

MUNICIPAL CORPORATION ELECTIONS



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STATE ELECTION COMMISSION HIMACHAL PRADESH

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No. SEC-13-96/2017-III-672-82

dated the 29 th April, 2017

Order

Whereas the State Election Commission has notified the programme for the preparation of draft rolls vide its Notification No. SEC-13-96/2017-III-568-79 dated 11-04-2017 in respect of Municipal Corporation Shimla for the ensuing general elections;

And whereas CWP No. 815 of 2017-B titled as Om Prakash Versus State Election Commission and others has been filed in the Hon'ble High Court of Himachal Pradesh stating inter-alia that a number of electors have been left out in the draft electoral rolls prepared for the said Corporation ;

And whereas the Hon'ble High Court of Himachal Pradesh vide its order dated 27-04-2017 while disposing of the said writ petition has directed as under:-

"3. for whatever reason, if names of eligible voters stand excluded or erroneously included, we find that there is a statutory remedy. Prior to the publication of the final electoral roll, parties can file claims/ objections which mandatorily are required to be dealt with in accordance with law. Every eligible voter has right for inclusion of his name in the electoral rolls. As such we are of the considered view that this fact requires to be widely publicized. The voter are required to be informed and educated for their valuable rights. As such, in the given facts and circumstances, we direct respondents No. 1 and 3 to give wide publication, both in electronic and print

media, informing the voters of such rights and passing of this order.

4. We further direct that Deputy Commissioner, Shimla (Respondent No.2) as also Election Commissioner (Respondent No.1) for the purpose of receiving objections and applications would not only keep their offices open on 30-04-2017 and 01-05-2017 but would also ensure and make adequate arrangements of opening up of at least five centers, with respect to 35 wards for which elections to the Municipal Corporation, Shimla are scheduled to be held. This would only facilitate the voters in filing appropriate applications, to be decided in accordance with law.

5. We further direct that such of those applications which are received by the authorities, both in their offices and at such centers, shall be considered and decided by the competent authority, strictly in accordance with law.

Now therefore the State Election Commission, in pursuance of the directions passed by the Hon'ble High Court directs that the required activities be completed as under:-

| | | |
|-----------|---|------------------------|
| Sr. No. 1 | Receipt of Objections/ Applications | 30-04 and 01-05-2017 |
| 2 | Notice/Hearing/Decision by the competent authority (Revising Authority) | 02-05-17 to 05-05-2017 |
| 3 | Time for filing appeals | 08-05-17 to 09-05-2017 |
| 4 | Disposal of appeals | 11-05-17 to 12-05-2017 |
| 5 | Preparation of supplementary electoral rolls | 15-05-2017 |

Further the Deputy Commissioner Shimla shall open suitably spaced five centers within the Municipal Corporation area to

receive the objections/ applications on 30-04-2017 and 01-05-2017. He will also make wide publicity of this arrangements within the Municipal Corporation area. After the final order relating to these five centers he will prepare a supplementary list in the following format:-

ekuuh; mPp U;k;y; ds vkns'k fnukad 27-04-2017 dh vuqikyuk es vuqiwjd lwph&1

uxj fuxe f'keyk okMZ dk la[;k o uke -----

ernku dsUnz dh la[;k o uke -----

ifjo}Zu lwph (Addition)

| | | | | | | | |
|--------------|---------------|------------------|--------|------|-----------------------------------|-----------------------------|--------------------------------|
| dze la[;k | edku la[;k | ernkrk dk uke | IEcU/k | fyax | 01- 01- 2017 dks vk;q | QksVks igpku i= la[;k | QksVks ;fn miyC/k gks |
|--------------|---------------|------------------|--------|------|-----------------------------------|-----------------------------|--------------------------------|

foyksiu lwph (Delition)

| | | | | | |
|--------------|---------------|------------------|--------|------|---------------------------|
| dze la[;k | edku la[;k | ernkrk dk uke | IEcU/k | fyax | QksVks igpku i= la[;k. |
|--------------|---------------|------------------|--------|------|---------------------------|

la'kks/ku lwph (Correction)

| | | | | | | | |
|--------------|---------------|------------------|--------|------|-----------------------------------|-----------------------------|--------------------------------|
| dze la[;k | edku la[;k | ernkrk dk uke | IEcU/k | fyax | 01- 01- 2017 dks vk;q | QksVks igpku i= la[;k | QksVks ;fn miyC/k gks |
|--------------|---------------|------------------|--------|------|-----------------------------------|-----------------------------|--------------------------------|

The supplementary lists so prepared shall be attached to the final electoral rolls notified in accordance with the programme for the preparation of electoral rolls of Municipal Corporation Shimla already notified on dated 11-04-2017 . In the case of addition, serial number to the new elector(s) in the list of supplementary shall be the next number displayed in the end of the final electoral roll. In case of deletion and correction, the changes in the relevant entry in the final electoral rolls shall be carried out in accordance with supplementary lists. If there is no addition, deletion and correction, supplementary showing 'Nil' shall be prepared and added.

Needless to say that the programme notified on 11-04-2017 shall continue as per schedule and the programme issued above in pursuance to the directions of the Hon'ble High Court will be in addition to the procedures already completed.

By order
State Election Commissioner
Himachal Pradesh