

8.4 Delimitation - Procedure for upgradation, downgradation, bifurcation and amalgamation of Local Bodies

Rural Development and Panchayat Raj (C1) Department

G.O. (D) No. 131

Dated : 16.3.2007

Read :

G.O.(Ms.) No.113, Rural Development Department, dated 26.9.1999.

ORDER

A large number of requests for upgradation, down gradation, bifurcation and amalgamation of rural and urban Local Bodies have been received and are under the consideration of the Government.

2. During its meeting held on 17.2.2007, the Cabinet decided that there is no need for District Level Committees or a State Level Committee and that the public-hearing exercise may be done by District Collectors following the procedure prescribed in the Cabinet note and proposals may be sent for taking decisions at the Government level.

3. Accordingly, the Government direct that District Collectors may conduct public hearing in connection with the following -

I. Upgradation of the Local Bodies:

- (i) From Village Panchayats to Town Panchayats.
- (ii) From Town Panchayats to Municipalities.
- (iii) From Municipalities to Municipal Corporations.

II. Downgradation of Local Bodies:

- (i) From Town Panchayats to Village Panchayats.
- (ii) From Municipalities to Town Panchayats.

III. Merger / Amalgamation of Local Bodies:

- (i) A Village Panchayat as a whole or a part of it may be merged with a neighbouring Village Panchayat or Town Panchayat or Municipality or Municipal Corporation.
- (ii) A Town Panchayat as a whole or a part of it may be merged with a neighbouring Village Panchayat or Town Panchayat or Municipality or Municipal Corporation.
- (iii) A Municipality as a whole or a part of it may be merged with a neighbouring Municipality or Municipal Corporation.

IV. Bifurcation of Local Bodies:

- (i) Bifurcation of very large Panchayat Unions.
- (ii) Bifurcation of very large Village Panchayats.
- (iii) Bifurcation of Urban Local Bodies.

V. Any situation not contemplated above but felt necessary.

For example person living in a township may desire it to be bifurcated into two or more Village Panchayats or people living in a part of the extended area of a Town Panchayat or a Municipality or a Corporation may desire to merge with an adjacent Local Body of a different category or people living in areas adjoining industrial townships and presently not forming part of any Local Body may want to be constituted into a Local Body etc.

8.DELIMITATION

4. The following procedure shall be followed before recommending proposals to Government.

- (i) The Collectors shall convene the "first sitting" of the public hearing for which notices shall be sent to all the MPs., MLAs., elected heads of rural and urban Local Bodies besides the District Secretaries of the recognized political parties, reputed NGOs., residential associations, etc. This will also be given wide publicity in the local media so as to keep the public informed. At this sitting, the objectives will be explained to all concerned and the elected heads of rural and urban Local Bodies will be given at least a month's time to identify the issues relating to delimitation and come up with necessary resolutions along with their representations. The Collectors/Inspectors of the rural and urban Local Bodies shall duly observe the prescriptions, if any under the respective Acts relating to items I to V in para 3 above.
- (ii) In the "second sitting" of the public hearing the Collectors will scrutinize the proposals received and individually hear the representatives of the concerned Local Bodies, political parties and the others who have made the representations. As far as possible, the hearings will be held continuously. If the hearings cannot be completed in one or two days, the Collectors may give a short adjournment of the sitting to another date and then complete the hearings. Based on the hearings, the Collectors will prepare the draft recommendations.
- (iii) The draft recommendations will be sent to the Heads of Departments concerned and simultaneously published locally at designated public offices including the Local Body offices and objections, if any would be invited.
- (iv) If deemed necessary, the Heads of Departments may conduct a "third sitting" at the district level and hear the requests and objections that may be received on the draft recommendations. The Heads of Departments will then give their final recommendations to Government.

5. Collectors may clarify to all the urban and rural Local Bodies that the terms of office of present office bearers of the Local Bodies will not in anyway be affected by this exercise.

6. While Collectors may initiate the public hearing exercise and make their draft recommendations, Government will pass final orders only after the Delimitation Commission of Government of India publishes its final Notification.

(By order of the Governor)

K.ASHOK VARDHAN SHETTY
SECRETARY TO GOVERNMENT