

**GOVERNMENT OF HARYANA**  
**DEPARTMENT OF URBAN LOCAL BODIES**  
**ORDER**

Whereas, Civil Writ Petition No. 2912 of 2025 titled as Rohtash Singh Versus State of Haryana and others filed by the petitioner has been disposed of by the Hon'ble Punjab and Haryana High Court vide order dated 03.02.2025, which is reproduced as under:-

*"Petition herein, inter alia, is for issuance of a writ in the nature of Certiorari for quashing action of the respondents through notification (Annexure P-4), whereby number of reserved seats for the Scheduled Caste category has been reduced from 5 seats to 3 seats in the upcoming elections of the Municipal Corporation, Panipat.*

2. *At the outset, learned counsel for the petitioner submits that petitioner would be satisfied, in case, his pending representation dated 23.01.2025 (Annexure P-9) is decided by the concerned authority, which has not been adverted to by the respondents till date.*

3. *On the other hand, on advance service of copy of petition, learned State counsel appears and opposes issuance of notice of motion. He submits that grievance of the petitioner will be looked into by concerned authority/respondent No. 1 and it shall take decision either way, on pending representation dated 23.01.2025 (Annexure P-9) of the petitioner.*

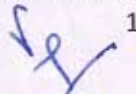
4. *Given the nature of order being passed, there is no necessity to seek reply by any of the respondents as no further proceedings and/or pleadings are required.*

5. *Without commenting on merits of the case, the petition is disposed of with a direction to the concerned authority/respondent No. 1 to consider pending representation dated 23.01.2025 (Annexure P-9) of the petitioner and pass an appropriate reasoned order, in accordance with law, expeditiously.*

6. *Pending applications(s), if any, shall also stand disposed of.*

2. Whereas, above referred order dated 03.02.2025 of the Hon'ble High Court has been received in this office on 14.02.2025. In the representation dated 23.01.2025 (Annexure P-9) the basic grievance of the petitioner is that total number of seats reserved for Scheduled Castes category have been reduced from 5 seats to 3 seats for the upcoming elections of Municipal Corporation, Panipat in violation of the provisions of Section-11(1) & (7) of the Haryana Municipal Corporation Act, 1994 and Rule-3 of the Haryana Municipal Corporation Delimitation of Ward Rules, 1994. It has been further mentioned that this action of the department is arbitrary in nature and the same is in violation of the provisions of Article 14, 15 & 243T of the Constitution of India.

3. Whereas, it is submitted that to provide adequate representation to SC/ST in the municipal bodies, provision has been made under Article 243T of the Constitution of India that "Seats shall be reserved for the Scheduled Castes and the Scheduled Tribes in every Municipality and the number of seats so reserved shall bear, as nearly as may be, the same proportion to the total number of seats to be filled by direct election in that Municipality as the population of the

 1



*Scheduled Castes in the Municipal area or of the Scheduled Tribes in the Municipal area bears to the total population of that area and such seats may be allotted by rotation to different constituencies in a Municipality."*

Further, the definition of 'population' under clause (g) of Article 243P of the Constitution of India and Section 2(45) of the Haryana Municipal Corporation Act, 1994 has been provided as under:-

*"population" means the population as ascertained at the last preceding census of which the relevant figures have been published."*

4. In consonance with the aforesaid provision of Article 243T of the Constitution of India, similar provision has been made under sub-section (1) of Section 11 of the Haryana Municipal Corporation Act, 1994 to provide the reservation to the Scheduled Castes in the elections of Municipal Corporations which is as under:-

*"11(1).- Seats shall be reserved for the Scheduled Castes in the Corporation and the number of seats so reserved shall bear, as nearly as may be, same proportion of the total number of seats to be filled by direct election in the Corporation, as the population of the Scheduled Castes in the Municipal area bears, to the total population of that area and such seats may be allotted by rotation to such wards having maximum population of persons belonging to Scheduled Castes."*

5. Whereas, on perusal of the above provisions of Constitution of India and Haryana Municipal Corporation Act, 1994, it is clear that the seats/wards for Scheduled Castes are fixed in proportion to the population of Scheduled Castes to the total population in any municipality. For this purpose the following formula has been provided under rule 3(3) of the Delimitation of Ward Rules, 1994:-

Total Number of Seats X Population of Scheduled Castes

Total population

As per census 2011, the total population of the existing municipal limit of Municipal Corporation, Panipat is 4,84,350 and out of which the population of Scheduled Castes is 63,299 which is 13.06% of the total population of Municipal Corporation, Panipat. Accordingly, applying the above formula for determination of seats for Scheduled Castes, the number of seats comes as under:-

26 X 63299

4,84,350 = 3.40

**Say = 03** (decimal value is less than 0.5)

6. It is mentioned that earlier, there was provision under section 6 of the Haryana Municipal Corporation Act, 1994 and rule 3 of the Haryana Municipal Corporation Delimitation of Ward Rules, 1994 for fixation of total number of seats/wards including SC seats/wards that the seats shall be fixed on the basis of population ascertained as per latest census and if certain area is included within, or excluded from the limits of a Municipal area, the population shall be ascertained on the spot in respect of such area and shall be added to, or excluded from the latest census figures of that Corporation for the purpose of re-fixation of seats of the Corporation.

2



7. Whereas, for the previous election of Municipal Corporation, Panipat held in the year 2018, the total seats (including the seats for Scheduled Castes) were fixed vide Government notification dated 06.10.2017 on the basis of population of Census 2011 and population of altered area ascertained by spot survey by Municipal Corporation, Panipat as per applicable provisions of law in this regard. Accordingly, total population was ascertained as 6,27,435 in which Scheduled Castes population was 1,20,696. As per this notification total 26 seats/wards were fixed for the election of Municipal Corporation, Panipat held on 16.12.2018, in which 05 seats/wards were belonging to Scheduled Castes.

8. Thereafter, the provisions of section 6 of the Haryana Municipal Corporation Act, 1994 have been amended vide Ordinance No. Leg. 20/2023 dated 16.05.2023 (converted into Haryana Act No. 25 of 2023 vide notification dated 19.09.2023) and rule 3 of the Haryana Municipal Corporation Delimitation of Ward Rules, 1994 vide notification dated 26.05.2023 to fix the total number of seats/wards of Municipal Corporations on the basis of population drawn from the Family Information Data Repository (FIDR) established under the provisions of Haryana Parivar Pehchan Act, 2021 (20 of 2021) on such date, as may be notified by the Government. Further, it has been provisioned in the Act and Rules that where the population as drawn from FIDR is less than 140 per centum of number of electors registered in such areas as per the last published Electoral Roll, then the population equal to 140 per centum of the voters in the electoral rolls of the area shall be considered.

9. Accordingly, as per the report dated 25.12.2024 of Commissioner, Municipal Corporation, Panipat, the total population of the area under the jurisdiction of Municipal Corporation, Panipat is 6,24,433 as per the Family Information Data Repository (FIDR) and the registered electors as per last published electoral rolls are 3,72,253. After taking into consideration 140 per centum of total electors, the figure comes to 5,21,154. Hence, the total 26 seats/wards have been fixed in Municipal Corporation, Panipat on the basis of FIDR population i.e. 6,24,433, which is higher than the 140 percentum of the electors.

Further, total population of the area of Municipal Corporation, Panipat as per latest Census i.e 2011 is 484350 in which the population of Scheduled Castes is 63299 on the basis of which, the seats for Scheduled Castes have been fixed as under:-

Total Number of Seats (26) X Population of Scheduled Castes (63299)

Total population (484350) = 3.40

Say = 03 (decimal value is less than 0.5)

In view of the above, it becomes clear that method/formula for determining the number of seats/wards for Scheduled Castes is strictly regulated by Section 6 (amended) of the Haryana Municipal Corporation Act, 1994 read with Rule-3 of the Haryana Municipal Corporation Delimitation of Ward Rules, 1994. Furthermore, the information obtained from the Family Information Data Repository has had no relevance in the application of the above formula in the present case as the total number of seats/wards in Municipal Corporation, Panipat have been fixed on the basis of FIDR population. Whereas the seats for Scheduled Castes have been fixed on the basis of total population and therein Scheduled Castes population as per latest census figures i.e. 2011. Therefore, the fixation of 3 seats/wards for Scheduled Castes in Municipal Corporation, Panipat is in accordance with the statutory provisions. Furthermore, the information supplied by Citizen Resource Information Department has no effect on the above-mentioned

3



statutory procedure for fixation of seats/wards for Scheduled Castes in Municipal Corporation, Panipat.

10. Therefore, total 26 seats/wards and out of which 03 seats/wards for Scheduled Castes have been fixed in Municipal Corporation, Panipat as per the provisions of the Act & Rules and as per the figures of population. The notification in this regard has been issued by the Government on 20.12.2024 after getting it vetted from Law and Legislative Department which is as per the exiting provisions of ibid Act & Rules.

11. The work of wardbandi of Municipal Corporation, Panipat has already been completed and finally published vide notification dated 19.01.2025. Further, the proceeding regarding reservation of seats/wards of Municipal Corporation, Panipat has also been completed by the Deputy Commissioner, Panipat on dated 27.01.2025 being the Chairperson of Adhoc Body for delimitation of wards and notification regarding reservation of seats has also been issued by the Government on dated 04.02.2025. Vide this notification ward No. 07, 22 and 25 have been reserved for the members belonging to the Scheduled Castes, out of which ward Number 25 has been reserved for the member belonging to the Scheduled Castes Women.

12. The State Election Commission, Haryana has also issued the programme for conducting the General Elections in 33 Municipalities (08 Municipal Corporations including Panipat, 04 Municipal Councils and 21 Municipal Committees) vide their notification Nos. SEC/1ME/2025/530 & SEC/1ME/2025/581 both dated 04.02.2025. Accordingly, the poll will be held on 02.03.2025 except Panipat where poll will be held on 09.03.2025.

13. In view the above-mentioned facts, it is very much clear that the 03 seats/wards for Scheduled Castes have been fixed in Municipal Corporation, Panipat on the basis of population of Census 2011 in accordance with statutory provisions of Article 243T of the Constitution of India and Section-6 of the Haryana Municipal Corporation Act, 1994 as well as rules made thereunder. Therefore, the representation dated 23.01.2025 is not sustainable and the same deserves to be filed. Accordingly, in compliance of the orders dated 03.02.2025 passed in Civil Writ Petition No. 2912 of 2025 (O&M) titled as Rohtash Singh Versus State of Haryana and others, the representation dated 23.01.2025 of the petitioner is filed.

Decided accordingly.

  
(Vikas Gupta, IAS)

Chandigarh,  
Dated the: 20<sup>th</sup> February, 2025

Commissioner & Secretary to Government, Haryana,  
Urban Local Bodies Department.

Endst. No. 06/07/2025-4C1

Dated: 24/2/2025

A copy of the above is forwarded to the following for information and necessary action please:-

1. Registrar, Punjab and Haryana High Court at Chandigarh.
2. Advocate General, Haryana, Chandigarh.
3. Director General, Urban Local Bodies, Haryana, Panchkula.
4. Secretary, State Election Commission, Panchkula. Haryana.
5. Deputy Commissioner, Panipat.
6. Commissioner, Municipal Corporation, Panipat.
7. Shri Rohtash Singh S/o Lt. Raghuvir Singh (petitioner), Residence of House No. 522, Raj Nagar Gali No. 3, Panipat, District – Panipat, Haryana. (Mobile No. 83960 50387).

*Ramesh Kumar*  
(Ramesh Kumar) 24/2/2025

Superintendent Committee-I  
for Commissioner and Secretary to Government, Haryana,  
Urban Local Bodies Department.

CC:

GM (I.T.), HQ with the request to upload the same on the department's Web Portal.

