

PART - I

HARYANA GOVERNMENT

LAW AND LEGISLATIVE DEPARTMENT

Notification

The 19th April, 2018

No. Leg. 20/2018.— The following Act of the Legislature of the State of Haryana received the assent of the Governor of Haryana on the 3rd April, 2018 and is hereby published for general information:-

HARYANA ACT NO. 17 OF 2018

THE HARYANA MUNICIPAL (AMENDMENT) ACT, 2018

AN

ACT

further to amend the Haryana Municipal Act, 1973.

Be it enacted by the Legislature of the State of Haryana in the Sixty-ninth Year of the Republic of India as follows:-

1. This Act may be called the Haryana Municipal (Amendment) Act, 2018. Short title.
2. After section 7 of the Haryana Municipal Act, 1973 (hereinafter called the principal Act), the following section shall be inserted, namely:- Insertion of section 7A in Haryana Act 24 of 1973.

“7A. Time limit for delimitation and reservation of wards.- The work relating to the delimitation and reservation of wards of the municipal committee shall be completed six months before the completion of the tenure of municipal committee, failing which the State Election Commission shall go ahead with the process of preparation of electoral rolls and conduct of elections on the basis of existing delimitation and reservation of wards.”
3. In sub-section (1) of section 13A of the principal Act,- Amendment of section 13A of Haryana Act 24 of 1973.
 - (i) in clause (i), for the sign “.” existing at the end, the sign and word “; or” shall be substituted; and
 - (ii) after clause (i), the following clause shall be added at the end, namely:-

“(j) if he makes expenditure beyond the prescribed limit on his election or fails to submit his election expenditure statement.”
4. In section 13H of the principal Act, the following words, figure and signs shall be added at the end, namely:- Amendment of section 13H of Haryana Act 24 of 1973.

“The Deputy Commissioner or such officer shall, send a list of those candidates who contested but fail to lodge the account of election expenditure or made expenditure beyond the limit prescribed by the State Election Commission immediately after the completion of a period of thirty days from the declaration of election result. The State Election Commission shall accordingly pass an order of their disqualification under section 13F.”
5. After section 13H of the principal Act, the following sections shall be inserted, namely:- Insertion of sections 13I, 13J and 13K in Haryana Act 24 of 1973.

“13I. Removal of an elected member having any disqualification at time of election.- The State Election Commission may, after such enquiry, as it may deem fit and after giving an opportunity of being heard, by order, remove a member, if he was having any disqualification mentioned in section 13A or rules framed under this Act at the time of his election. The office of the member so disqualified shall become vacant immediately.

13J. Removal of an elected member who fails to lodge election expenditure statement.— If an elected member fails to follow the provisions of sections 13F or 13H, he shall be removed by the State Election Commission after giving him an opportunity of being heard. The office of the member so disqualified shall become vacant immediately.

13K. Review.— A member so disqualified under section 13I or 13J may file an application for review of order before the State Election Commission within a period of forty-five days from the receipt of the order. The order passed by the State Election Commission under this section shall be final and no civil court shall have jurisdiction to entertain a petition against such order.”

Amendment of
section 14 of
Haryana Act 24
of 1973.

6. In clause (f) of sub-section (1) of section 14 of the principal Act, the signs and words “, or if it appears that he was, at the time of his election or nomination subject to any such disqualification” shall be omitted.



KULDIP JAIN,
Secretary to Government Haryana,
Law and Legislative Department.