

Arunachal Pradesh Municipal Delimitation of Ward Rules, 2010

ARUNACHAL PRADESH

India

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Rule

ARUNACHAL-PRADESH-MUNICIPAL-DELIMITATION-OF-WARD-RULE of 2010

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Arunachal Pradesh Municipal Delimitation of Ward Rules, 2010Published vide Notification No. DTP/MUN-18/2009-10, dated 24.8.2010Last Updated 8th February, 2020No.

DTP/MUN-18/2009-10. - In exercise of the powers conferred by sub-section (1) of section 89 of the Arunachal Pradesh Municipal Elections Act, 2009 (Act No. 4 of 2009), and in supersession of the Arunachal Pradesh Municipal Delimitation of Ward Rules, 2009, the State Government hereby makes the following rules to regulate the delimitation of Municipal Wards in the Municipalities of Arunachal Pradesh, namely :-

1. Short title, commencement, intent.

(1)These rules may be called the Arunachal Pradesh Municipal Delimitation of Ward Rules, 2010.(2)They shall come into force at once.(3)They shall apply to all the Municipalities.

2. Definitions.

- In these Rules, unless the context otherwise requires, -(a)"Act" means the Arunachal Pradesh Municipal Elections Act, 2009 (Act No. 4 of 2009).(b)"associate member" means a member associated under sub-rule (2) of Rule 4 ;(c)"Adhoc Body" means a Delimitation Committee constituted under Rule 4 ;(d)"associate member" means a member associated under sub-rule (2) of Rule 4 ;(e)"Director" means the Director Local Self Government, Arunachal Pradesh ;(f)"Government" means the Government of the State of Arunachal Pradesh.

3. Fixation of seats of Committees.

(1) After every official census, the total number of seats of each Committee 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 Committee, 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 Committee for the purpose of re fixation of seats of its committee. The maximum number of seats to be filled by election on each committee shall be fixed/re-fixed in accordance with the following formula

:-Formula

Municipality with a population	Number of seats
1	2
Not exceeding 10,000	6
Exceeding 10,000 but not exceeding 15,000	8
Exceeding 15,000 but not exceeding 20,000	10
Exceeding 20,000 but not exceeding 25,000	13
Exceeding 25,000 but not exceeding 30,000	16
Exceeding 30,000 but not exceeding 35,000	17
Exceeding 35,000 but not exceeding 40,000	18
Exceeding 40,000 but not exceeding 45,000	19
Exceeding 45,000 but not exceeding 50,000	20
Exceeding 50,000 but not exceeding 55,000	21
Exceeding 55,000 but not exceeding 60,000	22
Exceeding 60,000 but not exceeding 65,000	23
Exceeding 65,000 but not exceeding 70,000	24
Exceeding 70,000 but not exceeding 75,000	25
Exceeding 75,000 but not exceeding 80,000	26
Exceeding 80,000 but not exceeding 85,000	27
Exceeding 85,000 but not exceeding 90,000	28
Exceeding 90,000 but not exceeding 95,000	29
Exceeding 95,000 but not exceeding 1,00,000	30

3A. Validity of Existing Seats.

- Notwithstanding, anything contained in Rule 3, the number of seats fixed for each Municipal committee 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 3.

4. 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 Municipality consisting of the following members, namely :-(i) Deputy Commissioner of the District, in which the Municipality is situated, or his representative shall be the Chairperson. (ii) President or Administrator of the Committee concerned ; and (iii) The Chief Municipal Executive Officer of Municipal Executive Officer of concerned Municipality. (iv) Town Planner. (v) District Land Revenue and Settlement Officer. (2) The Deputy Commissioner shall associate with itself not more than five members belonging various interests/groups out of the sitting members of the Municipality it or out of the members of dissolved Municipality, as the case may be.

5. Functions of Delimitation Committee.

- It shall be the duty of the Delimitation Committee-(i) to divide the Municipality into such number of wards as may be necessary, having regard to the number of elected members fixed by the Government for the Municipality under rule 3 and the number of seats reserved for members of the Scheduled Castes, Backward Classes and Women, and (ii) to readjust the wards as and when the limits of the Municipality are altered or there is increases in population of the Municipality or there is abnormal variation in population/or voting figures of some of the wards of which requires such readjustment : 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. 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.

7. 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 Municipality with a variation upto 10 per cent above or below the average population per ward.

8. 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.

9. 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 period of 30 days) if any under rule 8, 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.

10. Publication of final order of Government.

- The Government shall publish its order made under Rule 9 in the Official Gazette, and upon such publication every such order shall have the force of law.

11. 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.

12. Repeal and Saving.

- Any rule relating to the delimitation of wards of Municipality applicable to the committee immediately before the commencement of these rules shall stand repealed: Provide that 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.