

The Odisha Gazette



EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 1589, CUTTACK, THURSDAY, SEPTEMBER 8, 2016/ BHADRA 17, 1938

HOUSING & URBAN DEVELOPMENT DEPARTMENT

NOTIFICATION

The 7th September, 2016

S.R.O. No.401/2016— Whereas, the draft of certain rules further to amend the Odisha Municipal (Delimitation of Wards, Reservation of Seats and Conduct of Election) Rules, 1994, was published, as required by Section 392 of the Odisha Municipal Act, 1950 (Odisha Act, 23 of 1950) in the Extraordinary issue No. 1004, dated the 2nd June, 2016 of the *Odisha Gazette* under the notification of the Government of Odisha in the Housing & Urban Development Department No. 13269-HUD-13-LEGIS-67-POLICY-15-41/2015/HUD., dated the 2nd June, 2016 bearing **S.R.O. No. 193/2016**, inviting the objections and suggestions from all the persons likely to be affected thereby within a period of thirty days from the date of publication of the said notification in the *Odisha Gazette*;

And, whereas, no objection or suggestion has been received in respect of the said draft within the stipulated period;

Now, therefore, in exercise the powers conferred by Section 387 of the said Act, the State Government do hereby make the following rules further to amend the Odisha Municipal (Delimitation of Wards, Reservation of Seats and conduct of Election) Rules, 1994, namely:—

1. (1) These rules may be called the Odisha Municipal (Delimitation of Wards, Reservation of Seats and Conduct of Election) Amendment Rules, 2016.

(2) They shall come into force on the date of their publication in the *Odisha Gazette*.

2. In the Odisha Municipal (Delimitation of Wards, Reservation of Seats and Conduct of Election) Rules, 1994 (hereinafter referred to as the said rules) in rule 2-A; —

(a) in sub-rule (5), for the words and numericals "final notification in Form- XXII" the words and numericals "provisional notification in Form-XXII" shall be substituted ; and

(b) after sub-rule(5), the following sub-rules shall be inserted, namely :—

"(6) Any person aggrieved by the orders passed by the District Magistrate under sub-rule (4) and upon publication of provisional notification in Form XXII may file an appeal before the State Government under the second proviso to sub-section (3) of Section 12 within fifteen days from the date of publication of the notification in Form XXII, which shall be disposed of by the Appellate Authority within the period of thirty days from the date of its filing and if no appeal is filed before the State Government, after expiry of the stipulated period the State Government shall intimate to the District Magistrate concerned accordingly.

(7) The District Magistrate, after making such alterations as per the order of the Appellate Authority, if any, as may be necessary, shall publish in the notice board(s) of his office and office of the concerned Municipality, the final notification in Form-XXII-A showing the division of area of the Municipality into wards and reservation of seats therein as required under sub-section(3) of Section 12 and shall forward forthwith a copy of such notification to the Election Commission, to the Government and to the concerned Municipality."

3. In the said rules, for Forms-"XXI" and "XXII", the following Forms shall be substituted, namely:—

"FORM-XXI
[See sub-rule (1) of rule 2A]

Draft notification showing division of Wards and Reservation of Seats in the Municipalities

NOTIFICATION

In exercise of the powers conferred by sub-sections(3) and (3A) of Section 12 of the Odisha Municipal Act, 1950 (Odisha Act, 23 of 1950) read with sub-rule(1) of rule 2A of the Odisha Municipal(Delimitation of Wards, Reservation of Seats and Conduct of Election) Rules, 1994, the District Magistrate * on his own motion (in case of new Municipality)/ after consulting the Council of * Municipal Council/Notified Area Council hereby gives notice that the * Municipal Council/Notified Area Council in the district of shall be divided into Wards as specified in Column(2) of the Statement-I below with the description and boundaries of the said Wards against each in Columns(3) and (4) respectively thereof for the purpose of ensuing election of Councillors to the same and the Wards as specified in Column(2) of the Statement-II below in which the seats reserved under section 11 of the said Act, shall be set assigned against each in Column (3) thereof.

Any objection or suggestion which may be received from any person interested in respect of the said draft notification on or before the date of expiry of the period of ten days from the date of publication of this notification will be considered. Objections or suggestions received after the said period shall not be taken into consideration.

STATEMENT-I

Serial No.	Ward No.	Description of the Wards.	Four side boundaries of the Wards.
(1)	(2)	(3)	(4)

STATEMENT-II

Serial No.	Wards determined	Assignment for S.C., S.T., S.C. Women, S.T. Women, Backward Classes of Citizens including their women and other women.
(1)	(2)	(3)

* Score out the inappropriate alternative.

District Magistrate....."

"FORM-XXII

[See sub-rule (5) of rule 2A]

Provisional notification showing division of Wards and Reservation of Seats in the Municipalities

NOTIFICATION

Whereas, the draft notification bearing No.....dated thewas published in Form-XXI of the Odisha Municipal (Delimitation of Wards, Reservation of Seats and Conduct of Election) Rules, 1994 inviting objections and suggestions from all persons interested in respect of the said draft notification showing the division of the area of the.....*Municipal Council/Notified Area Council into wards and reservation of seats thereof on or before the date of expiry of the period of ten days;

*And, whereas, objections and suggestions received within the period so specified have been duly considered;

*And, whereas, no objection or suggestion has been received within the period so specified;

Now, therefore, in exercise of the powers conferred by sub-section (3) of Section 12 of the Odisha Municipal Act, 1950 (Odisha Act, 23 of 1950), the District Magistratedo hereby divide the area of the said * Municipal Council/Notified Area Council into Wards as specified in Column (2) of the Statement-I below with the description and boundaries of the said Wards against each in Columns (3) and (4) respectively thereof for the purpose of ensuing election of Councillors to the same and determine the Wards as specified in Column (2) of the Statement – II below in which the seats reserved under section 11 of the said Act shall be set assigned against each in Column (3) thereof.

Any person aggrieved by the orders passed by the District Magistrate under sub-rule (4) of rule 2-A may file an appeal before the State Government under the second proviso to sub-section (3) of Section 12.

STATEMENT-I

Serial No.	Ward No.	Description of the Wards	Four side boundaries of the Wards
(1)	(2)	(3)	(4)

STATEMENT-II

Serial No.	Wards determined for reservation.	Assignment for SC, ST, SC Women, ST Women, Backward Classes of Citizens including their women and other women.
(1)	(2)	(3)

* Score out the inappropriate alternative.

District Magistrate....."

"FORM-XXII-A

[See sub-rule (7) of rule 2A]

Final notification showing division of Wards and Reservation of Seats in the Municipalities**NOTIFICATION**

Whereas, the provisional notification in Form-XXII of the Odisha Municipal (Delimitation of Wards, Reservation of Seats and Conduct of Election) Rules, 1994 showing the division of the * Municipal Council /Notified Area Council into Wards and Reservation of Seats as required under sub-section (3) of Section 12 of the Odisha Municipal Act, 1950 was published in the notification bearing No. _____ dated the _____ 201 for the purpose of giving opportunity to the persons to file appeal, if aggrieved against the decision of division of wards and reservation of seats in the said Council ;

* And, whereas, appeal filed before the Appellate Authority within fifteen days from the date of publication of the said provisional notification has been heard by him and passed orders on the said provisional notification which was communicated by the State Government in their Letter No dated..... ;

* And, whereas, no appeal has been filed before the Appellate Authority against issue of order in the said provisional notification in Form-XXII within the stipulated period as intimated by the State Government in their Letter No. _____ dated _____ ;

Now, therefore, in exercise of the powers conferred by sub-section (3) of Section 12 of the said Act, the District Magistrate do hereby divide the area of the * Municipal Council/Notified Area Council into Wards as specified in Column (2) of the Statement-I below with the description and boundaries of the said Wards against each in Columns (3) and (4), respectively, thereof for the purpose of ensuing election of councillors to the same and determine the Wards as specified in Column (2) of the Statement -II below in which the seats reserved under section 11 of the said Act shall be set assigned against each in Column (3) thereof.

STATEMENT-I

Serial No.	Ward No.	Description of the Wards	Four side boundaries of the Wards
(1)	(2)	(3)	(4)

STATEMENT- II

Serial No.	Wards determined for reservation	Assignment for SC, ST, SC Women, ST Women, Backward Classes of Citizens including their women and other women
(1)	(2)	(3)

* Score out the inappropriate alternative.

District Magistrate.....

[No.21344-HUD-13-LEGIS-67-POLICY-15-41/2015/HUD.]

By Order of the Governor

G. MATHI VATANAN

Commissioner-cum-Secretary to Government"