



सत्यमेव जयते

STATE ELECTION COMMISSION, ODISHA

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Letter No. 8318

Date 14/09/2022

From

Sri R.N. Sahu, IAS
Secretary.

To

The Chief Secretary,
Government of Odisha, Bhubaneswar.

Sub: General Elections to Attabira NAC & Hindol NAC- Completion of Delimitation of Wards & Reservation of Seats and Offices of Chairperson by District Magistrates and State Government.

Sir,

I am directed to say that Article 243-U of the Constitution of India stipulates that election to constitute a Municipality/ NAC shall have to be completed before expiry of its term of five years from the date appointed for its first meeting.

The first meeting of Attabira NAC in Baragarh District & Hindol NAC in Dhenkanal District was held on 12.04.2018 . Hence, General Elections have to be held and new Bodies to be reconstituted in these Urban Local Bodies before 12.04.2023. It is utmost necessary to conduct timely election to these Bodies.

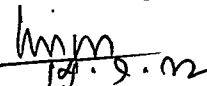
Under Article 243-ZA of the Constitution of India, the Superintendence, direction and control of the preparation of Electoral Rolls and conduct of all elections to the Municipality/ NAC are vested with the State Election Commission. The same provision has been reiterated in Section 11-A of the Odisha Municipal Act, 1950. Considering that the present term of the above elected Municipal Bodies will expire on date mentioned above the next General Elections of 2 Urban Local Bodies will have to be completed before expiry of the tenure of these Urban Local Bodies. It is therefore mandatory to be in preparedness for holding the election in time so as to meet the constitutional obligation.

As the first step in the preparation for holding the General Elections, the task of Delimitation of Wards/Constituencies and Reservation of Seats in accordance with the provision laid down in Article 243-T of the Constitution of India read with Section 12(3) and (3-A) of the Odisha Municipal Act, 1950 and Rule 2-A and 3 of Odisha Municipal (Delimitation of Wards, Reservation of Seat and Conduct of Election) Rules, 1994 will have to be undertaken and completed by the District Magistrates and copy of the notification in this behalf in respect of each Municipal Body should be furnished to the State Election Commission.

Again the task of reservation of the offices of Chairpersons of the NACs should be undertaken and completed by the State Government in Housing and Urban Development Department under Sec.47 of the Odisha Municipal Act, 1950 read with Rule 67 of Odisha Municipal (Delimitation of Wards, Reservation of Seat and Conduct of Election) Rules, 1994 and copy of the notification shall have to be furnished to the State Election Commission.

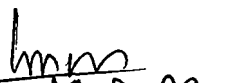
It is, therefore, directed by the Commission that the Government shall complete the Delimitation and Reservation process positively by **05.12.2022** so that the Commission will take steps to complete other statutory requirements like preparation of Electoral Roll, identification of polling stations etc. to complete the General Elections to Attabira NAC & Hindol NAC as per the Constitutional requirements in time, so that new elected representatives can take over the charge timely.

Yours faithfully,


Secretary

Memo No. 8319/SEC Date: 14/09/2022

Copy forwarded to Principal Secretary to Govt. Housing and Urban Development Department for information and necessary action.


Secretary