

PART I

HARYANA GOVERNMENT

LAW AND LEGISLATIVE DEPARTMENT

Notification

The 26th September, 2013

No. Leg.14/2013.—The following Act of the Legislature of the State of Haryana received the assent of the Governor of Haryana on the 25th September, 2013, and is hereby published for general information:—

(HARYANA ACT NO. 11 OF 2013)

The Haryana Municipal (Amendment) Act, 2013.

AN

ACT

further to amend the Haryana Municipal Act, 1994.

Be it enacted by the Legislature of State of Haryana in the Sixty-fourth Year of the Republic of India as follows:—

1. This Act may be called the Haryana Municipal (Amendment) Act, 2013. Short title.
2. After clause (19A) of section 2 of the Haryana Municipal Act, 1973 (hereinafter called the principal Act), the following clause shall be inserted, namely:— Amendment of section 2 of Haryana Act 24 of 1973.
 - “(19AA) “premises” means any land or building or part of a building and includes—
 - (a) the garden, ground and out-houses, if any, appertaining to a building or part of a building; and
 - (b) any fittings affixed to a building or part of a building for the more beneficial enjoyment thereof;”.
3. After clause (f) of sub-section (1) of section 61 of the principal Act, the following clause shall be inserted, namely:— Amendment of section 61 of Haryana Act 24 of 1973.

“(fa) all the properties, funds and dues alongwith all the legal liabilities of the trust dissolved under sub-section (1) of section 105, vested in the State Government under clause (b) of sub-section (2) and transferred to the municipality under the proviso to clause (d) of sub-section (2) of section 105 of the Haryana Town Improvement Act, 2008 (36 of 2008);”.
4. After section 208 of the principal Act, the following section shall be inserted, namely:— Insertion of section 208A in Haryana Act 24 of 1973.

“208A. Power to seal premises.—(1) The Executive Officer or the Secretary of the municipal council or the committee, as the case may be, at any time, before or after making an order under section 208, may order to seal the premises.

(2) Where any premises has been sealed, the Executive Officer or the Secretary of the municipal council or the committee, as the case may be, may order such seal to be removed for the purpose of—

- (a) allowing an opportunity to the owner to bring it in conformity with the sanctioned building plan as per the provisions of this Act, rules or bye-laws framed thereunder within a period, which shall not exceed three months; or
- (b) allowing the functionaries of the municipality to bring it in conformity with the sanctioned building plan as per the provisions of this Act, rules or bye-laws framed thereunder at the cost of the owner; or
- (c) demolition, at the cost of the owner.

(3) Where any order to seal the premises has been passed under sub-section (1), the owner may file an appeal before the Deputy Commissioner concerned within a period of seven days of passing of such order. The Deputy Commissioner may either reject the appeal or stay the order to allow the owner to bring the premises in accordance with the sanctioned building plan as per the provisions of this Act, rules or the bye-laws framed thereunder, with such conditions including furnishing of a bank guarantee of an amount, as deemed fit. On failure of the owner to adhere to the conditions of the order, bank guarantee shall be revoked and the premises shall be liable for demolition, at the cost of the owner. Such cost shall be paid by the owner within a period of one month from the date of demolition of the said premises.

(4) In the event of non-payment of the cost by the owner as per sub-section (3), the same shall be recoverable as arrears of land revenue.

(5) No person shall remove such seal except—

- (a) under an order made by the Executive Officer or the Secretary of the municipal council or the committee, as the case may be, under sub-section (2); or
- (b) under an order of the appellate authority.”.

5. For the existing second proviso to section 214 of the principal Act, the following proviso shall be substituted, namely:—

“Provided 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 one lac rupees and more than two lac rupees, and in the case of a continuing breach, with a further fine of two thousand rupees for every day during which the breach continues.”.

Amendment of section 214 of Haryana Act 24 of 1973.

RAJ RAHUL GARG,
Secretary to Government, Haryana,
Law and Legislative Department.

PART IV

HARYANA GOVERNMENT

LAW AND LEGISLATIVE DEPARTMENT

Corrigendum

The 30th September, 2013

In the Haryana Government, Law and Legislative Department, Notification No. Leg. 14/2013, dated 26th September, 2013 published in the Haryana Government Gazette (Extraordinary), dated the 26th September, 2013, in the long title, for figures "1994", read "1973".

RAJ RAHUL GARG,

Secretary to Government Haryana,
Law and Legislative Department.