



राज्य निर्वाचन आयोग हिमाचल प्रदेश

STATE ELECTION COMMISSION HIMACHAL PRADESH

आर्मसडेल, शिमला-171002, Armsdale, Shimla-171002 Tel. 0177-2620152, 2620159, 2620154, Fax. 2620152

Email: secysec-hp@nic.in

No. SEC(F)1-39/2022- 3830 Dated the 22nd December, 2022

NOTIFICATION

Whereas the State Election Commission, H.P. vide its Notification No. SEC(F)2-3/2020-I-717-730 dated 10th March, 2022 has published the final delimitation of 41 wards in respect of Municipal Corporation Shimla in the Official Gazette of Himachal Pradesh;

And whereas two C.W.Ps No. 1391 and 1442 of 2022 were filed in the Hon'ble High Court wherein delimitation of wards i.e. 6-Summerhill and 12-Nabha was challenged before the Hon'ble High Court of Himachal Pradesh;

And whereas Hon'ble High Court while hearing the above said writ petitions maintained status quo vide its order dated 15.03.2022 and finally disposed of the petitions on 03.06.2022 and ordered to set aside the de-limitation of wards qua ward no. 12-Nabha & 6-Summerhill and ordered D.C Shimla to dispose of the objections filed by the petitioners afresh in accordance with law;

And whereas Deputy Commissioner, Shimla after due process disposed of the objections afresh and dismissed the objections of the writ petitioners after hearing on 24.06.2022. Aggrieved by the orders of the Deputy Commissioner, Shimla the petitioners filed appeals before the Divisional Commissioner, Shimla;

And whereas during the pendency of the appeals with regard to delimitation of the above said five wards, the State Election Commission issued program for preparation of electoral rolls in respect of remaining 36 wards of Municipal Corporation Shimla on 05.07.2022 with 01.07.2022 as qualifying date and finally notified the electoral roll on 08.08.2022;

And whereas the Divisional Commissioner, Shimla disposed of the said appeals on 08.07.2022 and subsequently the State Election Commission Himachal Pradesh issued the programme for updation of electoral rolls of these five wards viz. 6-Summerhill, 9-Boileauganj, 11-Tutikandi, 12-Nabha and 13-Phagli vide Notification No. SEC-HP(F)1-28/2021-2204, dated 08.07.2022;

And whereas aggrieved by the orders of Deputy Commissioner, Shimla and Divisional Commissioner, Shimla the petitioners again filed two new CWPs No. 4574 and 4579 of 2022 before the Hon'ble High Court. The Hon'ble Court while hearing these CWPs on 12.07.2022 granted stay on the order of the Deputy Commissioner, Shimla dated 24.06.2022 and Divisional Commissioner, Shimla dated 08.07.2022;

And Whereas the State Election Commission in pursuance to the orders passed by the Hon'ble High Court on 12th July, 2022 ordered maintaining status quo on preparation of electoral rolls in respect of five wards on date till further orders vide Notification No. SEC(E)3-29/2022-2234, dated 13.07.2022;

And whereas Hon'ble High Court of Himachal Pradesh disposed of the CWP No. 4574 and 4579 on 21.09.2022 and again directed D.C Shimla to pass fresh order in conformity with the order passed by the Hon'ble Court on dated 03.06.2022 and dispose of the objections moved by the petitioners afresh in accordance with law, after appreciating the material available on record;

And whereas the State Election Commission filed two SLPs No. 20999 and 21010 of 2022 in the Hon'ble Supreme Court assailing the orders of the Hon'ble High Court dated 21.09.2022. The Hon'ble Supreme Court was pleased to grant stay on the Orders/ Judgement dated 21st September, 2022 of the Hon'ble High Court;

Therefore, the State Election Commission in exercise of the power vested in it under Article 243ZA of the Constitution of India, Section 9 of the H.P. Municipal Corporation Act, 1994 read with Rule 14 of the H.P. Municipal Corporation Election Rules, 2012 and in continuation of Notification No. SEC(F)1-28/2021-2126 dated 5th July, 2022 and SEC(E)3-29/2022-2234, dated 13.07.2022 hereby orders the resumption of the process for preparation of electoral rolls in respect of remaining five wards viz 6-Summerhill, 9-Boileauganj, 11-Tutikandi, 12-Nabha and 13-Phagli of the Municipal Corporation Shimla as per schedule given below:-

Schedule

1.	Period for filling claims and objections before revising authority	26 th December, 2022 to 4 th January, 2023
2.	Period for deciding claims and objections by revising authority	Upto 16 th January, 2023
3.	Period for filing appeals before the electoral roll registration officers	Upto 19 th January, 2023
4.	Period for deciding appeals by the electoral roll registration officers	Upto 28 th January, 2023
5.	Final publication of electoral rolls	On or before 31 st January, 2023

The instructions notified by the Commission vide notification of even number dated 5th July, 2022 shall be applicable to this programme ipso facto. Applications already filed upto 13.07.2022 qua these wards need not be filed afresh and all claims & objections be considered and decided accordingly as per the above programme.

Kindly acknowledge the receipt and pay personal attention.

By Order

(Anil Khachi)
State Election Commissioner
Himachal Pradesh

Copy to:- 3831-33

Dt 22/12/22

1. The District Election Officer (M)-cum-Deputy Commission, Shimla, District Shimla, H.P. for information and necessary action.
2. The Electoral Registration Officer cum- SDO(C) Shimla Urban and Rural, District Shimla, H.P. for compliance.



Secretary
State Election Commission
Himachal Pradesh.

Endst No. SEC(F)1-39/2022.3834-47 Dated the 22th December, 2022

1. The Secretary H/E to the Governor of Himachal Pradesh.
2. The Principal Secretary to the Hon'ble Chief Minister, H.P.
3. The Chief Secretary to the Government of Himachal Pradesh.
4. The Principal Private Secretary to the Hon'ble Chief Minister, H.P.
5. Principal Secretary (UD) to the Govt. of Himachal Pradesh.
6. The Chief Electoral Officer-cum-Secretary Election to the Govt. of Himachal Pradesh.
7. The Divisional Commissioner, Shimla-2.
8. The Director, Urban Development Deptt. Shimla-2.
9. The Deputy Director General, NIC, Shimla-2 for information & necessary action.
10. The Controller, Printing and Stationary Deptt. Shimla-4 with the request to print 15 copies of the final electoral roll of each polling station in respect of above mentioned five wards. Printing will be undertaken on A4 size paper on both sides.
11. The Commissioner, Municipal Corporation, Shimla, H.P.
12. E-gazette/ Website/ Guard File.



Secretary
State Election Commission
Himachal Pradesh