

Haryana Municipal Delimitation of Ward Rules, 1977

HARYANA

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Rule

HARYANA-MUNICIPAL-DELIMITATION-OF-WARD-RULES-1977 of 1977

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1. Short title, commencement, extent.

(1)These rules may be called the Haryana Municipal Delimitation of Ward Rules, 1977.(2)They shall come into force at once.(3)They shall apply to all the municipalities.

2. Definitions.

- In the these rules, unless the context otherwise requires,-(a)"Act" means the Haryana Municipal Act, 1973;(b)"associate member" means a member associated under sub-rule (2) of rule 4;(c)"Ad hoc Body" means a Delimitation Body constituted under rule 4;(d)["Director" means the Director, [Urban Development] [Substituted by Haryana Government Notification No. GSR62/HA24/73/Section 257, dated 31.7.1987.], Haryana];(e)"Government" means the Government of the State of Haryana in [Urban Development] [Substituted by Haryana Notification No. S.O. 145/H.A. 24/1973/Section 257/2003. Dated 11.12.2003.] Department.

3. Fixation of seats of Committees.

(1)After every official Census, the total number of seats on 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] [Substituted for the word 'Municipality' Haryana Notification NO HO73/HA24/73 S.257/94 dated 19.8.1994.], 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] [Substituted for the word 'Municipality' by Haryana Notification NO HO73/HA24/73 S.257/94 dated 19.8.1994.] for the purpose of refixation of seats of its committees. The number of seats to be filled by election on each committee shall be fixed/refixed in accordance with the following formula:-

Municipality with apopulation	Number of seat
Not exceeding 10,000	... 11
Exceeding 10,000 but not exceeding 20,000	... 13
Exceeding 20,000 but not exceeding 30,000	... 15
Exceeding 30,000 but not exceeding 40,000	... 17
Exceeding 40,000 but not exceeding 50,000	... 19
Exceeding 50,000 but not exceeding 60,000	... 21
Exceeding 60,000 but not exceeding 70,000	... 23
Exceeding 70,000 but not exceeding 80,000	... 25
Exceeding 80,000 but not exceeding 90,000	... 27
Exceeding 90,000 but not exceeding 1,00,000	... 29
Exceeding 1,00,000 but not exceeding [3,00,000]*	... 31

*Substituted for "5,00,000" by Haryana Notification No. S.O. 145/H.A. 24/1973/Section 257/2003. Dated 11.12.2003.(2)The number of seats for members belonging to the Scheduled Castes shall be fixed in proportion to their population in each [committee] [Substituted for the word 'Municipality' by Haryana Notification NO HO73/HA24/73 S.257/94 dated 19.8.1994.] in accordance with the following formula:-

Total number of seats x Population of Scheduled CastesTotal Population

3A. [Validity of existing seats. [Inserted by Haryana Government Notification No. GSR 104/HA24/73/Sections257 and 276/Amd 117/82, dated 29.9.1982 P. 763.]

- Notwithstanding anything contained in rule 3, the number of seats fixed for each [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 refixed on the basis of the latest Census figures in accordance with the provision of Rule 3].

4. Constitution of Ad hoc Body. -

(1)For the purpose of carrying out the provisions of these rules, the Government shall constitute an Ad hoc Body for each [committee] [Substituted for the word 'Municipality' by Haryana Notification NO HO73/HA24/73 S.257/94 dated 19.8.1994.], consisting of the following members, namely :-(i)[Director [Urban Development] [See Legislative Supplement Part III dated 31-7-1987.], Haryana or his representative who shall be the Chairman.](ii)Deputy Commissioner of the District, in which the [committee] [Substituted for the word 'Municipality' by Haryana Notification NO HO73/HA24/73 S.257/94 dated 19.8.1994.] is situated, or his representative;(iii)President or Administrator of the

Committee concerned; and(iv)The Executive Officer or Secretary of the Committee concerned.(2)The Ad hoc Body shall associate with itself not more than five members belonging to various interests/groups out of the sitting members of the committee or out of the members of [dissolved] [Substituted for the word 'superseded' by Haryana Notification NO HO73/HA24/73 S.257/94 dated 19.8.1994.] committee, as the case may be.

5. Functions of the Ad hoc Body. -

It shall be the duty of the Ad hoc Body.(i)to divide the committee into such number of wards as may be necessary, having regard to the number of elected members fixed by the Government for the committee under rule 3 and the number of seats reserved for members of the [Scheduled Castes, Backward Classes and Women] [Substituted for the words 'Scheduled Castes'. by Haryana Notification NO HO73/HA24/73 S.257/94 dated 19.8.1994.]; and(ii)to readjust the wards as and when the limits of the committee are altered or there is increase in population of the committee or there is abnormal variation in population/or voting figures of some of the wards of the committee, which requires such readjustment:[Provided that the government may at any time, order redelimitation of wards of any or all of the municipalities, if it considers it expedient to do so in public interest.] [Proviso added by Haryana Government Notification No. GSR 106/HA24/73/S257/Amd., dated 12.10.1979.]

6. Procedure and powers of the Ad hoc Body.

(1)The meeting of the Ad hoc Body shall be convened by the Director [or his representative] [Words added by Haryana Notification No. S.O. 145/H.A. 24/1973/Section 257/2003. Dated 11.12.2003.], 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 Ad hoc Body shall be three.(3)All questions which come before any meeting of the Ad hoc Body 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 Ad hoc Body 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 Ad hoc Body shall be invalid or called in question on the ground merely of temporary absence of a member or associate member, or of the existence of such a vacancy.

7. Principles for delimitation of wards of committee.

- The following principles shall be observed by the Ad hoc Body in the delimitation of wards of a [committee] [Substituted for the word 'Municipality' by Haryana Notification NO HO73/HA24/73 S.257/94 dated 19.8.1994.], namely :-(a)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;(b)the population of each ward, as far as practicable, should be the same throughout the [committee] [Substituted for the word 'Municipality' by Haryana Notification NO HO73/HA24/73 S.257/94 dated 19.8.1994.] with a variation up to 10 per cent above or below the average population per ward; and(c)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 [committee] [Substituted for the word 'Municipality' by Haryana Notification NO HO73/HA24/73 S.257/94 dated 19.8.1994.] is the largest.[Explanation. [Substituted by Notification No. G.S.R.71/S-257, dated 24.11.1994.] - In this rule, the expression "Population", means the population as ascertained locally by the staff, deputed by the Director, after going from door to door in the municipality.]

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

- The Ad hoc Body shall, as soon as may be, after it has prepared the proposal for the delimitation of wards of a [committee,] [Substituted for the word 'Municipality' by Haryana Notification NO HO73/HA24/73 S.257/94 dated 19.8.1994.] send the same to the Government for consideration.

9. Publication of proposal for delimitation of wards.

- The Government shall -(a)[publish in the Official Gazette the proposal for delimitation of wards received by it under rule 8, for eliciting objections or suggestions from the affected persons of the municipality. The said proposal for delimitation of wards shall be displayed on the conspicuous part of concerned committee;] [Substituted by Haryana Notification No. S.O. 145/H.A. 24/1973/Section 257/2003. Dated 11.12.2003.](b)specify a date on or after which the proposal alongwith objections and suggestions, if any, will be considered by it;(c)consider all objections and suggestions which may be received by it before the date so specified; and(d)thereafter, by order, determine the delimitation of wards of the [committee] [Substituted for the word 'Municipality' by Haryana Notification NO HO73/HA24/73 S.257/94 dated 19.8.1994.].

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 or any error arising therein from an inadvertent slip or omission] [Substituted for the words 'printing mistakes' by Haryana Notification No. S.O. 145/H.A. 24/1973/Section 257/2003. Dated 11.12.2003.] in any delimitation proposal/order made by it.

12. Repeal and Saving.

- Any rule relating to the delimitation of wards of municipalities applicable to the municipalities immediately before the commencement of these rules is hereby repealed:Provided that any order made or action taken under the rules so repealed shall be deemed to have been made or taken under

the corresponding provision of these rules.