

## **Haryana Municipality Corporation (Second Amendment) Act, 2009**

**22 of 2009**

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## **Haryana Municipality Corporation (Second Amendment) Act, 2009**

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An Act further to amend the Haryana Municipal Corporation Act, 1994. Be it enacted by the Legislature of the State of Haryana in the Sixtieth Year of the Republic of India as follows:--

### **1. Short Title :-**

This Act may be called the Haryana Municipal Corporation (Second Amendment) Act, 2009.

### **2. Amendment Of Section 4 Of Haryana Act 16 Of 1994 :-**

In the proviso to Sub-section (4) of Section 4 of the Haryana Municipal Corporation Act, 1994 (hereinafter called the principal Act), for the words. "one year", the words "two years" shall be substituted and shall be deemed to have been substituted with effect from 10th October, 2008.

### **3. Insertion Of Section 72A In Haryana Act 16 Of 1994 :-**

After Section 72 of the principal Act, the following section shall be inserted, namely:--

"72A. Constitution of Services to Poor Fund.--(1) A separate fund called the Service to Poor Fund shall be constituted to deliver the services to the poor and the inhabitants of slum areas. This fund

shall comprise of,--

- (i) all moneys raised by any rent, tax, fine, rate or cess on any person or any property situated in slum area;
- (ii) a grant received from the Central/State or any other agency for development of slum area;
- (iii) moneys received from any individual or associations of individuals by way of grants or gifts or deposits for service to the poor;
- (iv) all moneys received by or on behalf of Corporation or any source specifically meant for this fund; and
- (v) any fund that may be transferred by the Commissioner from the Corporation Fund under the specific major head of account to ensure adequate funds for meeting the purpose of this fund."

#### **4. Insertion Of Section 78A In Haryana Act 16 Of 1994 :-**

After section 78 of the principal Act, the following section shall be inserted, namely:--

"78A. Utilization of Services to Poor Fund.-- (1) The fund shall be utilized to promote services for the poor and the inhabitants of the slum areas and the Corporation shall endeavour that atleast,--

- (i) 20% of the total revenue income;
  - (ii) 20% of the revenue expenditure; or
  - (iii) 25% of the total capital expenditure,
- whichever is maximum, is incurred on delivery of the services to the poor and the inhabitants of the slum areas per annum.

Explanation.-- For the purposes of this section "services" shall include basic environmental services, roads, primary education and health, housing, water supply, sanitation, social security and such like services. However, it shall not include establishment expenses (including salary and wages) not directly and specifically incurred for delivery of service."

#### **5. Amendment Of Section 311 Of Haryana Act 16 Of 1994 :-**

In section 311 of the principal Act,--

- (i) for clause (d) of Sub-section (1), the following clause shall be substituted, namely:--

"(d) fix the fee which shall be charged for such detention and provide that any such dog shall be detained at a place to be specified by the Commissioner unless it is claimed and the fee in respect thereof is paid within one week."; and

- (ii) for clause (b) of Sub-section (2), the following clause shall be

substituted, namely:--

"(b) by public notice direct that, after such date, as may be specified in the notice, dogs which are without collars or without marks, distinguishing them as private property and are found straying on the streets or beyond the enclosures of the houses of their owners, if any, may be detained at a place to be specified by the Commissioner.".