

(Authorised English Translation)

**THE RAJASTHAN MUNICIPALITIES (AMENDMENT)
BILL, 2021**

(To be introduced in the Rajasthan Legislative Assembly)

A

Bill

further to amend the Rajasthan Municipalities Act, 2009.

Be it enacted by the Rajasthan State Legislature in the Seventy-second Year of the Republic of India, as follows:-

1. Short title and commencement.- (1) This Act may be called the Rajasthan Municipalities (Amendment) Act, 2021.

(2) It shall come into force at once.

2. Amendment of section 6, Rajasthan Act No. 18 of 2009.- In clause (a) of sub-section (1) of section 6 of the Rajasthan Municipalities Act, 2009 (Act No. 18 of 2009), hereinafter referred to as the principal Act,-

(i) for the existing sub-clause (ii), the following shall be substituted, namely:-

“(ii) six persons in case of Municipal Board, eight persons in case of Municipal Council and twelve persons in case of Municipal Corporation, having special knowledge or experience in municipal administration, to be nominated by the State Government by notification in the Official Gazette.”;

(ii) after the existing sub-clause (iii) of the proviso, the following new sub-clause shall be added, namely:-

“(iv) the number of persons to be nominated each in Municipal Board, Municipal Council and Municipal Corporation under sub-clause (ii) of clause (a) shall include one person with disability;”.

3. Amendment of section 24, Rajasthan Act No. 18 of 2009.- For the existing Explanation to section 24 of the principal Act, the following shall be substituted, namely:-

“**Explanation.-** For the purpose of clause (xvii),-

- (I) any number of children born out of a single delivery shall be deemed to be one entity and any child given in adoption shall not be excluded while computing the number of children; and
 - (II) while counting the total number of children a child born from earlier delivery and having disability shall not be counted and the word “disability” for this purpose, shall include any type of disabilities specified in or under the Rights of Persons with Disabilities Act, 2016 (Central Act No. 49 of 2016).”.
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STATEMENT OF OBJECTS AND REASONS

Vide Notification No. Pa.8(Ga)()Niyam/DLB/19/1523 Jaipur, dated 10-06-2019 the State Government, in exercise of the powers conferred by sections 6 and 9 of the Rajasthan Municipalities Act, 2009, has re-determined the number of seats in Municipalities. The number of seats in each Municipality has been considerably increased on the basis of Census-2011. Consequently, there has been widespread demand by the various public representatives and organizations to increase the number of seats of nominated persons also. Upon consideration the State Government has decided to increase the number of persons having special knowledge or experience in municipal administration, to be nominated in the Municipality. Therefore, sub-clause (ii) of clause (a) of sub-section (1) of section 6 of the Rajasthan Municipalities Act, 2009 is proposed to be amended suitably.

Further, for proper participation of persons with disabilities in Local Self Government and implementation of specific provisions of the Rights of Persons with Disabilities Act, 2016 (Central Act No. 49 of 2016) and to enable them to enjoy their rights equally with others, suitable provision is proposed to be made in the Rajasthan Municipalities Act, 2009 (Act No. 18 of 2009). Accordingly, a new sub-clause (iv) is proposed to be added to the existing proviso of clause (a) of sub-section (1) of section 6.

In consonance with the provisions of the Rajasthan Panchayati Raj Act, 1994 it is proposed that while counting the total number of children of a person for being chosen as or being a member of a Municipality, the disabled child born from earlier delivery should not be counted for the purpose of disqualification under section 24 of the Rajasthan Municipalities Act, 2009. Accordingly, section 24 of the Act is proposed to be amended suitably.

The Bill seeks to achieve the aforesaid objectives.
Hence the Bill.

**शान्ती कुमार धारीवाल,
Minister Incharge.**

**EXTRACTS TAKEN FROM THE RAJASTHAN
MUNICIPALITIES ACT, 2009
(Act No. 18 of 2009)**

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6. Composition of Municipality.- (1) Subject to the provisions contained in the succeeding sub-sections, but save as provided in the following provisions of this sub-section, all seats in a Municipality shall be filled by persons chosen by direct election from the territorial constituencies known as wards, the number of such seats, not being less than thirteen, being fixed by the State Government from time to time by notification in the Official Gazette:-

(a) the following shall represent in the Municipal Board, Municipal Council or, as the case may be, Municipal Corporation, viz.:-

(i) xx xx xx xx xx

(ii) six persons in case of Municipal Corporation, five persons in case of Municipal Council and four persons in case of Municipal Board, having special knowledge or experience in Municipal administration, to be nominated by the State Government by notification in the Official Gazette:

Provided that-

(i) to (ii) xx xx xx xx xx

(iii) a nominated member shall not have the right to vote in the meetings of a Municipality;

(b) xx xx xx xx xx

(2) to (9) xx xx xx xx xx

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24. General disqualifications for members.- A person, notwithstanding that he is otherwise qualified, shall be disqualified, for being chosen as or for being a member of a Municipality-

(i) to (xvi) xx xx xx xx xx

(xvii) if he has more than two children, or

(xviii) to (xix) xx xx xx xx xx

Provided that-

(a) to (e) xx xx xx xx xx

Explanation.- For the purpose of clause (xvii) any number of children born out of a single delivery shall be deemed to be one entity and any child given in adoption shall not be excluded while computing the number of children.

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राजस्थान नगरपालिका (संशोधन) विधेयक, 2021

(जैसाकि राजस्थान विधान सभा में पुरःस्थापित किया जायेगा)

राजस्थान विधान सभा

राजस्थान नगरपालिका अधिनियम, 2009 को और संशोधित करने के लिए विधेयक।

(जैसाकि राजस्थान विधान सभा में पुरःस्थापित किया जायेगा)

प्रमिल कुमार माथुर,
सचिव।

(शान्ती कुमार धारीवाल, प्रभारी मंत्री)

Bill No. 6 of 2021

**THE RAJASTHAN MUNICIPALITIES (AMENDMENT)
BILL, 2021**

(To be introduced in the Rajasthan Legislative Assembly)

RAJASTHAN LEGISLATIVE ASSEMBLY

A

Bill

further to amend the Rajasthan Municipalities Act, 2009.

(To be introduced in the Rajasthan Legislative Assembly)

Pramil Kumar Mathur,
Secretary.

(Shanti Kumar Dhariwal, **Minister-Incharge**)