



बिहार गजट

असाधारण अंक

बिहार सरकार द्वारा प्रकाशित

(सं० पटना-464) 2 आश्विन 1930 (श०)
पटना, बुधवार, 24 सितम्बर 2008

PANCHAYATI RAJ DEPARTMENT

NOTIFICATION
29th August 2008

No. .- 2Pa/Vi6-38/2006-4458—In exercise of the powers conferred by the section 146 of the Bihar Panchayat Raj Act, 2006 (Bihar Act 6, 2006) subject to the Section 167 (as amended) of the Bihar Panchayat Raj Act, 2006 the Governor of Bihar makes the following Rules for consolidating the plans made by three tier Panchayats and Municipal Corporations/Municipal Councils/Municipal Panchayats and to constitute the District Planning Committee at district level for drafting the development plan for whole district and to make arrangement for matters related to it or ancillary subjects :-

THE CONSTITUTION OF BIHAR DISTRICT PLANNING COMMITTEE AND CONDUCT OF BUSINESS RULES, 2006

1. *Short title extent and commencement :*
 - (i) These Rules may be called “The Constitution of Bihar District Planning Committee and Conduct of Business Rules, 2006”.
 - (ii) It shall extend to the whole of the State of Bihar.
 - (iii) It shall come into force from the date of its publication in the official Gazette.
2. *Definitions :-* Unless otherwise required in the context, in these Rules :-
 - (a) “**Act**” means the Bihar Panchayat Raj Act, 2006 (Bihar Act 6 of 2006);
 - (b) “**Chairman**” means a chairman of elected District Council under the provisions of the Act;
 - (c) “**Chief Executive Officer**” means a Chief Executive Officer of the District Council appointed under the provisions of the Act;
 - (d) “**District**” means a district notified as such by the State Government;
 - (e) “**District Magistrate**” means a District Magistrate of any district appointed by the State Government and includes such other officers who have specially been appointed by the State Government to execute all or any of the functions of the District Magistrate under the Act;

- (f) **“Prescribed”** means prescribed by the Act or rules made under it;
- (g) **“Population”** means and includes the population as ascertained on the basis of last census;
- (h) **“District Board”** means a District Board of any district constituted under the Act;
- (i) **“Municipal Bodies”** means a body constituted under the Bihar Municipality Act, 1922; Patna Municipal Corporation Act, 1951 and Bihar Municipality Act, 1978, as amended;
- (j) **“Rural Area”** means any area which is different from the municipal area;
- (k) **“Municipal Area”** means the territorial area of a Municipal Corporation, Municipal Council or Municipal Panchayat, as the case may be;
- (l) **“Committee”** means the District Planning Committee constituted under Section 167 (as amended) of the Act;
- (m) **“Metropolitan Planning Committee”** means the Metropolitan Planning Committee Constituted under the provisions of Article - 243ZE of the Constitution;
- (n) All other words and terms used but not defined in these Rules shall have the same meaning as assigned to them in the Act.
3. Members of the Committee.— According to the provisions of the Section 67 (as amended) of the Bihar Panchayat Raj Act, 2006 the following shall be the members of the Committee :-
- (i) Chairman of the District Council;
- (ii) Mayor or Chairman of the Municipal Corporation/Municipal Council/Municipal Panchayat, as the case may be, having jurisdiction over district headquarter.
- (iii) At least 4/5th member of the total number of members of the District Planning Committee as per the appendix attached.
- (iv) At least 4/5th members of the total number of members of the District Planning Committee mentioned in para (iii) above shall be elected in prescribed manner by the elected members of the District Council and the Municipal bodies in district according to the ratio (Column 6 and 7 of the appendix) of the population of rural and municipal areas in accordance with the number mentioned in column 15 and 16 of the appendix.
- Provided that, it will be refixed after every census on assessment of population.
4. The following shall be invited permanently in the Committee :-
- (a)(i) The member of the Lok Sabha representing wholly or partially the territory of the district,
- (ii) The member of the Rajya Sabha registered as a voter in the district,
- (iii) All such members of the State Legislative Assembly whose constituencies fall under that district,
- (iv) The members of the State Legislative Council registered as a voter in that district,
- (v) The Chairman of the District Co-operative Bank/District Land Development Bank.
- (vi) The District Magistrate.
- (b)(i) Any member of the Committee shall not nominate any person as his/her representative to be present in the meeting of the Committee, on his/her behalf.
- (ii) If any elected member of the Committee ceases to be a member of Municipal Corporation/Municipal Council/Municipal Panchayat or District Board, as the case may be, he/she will not remain a member of the Committee.
- (iii) If a post of any elected member of the Committee falls vacant due to his/her death, resignation or by other reason, such vacancy will be filled up for his/her remaining tenure in the manner provided under rule-6.

5. *Chairman of the Committee* .—The Chairman of the District Council shall be the chairman of the Committee.
6. Election of the members :-
 - (i) The State Election Commission shall have the right to prepare electoral roll for the election of members of the District Planning Committee and to direct, control and supervise that election, in such manner as it deems fit.
 - (ii) The joint meeting of the elected members of the District Council and all Municipal Bodies shall be convened for Constitution of the District Planning Committee. In the direction control and supervision of the State Election Commission under section 167 (as amended) of the Act.
 - (iii) In the direction, control and supervision of the State Election Commission the at least 4/5th members of the total number of members of the Committee specified by the Government shall be elected in prescribed manner from amongst members of the District Council, Councillors of Municipal Panchayat and Municipal Corporation and Municipal Council of the district in the ratio of the population of rural and municipal areas of the district.
7. *Vacancies etc. shall not invalidate the proceedings of the Committee.*— Any work or the proceeding of the Committee shall not be invalidated only on the basis of any existing vacancy or fault in the Constitution of the Committee.
8. *Meeting of the Committee and Quorum :-*
 - (i) The meeting of the committee at district headquarter shall be convened on such date and time as may be fixed by the chairman.
 - (ii) The Committee may invite specialists of the subject matter to be present in its meeting on such conditions as may be prescribed.
 - (iii) In the absence of the chairman the meeting of the Committee shall be presided over by such member as may be selected by the members of the Committee present in the meeting.
 - (iv) The presence of more than half of the members mentioned in rule-3 shall make the quorum of the meeting of the District Planning Committee.
 - (v) The Chief Executive Officer of the District Council will be the Secretary of the District Planning Committee and record the proceedings of the Committee.
 - (vi) The District Planning Officer will give advice and extend Co-operation, as desired, to the District Planning Committee in the matter of preparing plan subject to subsection (6) of section 88 of the Act.
 - (vii) The District Magistrate, the Chief Executive Officer and the District Planning Officer shall compulsorily be present in the meetings of the District Planning Committee.
9. *Powers and functions of the Committee :-*
 - (1) To consolidate the plans prepared by District Board, Panchayat Committees, Gram Panchayat, Municipal Panchayats, Municipal Councils and Municipal Corporations of the district and to make draft of development plan for whole of the district.
 - (2) To identify the local needs and objects within the framework of the National and the State Plan.
 - (3) To collect, compile and update the information regarding the natural and human resources of the district for making solid database for decentralised planning and preparing details of the resources of district, town and block.
 - (4) Enlisting the facilities of village, block, town and district level and its mapping.
 - (5) To recommend the policies, programmes and priorities for the development of the district with a view to ensure maximum and justifiable use and exploitation of available natural and human resources.
 - (6) To modify or amend and consolidate five year or Annual Development Plan prepared for rural and municipal areas, keeping in view the overall objectives and strategies of the plan.

- (7) To present the development plan to the State Government in such manner as may be prescribed.
 - (8) To prepare employment scheme for the district.
 - (9) To prepare estimates of financial resources for financing the district plan.
 - (10) To recommend the regional and subregional outlay within the overall framework of the District Development Plan.
 - (11) To identify such plans and programmes for which institutional finance is needed and to recommend, keeping in view the forward and backward linkage with the plan.
 - (12) To recommend for ensuring the cooperation of voluntary organisations in the overall development process.
 - (13) To suggest and recommend the State Government regarding such State Regional Plans which have an important relation with the process of the development of the district.
 - (14) To recommend about the site selection for different works and plans.
 - (15) Any such function which may be assigned by the State Government.
 - (16) The issues of mutual general interest of the District Board, Panchayat Committees, Gram Panchayats, Municipal Panchayats, Municipal Corporations and Councils as mentioned in sub section (7)(a)(i) of section 167 of the Act as well as the local plan, water and other physical and natural resources, infrastructure, integrated development and environment conservation.
 - (17) Every District Planning Committee shall keep in mind the following points at the time of preparing the draft of the development plan :-
 - (i) Limitation and type of available resources, whether financial or otherwise.
 - (ii) Consultation with the institutions and organisations as specified by the Government.
10. *Right to summon other officers in the meeting* .—The District Planning Committee may summon technical officers working in the District for necessary cooperation in the formulation of plan, as the need be the Committee may invite Deputy Chairman of the Regional Development Authority concerned with the district, Chief Executive or Executive Officer of Municipal Corporation/Municipal Council/Municipal Panchayat, as the case may be, having jurisdiction over the District Headquarter, District Planning Officer, District Panchayat Raj Officer or any other District level officers for taking part in the meeting and give necessary advice in the formulation of the Plan.
11. *Reconstitution of the Committee*.— After the reconstitution of Metropolitan Planning Committee, the Government may reconstitute the District Planning Committee of the District concerned.
12. *Scope of District Plan* :-
- (1) Such subject shall be included in district plan which may be enumerated in the Bihar Panchayat Raj Act, 2006 for rural areas and Bihar Municipality Act, 1922; Bihar Regional Development Authority Act, 1981, Bihar Town Planning and Improvement Trust Act, 1951 and Patna Municipal Corporation Act, 1951 for municipal areas as the case may be.
 - (2) Such matters may also be included in the district plan which are deemed fit or the State Government may direct by order.
13. *Finalization of the District Plan*.— The Committee will finalize the draft development plan for the district.
14. *Settlement of dispute*.— If any dispute or question arises with respect to the functions of the committee, its power or jurisdiction or any other matter, that dispute or question will be referred to the State Government and its decision on that shall be final.

15. *Power of State Government to assign function to the committee.*— The State Government by order may assign such functions relating to the coordination and monitoring of district plan to the committee which cover activities of different departments of the State Government and which it may deem fit.
16. *The Committee shall regulate their procedure.*—Subject to the rules framed by the State Government, the Committee shall regulate their own procedure.
17. *Power to remove difficulties.*— If any difficulty arises to give effect to the provisions of these rules, the State Government may, by order published in the official Gazette, do any such thing, as per the requirement of the occasion, which may appear necessary and fit for removing the difficulties.
18. *Protection of action taken in good faith.*—No suit prosecution or other legal action shall lie against any person for anything done or intended to be done in good faith in pursuant to the rules made under the Act.

STRUCTURE OF BIHAR DISTRICT PLANNING COMMITTEE

Sl. No.	Name of the District	Rural Population	Urban Population	Total Population	Percentage of Rural Population	Percentage of Urban Population	No. of admissible members of the Committee on the basis of Population	chairperson of Zila Parishad and Mayor/Chairperson having control on the Urban Body of the District Headquarter	Total No. of the Members	4/5th part of total member of the Committee	No. of Members to be elected from Zila Parishad	No. of Members to be elected from Urban Body.
1	2	3	4	5	6	7	8	9	10	11	12	13
1	Buxar	1273422	128974	1402396	91	9	20	2	22	18	16	2
2	Rohtas	2123942	326806	2450748	87	13	30	2	32	26	22	3
3	Bhojpur	1930730	312414	2243144	86	14	30	2	32	26	22	4
4	Nalanda	2016899	353629	2370528	85	15	30	2	32	26	22	4
5	Patna	2757060	1961532	4718592	58	42	40	2	42	34	20	14
6	Kaimur	1247299	41775	1289074	97	3	20	2	22	18	17	1
7	Gaya	2997479	475949	3473428	86	14	40	2	42	34	29	5
8	Nawada	1671253	138443	1809696	92	8	20	2	22	18	16	1
9	Aurangabad	1842998	170057	2013055	92	8	30	2	32	26	23	2
10	Jehanabad	813227	111612	924839	88	12	10	2	12	10	8	1
11	Arwal	589476	0	589476	100	0	5	1	6	5	5	0
12	Saran	2950064	298637	3248701	91	9	40	2	42	34	31	3
13	Siwan	2564860	149489	2714349	94	6	30	2	32	26	24	1
14	Gopalganj	2022048	130590	2152638	94	6	30	2	32	26	24	2
15	Muzaffarpur	3398361	348353	3746714	91	9	40	2	42	34	30	3
16	Vaishali	2531766	186655	2718421	93	7	30	2	32	26	24	2

17	E. Champaran (Motihari)	3688687	251086	3939773	94	6	40	2	42	34	31	2
18	W. Champaran (Betiah)	2733907	309559	3043466	90	10	40	2	42	34	30	3
19	Sitamarhi	2529407	153313	2682720	94	6	30	2	32	26	24	1
20	Sheohar	494699	21262	515961	96	4	5	2	7	6	5	0
21	Bhagalpur	1970745	452427	2423172	81	19	30	2	32	26	21	5
22	Banka	1552353	56420	1608773	96	4	20	2	22	18	17	1
23	Madhubani	3450736	124545	3575281	97	3	40	2	42	34	32	1
24	Samastipur	3271338	123455	3394793	96	4	40	2	42	34	32	1
25	Darbhanga	3028441	267348	3295789	92	8	40	2	42	34	31	3
26	Saharsa	1383015	125167	1508182	92	8	20	2	22	18	16	1
27	Madhepura	1458679	67967	1526646	96	4	20	2	22	18	17	1
28	Supaul	1644370	88208	1732578	95	5	20	2	22	18	17	1
29	Purnea	2321544	222398	2543942	91	9	30	2	32	26	23	2
30	Araria	2026257	132351	2158608	94	6	30	2	32	26	24	2
31	Kishanganj	1167340	129008	1296348	90	10	20	2	22	18	16	2
32	Katihar	2174361	218277	2392638	91	9	30	2	32	26	23	2
33	Munger	819950	317847	1137797	72	28	20	2	22	18	13	5
34	Jamui	1295552	103244	1398796	93	7	20	2	22	18	16	1
35	Begusarai	2241743	107623	2349366	95	5	30	2	32	26	24	1
36	Khagaria	1204027	76327	1280354	94	6	20	2	22	18	17	1
37	Lakhisarai	684485	117740	802225	85	15	10	2	12	10	8	1
38	Sheikhpura	444189	81313	525502	85	15	5	2	7	6	5	1
Total :-		74316709	8681800	82998509	3433	367	1005	75	1080	864	777	87

By order of the Governor,

Sd/-Illegible,

Principal Secretary to the Government

अधीक्षक, सचिवालय मुद्रणालय,
बिहार पटना द्वारा प्रकाशित एवं मुद्रित।
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