

Bill Summary

The Haryana Municipal (Amendment) Bill, 2023

- The Haryana Municipal (Amendment) Bill, 2023, was introduced in the Haryana Legislative Assembly on August 25, 2023. It amends the Haryana Municipal Act, 1973 and repeals the Haryana Municipal (Amendment) Ordinance, 2023. The Act provides for the constitution of municipalities in the state.
- **Reservation of seats for backward classes:** Under the Act, two seats in every municipality are reserved for Backward Classes. These seats are allotted to constituencies with the highest concentration of persons belonging to Backward Classes. The Bill provides that the seats will instead be reserved for Backward Classes 'A', which is a subset of notified Backward Classes. The number of reserved seats, as nearly as possible, will be half the ratio of the population belonging to the Backward Class 'A' to the total population of the municipality. At least one-third of the seats reserved for Backward Classes 'A' will be reserved for women from Backward Classes 'A'. For determining reservation, population data will be drawn from the Family Information Data Repository. This data repository has been established under the Haryana Parivar Pehchan Act, 2021.
- To determine which seats will be reserved for Backward Classes 'A', lots will be drawn among three times the number of reserved seats. Seats with the largest percentage of the population belonging to the Backward Classes 'A', will be selected for reservation, in rotation.
- Each municipality will have at least one Backward Classes 'A' member if their population is 2% or more of the total population. If the total number of reserved seats, including seats reserved for Scheduled Castes, exceeds 50%, the reserved seats for Backward Classes 'A' will be restricted to the highest number allowed within the limit.
- **Review of reserved seats:** The Act provides that seats reserved for communities including Scheduled Castes and Backward Classes will be reviewed after every decennial census. The Bill removes the reference to Backward Classes.
- **Office of President:** The Act provides that the office of President of the municipality will be filled up by members belonging to: (i) general category, (ii) women, (iii) Scheduled Castes, and (iv) Backward Classes, in rotation. The Bill replaces the reference to Backward Classes with Backward Classes 'A'.
- **Resolution and public notice for town planning schemes:** The Act empowers Municipal Committees to formulate Town Planning Schemes (TP scheme). Individuals or companies may apply to the committee for approval of a TP scheme on their own land. Two key processes apply in such a case: (i) the committee must pass a resolution regarding approval of the proposal, and (ii) public comments must be invited on such a proposal. The Bill removes both these requirements in the above case. The Bill adds that the Deputy Commissioner must forward such a proposal to the state government, within thirty days of its receipt. The Bill further states that resolution of the committee will be required where the committee draws a TP scheme for unbuilt area and building scheme for built area on its land or jointly with an individual or a company.

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