the delimitation of wards of Municipality applicable to the Corporation immediately before the commencement of these rules shall stand repealed. Notwithstanding such repeal any order made or action taken under the rule so repealed shall be deemed to have been made or taken under the corresponding provisions of these rules.