

**THE ODISHA ZILLA PARISHAD (DIVISION AND RESERVATION
OF CONSTITUENCIES) RULES, 1995**

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THE ODISHA ZILLA PARISHAD (DIVISION AND RESERVATION OF CONSTITUENCIES) RULES, 1995

1. (1) These rules may be called “The Odisha Zilla Parishad (Division and Reservation of Constituencies) Rules, 1995”.
- (2) They shall come into force on the date of their publication in the *Odisha Gazette*.
2. (1) In these rules, unless the context otherwise requires,—
 - (a) ‘Act’ means the Odisha Zilla Parishad Act, 1991;
 - (b) ‘Commissioner’ means the State Election Commissioner appointed under Article 243-K of the Constitution;
 - (c) ‘Constituency’ means a constituency as may be determined under sub-section (3-A) of Section 6;
 - (d) ‘Government’ means the Government of Odisha ;
 - (e) ‘Section’ means section of the Act.
- (2) All other words and expressions used but not defined herein shall, unless the context otherwise requires, have the same meaning as assigned to them in the Act.
3. (1) Every constituency shall be named after the Block and where there are more than one constituency in a Block, the constituencies shall be named in numerical order beginning with North-West to South-East direction.
- (2) Population shall be computed to the nearest thousand only.
4. The Collector shall prepare the list of constituencies of the Parishad, as required under Clause(c) of sub-section (3-A) of Section 6, in Form No. 1.
5. Subject to the direction, if any, issued by the Governor of Odisha under sub-paragraph (1) of paragraph 5 of the Fifth Schedule to the constitution of India, out of the constituencies left in the list for the Candidates, other than Scheduled Castes and Scheduled Tribes, reservation of constituencies for the members of Backward Class of citizens shall begin from the constituency which appears first and shall continue one by one until required quota is completed.
6. (1) The draft statement as required under clause(e) of sub-section (3-A) of Section 6, showing the division of the Parishad area into constituencies and reservation of seats shall be prepared in Form No. 2 and published together with a notice in Form No. 3 inviting objections and suggestions from all persons interested to be filed within a period of ten days from the date of such publication.
- (2) Any persons may file his objection or suggestion, in writing, within the period specified under sub-rule(1), either in person or such objection or suggestion may be sent to the Collector by post so as to reach him within the aforesaid period.
- (3) Any objection or suggestion received after expiry of the period prescribed in sub-rule (1) shall be rejected summarily.

- (4) All objections and suggestions received under sub-rule (2) shall be consolidated constituencywise and after considering the objections and suggestions and making such further enquiry, if necessary the Collector shall pass such orders as he may deem it appropriate as to whether there shall be any alternation to be made in respect of any constituency or reservation of any seats and if so, the extent and manner thereof.
7. The Collector, after making such alterations as may be necessary, shall prepare the final statement showing the division of Parishad area and reservation of Constituencies therein in Form No. 2 and shall submit the same to the Government as required under clause (f) of sub-section (3-A) of Section 6 within ten days from the date of expiry of the period prescribed in sub-rule (1) of Rule 6.
8. (1) After receipt of the final statement from the Collector under Rule 7, the Government shall examine the same and to ensure that the division of Parishad area and reservation of seats therein have been made in accordance with the provisions of the Act and these rules :

Provided that if during the course of examination, in any case, it appears to the Government that there has been a departure from the provisions of the Act or the Rules or that the said provisions have not been followed, they may correct the division of Parishad area or reservation of seats therein by making such alterations as may be necessary so as to make the final statement in conformity with the Act and the Rules.
- (2) The Government shall approve the final statement or finalise the said statement and publish the same in the Gazette.
9. The Government shall send to the Commissioner the lists of,—
 - (a) Total number and description of the Constituencies from which the members are to be elected to the Parishad;
 - (b) Constituencies reserved for the Scheduled Castes, Scheduled Tribes, Backward Class of Citizens and Women; and
 - (c) Offices of the President of the Parishad reserved for the Scheduled Castes and Scheduled Tribes and Women; as the case may be.
10. (1) If any question arises as to the interpretation of these Rules the question shall be referred to the Government for decision.
- (2) The Government may, from time to time, issue such instructions, as occasion may require, for;—
 - (i) smooth implementation of these rules; and
 - (ii) removal of any doubt or difficulties arising out of implementation of these Rules.
11. The Odisha Zilla Parishad (Delimitation and Reservation of Constituency) Rule, 1994 are hereby repealed.