

HARYANA MUNICIPAL DELIMITATION OF WARD RULES, 1977

The Haryana Municipal Delimitation of Ward Rules, 1977

19.8.1994 No. S.O.73/H.A.24/73/S257/94- In exercise of the powers conferred by Clause(b) and (c) of sub-section(1) of Section 257 of the Haryana Municipal Act, 1973 and all the powers enabling him in this behalf and with reference to Haryana Government, Local Government Department, notification No. S.O.61/H.A/24/73/S.257/94, dated the 3rd August, 1994 the Governor of Haryana hereby makes the following rules further to amend the Haryana Municipal Delimitation of Ward Rules, 1977 namely:-

1. Short title, commencement, intent..- (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 Committee.

2. Definitions.-In 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) "Adhoc Body" means a Delimitation Body constituted under rule 4;

(b) "associate member" means a member associated under sub-rule (2) of rule 4;

(d)"Director" means the Director Local Bodies, Haryana;

(e) "Government" means the Government of the State of Haryana in local Government Department.

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 refixation of seats of its committee. The number of seats to be filled by election on each committee shall be fixed/refixed in accordance with the following formula:-

FORMULA

Municipality with a population

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

(2) The number of seats For members belonging to the Scheduled Castes shall be fixed in proportion to their population in each Committee in accordance with the following formula:-

$$\frac{\text{Total number of seats} \times \text{Population of Schedule Castes}}{\text{Total Population}}$$

3-A.- Validity of Existing Seats.- 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 retired on the basis of the latest census figures in accordance with the provision of Rule 3.

4. Constitution of Adhoc Body.-(1) For the purpose of carrying out the provisions of these rules, the Government shall constitute an Adhoc Body for each Committee consisting of the following members, namely:-

- (i) Director, Local Bodies, Haryana or his representative who shall be the Chairman;
- (ii) Deputy Commissioner of the District, in which the Committee 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 Adhoc Body shall associate with itself not more five members belonging to various interests/ groups out of the sitting members of the committee or out of the of members dissolved committee, as the case may be.

5. Functions of Adhoc body.- It shall be the duty of the Adhoc 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, " 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 re-adjustment:

Provided that the Government may at any time, order redelimitation of wards of any or all of the Committee, If it considers it expedient to do in the Public interest.

6. Procedure and Powers of the Adhoc Body.-(1) The meetings of the Adhoc Body shall be convened by the Director, 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 Adhoc Body shall be three.

(3) All questions which come before any meeting of the Adhoc 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 Adhoc 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 Adhoc Body 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 committee.- The following principles shall be observed by the Adhoc Body in the delimitation of wards of a committee 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 with a variation upto 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 area where proportion of their population to the total population of the committee is the largest.

Explanation- In this rule, the expression "Population" means the population as ascertained at the last preceding census of which the relevant figures have been published."

8. Proposal for delimitation of wards to be sent to Government.- The Adhoc Body, shall, as soon as may be, after it has prepared the proposal for the delimitation of wards of the committee, 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 committee;

(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 committee.

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 committee applicable to the committee immediately before the commencement of these rules is hereby repealed: Provided 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.