

## **Haryana Municipal Corporation (Amendment) Act, 2014**

**12 OF 2014**

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## **Haryana Municipal Corporation (Amendment) Act, 2014**

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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 Sixty-fifth Year of the Republic of India as follows:-

### **1. Short title :-**

This Act may be called the Haryana Municipal Corporation (Amendment) Act, 2014.

### **2. Amendment of section 2 of Haryana Act 16 of 1994 :-**

In section 2 of the Haryana Municipal Corporation Act, 1994 (hereinafter called the principal Act),-

(i) after clause (9), the following clause shall be inserted, namely :-

(9A) "Director" means the Director, Urban Local Bodies, Department, Haryana and includes any other officer for the time being appointed by the Government, by notification in the Official Gazette, to exercise and perform all or any of the powers and functions of the Director under this Act and the rules made thereunder;;

(ii) after clause (51), the following clause shall be inserted, namely

:-

(51A) "Secretary" means the Secretary to Government, Haryana, Urban Local Bodies Department;.

### **3. Amendment of section 346 of Haryana Act 16 of 1994 :-**

For sub-section (1) of section 346 of the principal Act, the following sub-section shall be substituted, namely :-

"(1) Notwithstanding anything to the contrary contained in the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963 (Punjab Act 41 of 1963), the Director may, with the prior approval of the Government, by notification in the Official Gazette, declare any area within the Municipal area to be controlled area. In case any area within the Municipal area has already been declared as controlled area under the above said Act, then it shall be deemed to be controlled area for the purposes of this Act and if any plan has already been notified for such controlled area under the aforesaid Act then it shall also be deemed to be the plan for the purposes of this Act.".

### **4. Amendment of sections 346, 347, 348, 349, 350, 350A and 350B of Haryana Act 16 of 1994 :-**

In sections 346, 347, 348, 349, 350, 350A and 350B of the principal Act, for the word "Commissioner", wherever occurring, the word "Director" shall be substituted.

### **5. Insertion of section 350D in Haryana Act 16 of 1994 :-**

After section 350C of the principal Act, the following section shall be inserted, namely :-

"350D. Effect of other laws.-The acts already done under the provisions of the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963 (Punjab Act 41 of 1963) within the Municipal area shall be deemed to have been validly done under this Act.".

### **6. Amendment of section 398 of Haryana Act 16 of 1994 :-**

In sub-section (2) of section 398 of the principal Act, after the words "the Commissioner", the words "or the Director" shall be inserted.

### **7. Amendment of section 401 of Haryana Act 16 of 1994 :-**

After sub-section (2) of section 401 of the principal Act, the following sub-section shall be added, namely :-

"(3) The Director may, with the approval of the Government, by an order in writing delegate any of its powers and functions under the Act or the rules made thereunder to any officer as may be specified in such order."

#### **8. Repeal and savings :-**

(1) The Haryana Municipal Corporation (Third Amendment) Ordinance, 2013 (Haryana Ordinance No.3 of 2014), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.