

Haryana Municipal (Amendment) Act, 2009

23 of 2009

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Haryana Municipal (Amendment) Act, 2009

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An Act further to amend the Haryana Municipal Act, 1973. 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 (Amendment) Act, 2009.

2. Amendment Of Section 14 Of Haryana Act 24 Of 1973 :-

In the proviso to sub-section (1) of section 14 of the Haryana Municipal Act, 1973 (hereinafter called the principal Act), after the word "heard", the words "or there is a finding by the competent court in this regard" shall be inserted.

3. Amendment Of Section 22 Of Haryana Act 24 Of 1973 :-

the proviso to section 22 of the principal Act, after the word "heard", the words "or there is a finding by the competent court in this regard" shall be inserted.

4. Insertion Of Sections 57 A And 57B In Haryana Act 24 Of 1973 :-

After section 57 of the principal Act, the following sections shall be inserted, namely:--

"57A, 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 committee or any source specifically meant for this fund;
- (v) any fund that may be transferred by the Commissioner from the Municipal Fund under the specific major head of account to ensure adequate funds for meeting the purpose of this fund.

57B. 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 committee 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 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. Substitution Of Section 142 Of Haryana Act 24 Of 1973 :-

For section 142 of the principal Act, the following section shall be substituted, namely:--

"142. Connection of sewerage.--The committee shall, at any time, establish a connection of communication from any water-main, drain or sewer to any premises, or shall by notice require the owner of any such premises to establish any such connection or communication in such manner and within such time as the

committee may, by notice in that behalf, specify, at the cost of such owner or occupier, where such water main, drain and sewer exists."

6. Amendment Of Section 214 Of Haryana Act 24 Of 1973 :-

In the proviso to section 214 of the principal Act,--

(i) for the sign . existing at the end, the sign : shall be substituted; and

(ii) the following proviso shall be added, namely:--

" Provided further that a breach or an abetment of a breach under clause (xxx) of section 200 shall be punishable with a fine which shall not be less than fifty thousand rupees and more than one lac rupees, and in the case of a continuing breach, with a further fine of one thousand rupees for every day after the first during which the breach continues."

7. Amendment Of Section 277A Of Haryana Act 24 Of 1973 :-

In section 277A of the principal Act, for the alphabets, signs and words "P.W.D. (Public Health)", the words "Public Health Engineering Department" shall be substituted.