

Ordinance Summary

The Haryana Municipal (Amendment) Ordinance, 2023

- The Haryana Municipal (Amendment) Ordinance, 2023, was promulgated on May 12, 2023. It amends the Haryana Municipal Act, 1973. The Act provides for the constitution of municipalities in the state.
- **Reservation of seats for backward classes:** The Act reserved two seats in every municipal committee/council, for persons belonging to Backward Classes. Reserved seats were allotted to constituencies with the maximum population of persons belonging to Backward Classes. The Ordinance instead provides that seats will 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 the community. For determining reservation, population data will be drawn from the Family Information Data Repository established under the Haryana Parivar Pehchan Act, 2021.
- The Ordinance specifies a mechanism for determining which constituencies will be reserved for Backward Classes 'A'. Lots will be drawn among three times the number of reserved seats and will be allotted in rotation among municipalities which have the largest percentage of the population belonging to the Backward Classes 'A'.
- It further provides that 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 that remains within the limit.
- **Review of reserved seats:** The Act provides that seats reserved for Scheduled Castes, women (including Scheduled Castes), and Backward Classes will be reviewed after every decennial census. The Ordinance removes the reference to Backward Classes.
- **Office of President:** The Act provides that the office of presidents of the municipalities will be filled up by members belonging to: (i) general category, (ii) women, (iii) Scheduled Castes, and (iv) Backward Classes on a rotation period drawn by lots. The Ordinance replaces Backward Classes with Backward Classes 'A'.

DISCLAIMER: This document is being furnished to you for your information. You may choose to reproduce or redistribute this report for non-commercial purposes in part or in full to any other person with due acknowledgement of PRS Legislative Research ("PRS"). The opinions expressed herein are entirely those of the author(s). PRS makes every effort to use reliable and comprehensive information, but PRS does not represent that the contents of the report are accurate or complete. PRS is an independent, not-for-profit group. This document has been prepared without regard to the objectives or opinions of those who may receive it.