

PART-II
HARYANA GOVERNMENT
LAW AND LEGISLATIVE DEPARTMENT

Notification

The 2nd September, 2022

No. Leg.29/2022.— The following Ordinance of the Governor of Haryana promulgated under clause (1) of article 213 of the Constitution of India, on the 01st September, 2022 is hereby published for general information:-

HARYANA ORDINANCE NO. 1 OF 2022
THE HARYANA PANCHAYATI RAJ (AMENDMENT) ORDINANCE, 2022

AN
ORDINANCE

further to amend the Haryana Panchayati Raj Act, 1994.

Promulgated by the Governor of Haryana in the Seventy-third Year of the Republic of India.

Whereas the Legislature of the State of Haryana is not in session and the Governor is satisfied that circumstances exist which render it necessary for him to take immediate action;

Now, therefore, in exercise of the powers conferred by clause (1) of article 213 of the Constitution of India, the Governor of Haryana hereby promulgates the following Ordinance:-

1. This Ordinance may be called the Haryana Panchayati Raj (Amendment) Ordinance, 2022.

Short title

2. In section 9 of the Haryana Panchayati Raj Act, 1994 (hereinafter called the principal Act),-

Amendment of section 9 of Haryana Act 11 of 1994.

(a) for sub-section (4), the following sub-section shall be substituted, namely:-

“(4) The wards of panch shall be reserved for the Backward Classes (A) in every Gram Panchayat and the number of wards so reserved shall bear, as nearly as may be, the same proportion to the total number of wards in that Gram Panchayat as one-half of the percentage of population of Backward Classes (A) to the total population in that Gram Sabha area and rounded off to the next higher integer in case the decimal value is 0.5 or more and such wards shall be allotted by draw of lots among the wards other than that reserved for Scheduled Castes and also by rotation in the subsequent elections:

Provided that every Gram Panchayat shall have at least one panch belonging to the Backward Classes (A) if its population is two percent or more of the total population of the sabha area and such ward shall be allotted by draw of lots among the wards other than that reserved for Scheduled Castes and also by rotation in the subsequent elections:

Provided further that where the number of wards so reserved for Backward Classes (A) under this sub-section added to the number of wards reserved for the Scheduled Castes exceeds fifty percent of the total number of wards in that Gram Panchayat, then the number of wards reserved for the Backward Classes (A) shall be restricted to such largest number that shall lead to the total of the wards reserved for the Backward Classes (A) and Scheduled Castes not exceeding fifty percent of the total wards in that Gram Panchayat.

Explanation.- For the purposes of reservation of Backward Classes (A) under this sub-section, the population of the Gram Sabha area and the population of Backward Classes (A) in said sabha area shall be such, as may be drawn from the Family Information Data Repository established under the provisions of the Haryana Parivar Pehchan Act, 2021 (20 of 2021), on such date, as may be notified by the Government.”.

(b) for sub-section (7), the following sub-section shall be substituted, namely:-

“(7) Eight percent of the total number of offices of Sarpanch in a block and rounded off to the next higher integer in case the decimal value is 0.5 or more shall be reserved for Backward Classes (A) and shall be allotted by draw of lots among the highest three times the number of Gram Panchayats proposed for reservation for Backward Classes (A) which are having the largest percentage of population of Backward Classes (A) after excluding those Gram Panchayats where the post of Sarpanch is already reserved for Scheduled Castes under sub-section (5) and also by rotation in the subsequent elections:

Provided that where the number of offices of Sarpanch in a block so reserved for Backward Classes (A) under this sub-section added to the number of offices of Sarpanch reserved for the Scheduled Castes in that block exceeds fifty percent of the total number of offices of Sarpanch in that block, then the number of offices of Sarpanch reserved for the Backward Classes (A) shall be restricted to such largest number that shall lead to the total of the offices of Sarpanch reserved for the Backward Classes (A) and Scheduled Castes not exceeding fifty percent of the total offices of Sarpanch in that block.

Explanation.- For the purposes of reservation of Backward Classes (A) under this sub-section, the population of the block and the population of Backward Classes (A) in said block shall be such, as may be drawn from the Family Information Data Repository established under the provisions of the Haryana Parivar Pehchan Act, 2021 (20 of 2021), on such date, as may be notified by the Government.”.

Amendment of section 59 of Haryana Act 11 of 1994.

3. For sub-section (4) of section 59 of the principal Act, the following sub-section shall be substituted, namely:-

“(4) The wards of member shall be reserved for the Backward Classes (A) in every Panchayat Samiti and the number of wards so reserved shall bear, as nearly as may be, the same proportion to the total number of wards in that Panchayat Samiti as one-half of the percentage of population of Backward Classes (A) to the total population in that block and rounded off to the next higher integer in case the decimal value is 0.5 or more and such wards shall be allotted by draw of lots among the wards other than that reserved for Scheduled Castes and also by rotation in the subsequent elections:

Provided that where the number of wards of Panchayat Samiti so reserved for Backward Classes (A) added to the number of wards reserved for the Scheduled Castes exceeds fifty percent of the total number of wards in that block, then the number of wards reserved for the Backward Classes (A) shall be restricted to such largest number that lead to the total of the wards reserved for the Backward Classes (A) and Scheduled Castes not exceeding fifty percent of the total number of wards in that Panchayat Samiti.

Explanation.- For the purposes of reservation of Backward Classes (A) under this sub-section, the population of the block and the population of Backward Classes (A) in said block shall be such, as may be drawn from the Family Information Data Repository established under the provisions of the Haryana Parivar Pehchan Act, 2021 (20 of 2021), on such date, as may be notified by the Government.”.

Amendment of section 120 of Haryana Act 11 of 1994.

4. For sub-section (4) of section 120 of the principal Act, the following sub-section shall be substituted, namely:-

“(4) The wards of member shall be reserved for the Backward Classes (A) in every Zila Parishad and the number of wards so reserved shall bear, as nearly as may be, the same proportion to the total number of wards in that Zila Parishad area as one-half of the percentage of population of Backward Classes (A) to the total population in that Zila Parishad area and rounded off to the next higher integer in case the decimal value is 0.5 or more and shall be allotted by draw of lots among the highest three times of the number of wards of Zila Parishad proposed for reservation of Backward Classes (A) which are having the largest percentage population of Backward Classes (A) after excluding those wards of Zila Parishad already reserved for Scheduled Castes and also by rotation in the subsequent elections:

Provided that where the number of wards of Zila Parishad so reserved for Backward Classes (A) under this sub-section added to the number of wards reserved for the Scheduled Castes exceeds fifty percent of the total number of wards in that Zila Parishad, then the number of wards of Zila Parishad reserved for the Backward Classes (A) shall be restricted to such largest number that shall lead to the total of the wards reserved for the Backward Classes (A) and Scheduled Castes not exceeding fifty percent of the total number of wards in that Zila Parishad.

Explanation.- For the purposes of reservation of Backward Classes (A) under this sub-section, the population of the Zila Parishad area and the population of Backward Classes (A) in said area shall be such, as may be drawn from the Family Information Data Repository established under the provisions of the Haryana Parivar Pehchan Act, 2021 (20 of 2021), on such date, as may be notified by the Government.”.

CHANDIGARH:
THE 01ST SEPTEMBER, 2022

BANDARU DATTATRAYA
GOVERNOR OF HARYANA

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BIMLESH TANWAR,
Administrative Secretary to Government, Haryana,
Law and Legislative Department.