



# राज्य निर्वाचन आयोग हिमाचल प्रदेश

## STATE ELECTION COMMISSION HIMACHAL PRADESH

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### **Suo-Moto Disclosure under Section 4 (1) (b) of Right to Information Act, 2005**

The State Election Commission Himachal Pradesh is pleased to publish the following information pertaining to the State Election Commission Himachal Pradesh for citizens to secure access to information, as required under the provisions of sub section 1 (b) of Section 4 of the Right to information Act, 2005 for promoting transparency in the working of the Commission.

The State Election Commission came into being on 23.4.1994 in the State of Himachal Pradesh after enactment of 73rd and 74th amendments to the Constitution of India. Article 243K and 243 ZA of the Constitution of India provides that the superintendence, direction and control of the preparation of electoral rolls for and the conduct of all elections to the Panchayats and Municipalities respectively vests in the State Election Commission. The particulars, organizational set up functions, powers and duties of the State Election Commission are as under :-

#### **Function of the State Election Commission:**

#### **(Suo-moto Disclosure under Right to Information Act, 2005 Section 4 (1) b) (i)**

1. **Particulars of Organization, Function and Duties:** The State Election Commission is responsible for the conduct of elections to Panchayati Raj Institutions and Urban Local Bodies in the State of Himachal Pradesh. The following statutory functions/activities are undertaken by the State Election Commission:-

- a. Delimitation of Municipal Corporations, Municipals Councils and Nagar Panchayats.
- b. Procuring and supply of election material, ballot papers to the District Election Officers / Returning Officers.

- c. Preparation and Printing of Electoral rolls of Local Bodies and time to time updation thereof.
- d. Appellate functions in respect of inclusion and deletion of names in the electoral rolls with regard to Panchayati Raj Institutions.
- e. Notification of election symbols for the allotment to contesting candidates.
- f. Conduct of general elections and by-elections to Panchayati Raj Institution and Urban Local Bodies in the State.
- g. Disposal of all complaints regarding elections needs to be carefully rewarded
- h. Setting up of Polling Stations.
- i. Consultative function for making rules by the Government for the composition of Panchayats and Municipalities, conducting the election and all matters relating to or in connection with election to Panchayats and Municipalities.
- j. Defending the Civil Writ Petitions regarding election disputes in the Hon'ble High Court of Himachal Pradesh and Hon'ble Apex Court, where the Commission is a respondent.
- k. Issuing clarifications and giving interpretations to the provisions of various Acts and Rules pertaining to local body elections.

In addition other routine works pertaining to establishment / budget, Accounts, Store procurement etc. are also performed by the State Election Commission.

## **2. The Distribution of work of the Commission:**

### **(Section 4 (1) b) (ii)**

At State Headquarters:

- a) The State Election Commissioner is appointed under Section 160 of the Himachal Pradesh Panchayati Raj Act, 1994 read with articles 243-K and 243-ZA of the constitution of India. The State Election Commissioner has been granted status of sitting judge of the High Court. The power for superintendence, direction and control for the preparation of electoral rolls and the conduct of all elections to Panchayats and Municipalities vests in the State Election Commission.
- b) The post of Secretary State Election Commission is encadred post of Himachal Pradesh Administrative Services. The Secretary State Election Commission has been declared as Head of Department. He is also Controlling Officer under the HP Financial Rules for the purpose of Controlling Budget and contingency. Being Head

of Department all election, administrative, legal, financial and miscellaneous matters are presented to the worthy Commissioner by the Secretary for approval. The Secretary State Election Commission takes up all such matters with the Government. The post of Secretary is a link between the Commission and Government.

- c) There is one post of Electoral Officer who is Head of Office and Drawing and Disbursing Officer of the State Election Commission. The Electoral Officer has also been designated as Public Information Officer of the State Election Commission under Section 5 of the Right to Information Act, 2005. Details of works are as under:-
- i. Amendments in Acts and Rules pertaining to elections.
  - ii. Consultation and advice sought by the Govt. in various matters.
  - iii. Preparation of guidelines for delimitation of wards, preparation of electoral rolls, conduct of elections and all miscellaneous matters.
  - iv. Preparation of Hand Books for PRIs and ULBs elections.
  - v. Preparation of Model Code of Conduct and examining relaxation matters thereof.
  - vi. Preparation of Compendium.
  - vii. Preparation of Hand Book for contesting candidates.
  - viii. All the general elections/by-elections related files.
  - ix. Election Report
  - x. Development of various software/ applications.
  - xi. All policy matters files.
  - xii. All court cases.
  - xiii. All disciplinary cases.
  - xiv. Grant of benefit under ACPs.
  - xv. Examination of all kinds of bills i.e Salary/TA/MR/GPF/all kinds of contingent bill
  - xvi. Inspection of the subordinate staff.
  - xvii. Purchase of election material.
  - xviii. The Electoral Officer does all the supervisory works pertaining to elections.
- d) There is a one post of Superintendent Grade-I whose duty is to supervise the official work. Details of which are as under :-
- i. Assistant Public Information Officer
  - ii. Framing/finalization of R&P Rules of all the categories of State Election Commission though A.D.
  - iii. Pay fixation cases.

- iv. DPC/Promotion/confirmation cases.
- v. Preparation/Finalization of seniority lists of all categories.
- vi. Filling up of vacant posts.
- vii. Replies of audit paras.
- viii. Continuation of posts and conversion of temporary posts in to permanent ones.
- ix. Pension and gratuity. GIS, leave encashment cases, maintenance of service books etc.
- x. All types of leave cases of officials.
- xi. Preparation of budget/allocation of budget.
- xii. Reconciliation of expenditure with AG.
- xiii. All types of financial sanctions.
- xiv. Deduction of Income Tax at sources.
- xv. Purchase of all types of store stationery/furniture computer items.
- xvi. Physical verification of the stores.
- xvii. Weeding out of obsolete office record.

### **Superintendent Grade-II**

To supervise the work of the subordinate staff, there is one intermediate post at the level of Superintendent Grade-II in the Commission. The Superintendent Grade-II discharges the supervisory function at the middle level and also helps and guides the dealing assistant to prepare the proposal at initial level. Besides, he also guides the staff in dealing with complex cases their noting, drafting, constructions of files, office procedures and decorum etc. All files to Superintendent Grade-I are being routed through Superintendent Grade-II.

### **Personal Staff**

To assist State Election Commissioner one post of Private Secretary and one post of Personal Assistant exists in the Commission. The general functions of the personal staff is to assist the Commissioner in his day to day work and carry out such duties as are officially assigned to them. They have to handle file/records of confidential/secret nature and as such they have to retain the faith reposed in them by maintaining secrecy. They are also supposed to be fully equipped with knowledge of both Hindi and English shorthand and typewriting to assist the authorities in quick decision making through dictation and typing. Further they have to perform the duties of receipt and despatch of dak, preparation of notes and drafts, attendance of telephones, maintenance of engagement diary, furnishing of

offices/residence of officers. Control over vehicles/drivers, arrangement for tours/pay etc. and also maintenance of record. Another important work pertaining to maintenance of ACRs of departmental officers and officials is disposed off by the personal staff. Besides, one post of Junior Scale Stenographer is also sanctioned in the Commission for the office of Secretary.

### **Senior Assistants**

There are 4 posts of Senior Assistants in the Election Commission. The Commission has assigned independent work for every Senior Assistant. They deal with receipt of all kinds of correspondence and submit cases to the Electoral Officer and Supdt. Grade-I. They are required to maintain files and to present complete cases with all relevant records/data with past precedents/reference and feasible solutions to facilitate the authorities to arrive at definite decision. The Senior Assistants are thus basic to the administrative machinery.

### **Assistant Programmer**

There is one post of Assistant Programmer in the State Election Commission. The Commission has assigned the work pertaining to various Software/Application to the Assistant Programmer. The Commission is running four software/application i.e. Electoral Rolls Management System, Data Profiler Management Information System, Candidate Expenditure Reporting System and Voting Day Monitoring System. Besides, development of various applications such as Online Voter Registration, Inventory Management, GIS Tagging of Polling Station. The role of the Assistant Programmer is vital in smooth running of all the applications.

### **Clerk /Junior Office Assistant (IT)**

There is one post of Clerk and three posts of Junior Assistant (IT) sanctioned for Election Commission H.Q. Clerk/ Junior Office Assistant (IT) have been assigned the work of bill preparation, Diary/Despatch, typing and data entry etc. They are also have been assigned the work of dealing of files due to scarcity of staff.

### **Driver:**

There are two vehicles viz. HP.07A-0007 Toyota Corolla Altis car for the State Election Commissioner and Maruti Ciaz HP-07A-0901 for Secretary in the Commission. To drive above vehicles two posts of Drivers have been sanctioned.

## **Peon/Chowkidar**

There are 4 posts of peons and one post of Chowkidar sanctioned in the State Election Commission H.Q. Two peons are attached with the State Election Commissioner and also assigned with treasury duty. One Peon is deployed with Secretary and also performs dak duty. One Peon looks after the work in election/establishment branches.

## **District Election Officer (Panchayats):**

1. The Deputy Commissioners of the respective district for the election of Panchayat Raj Institutions are designated as "District Election Officer(Panchayat)" and for Municipal elections they are designated as "District Election Officer (Municipality)". Further they also have been designated "Returning Officers" for Municipal Corporation elections. The Additional Deputy Commissioner Kaza is designated as "District Election Officer (Panchayat)" for the Kaza Division of Lahal-Spiti district. Besides, Resident Commissioner Pangti has also been designated as "District Election Officer (Panchayat)" for Pangti Division of Chamba district.

2. The Sub-Divisional Officer (C) has been appointed as Electoral Registration Officer for the preparation of Electoral Rolls of Municipalities (Municipal Corporation, Municipal Council and Nagar Panchayat) falling under their respective jurisdiction. They have been further authorised to appoint Revising Authority.

3. The District Panchayat Officers of the concerned District have been declared as Drawing and Disbursing Officers in respect of all Districts except Spiti Division. The Additional Deputy Commissioner Kaza has been declared as Drawing & Disbursing Officer in respect of Kaza Sub-Division of District Lahaul Spiti. Further, District Panchayat Officers have also been designated as Assistant District Election Officer.

## **Junior Office Assistants (IT):**

To assist the Assistant District Election Officers, one post of Junior Office Assistant (IT) has been provided/sanctioned for each district. The main function/duties of the Junior Office Assistant (IT) are as under.—

- (a) To put up all budget and accounts related cases viz. preparation of budget estimate, requirement of budget, Audit paras etc.

- (b) To put up/dispose of all cases pertaining to conduct of elections, revision of electoral rolls.
- (c) Maintenance of cash book.
- (d) To deal with all type of work relating to election.
- (e) To maintain the stores of State Election Commission at District level.

**3. The procedure followed in the decision making process including channels of supervision and accountability (Section 4 (1) b) (iii)):**

The State Election Commission has distributed the work amongst dealing assistants. For matter related to elections, the file is put up to the Secretary through the Electoral Officer by the concerned assistant. Similarly, for establishment/accounts related matters, the file is put to the Secretary through Superintendent Grade-I by the concerned assistant. The Secretary SEC disposes the matters, which are required to be disposed off at his level and those matters which require approval/directions of the Commission are sent to the Commissioner.

**4. The norms set by it for the discharge of its functions (Section 4 (1) b) (iv)):**

The superintendence, direction and control of the preparation of electoral rolls and the conduct of all elections to the Panchayats and Municipalities respectively vests in the State Election Commission. For the smooth conduct of the elections there are statutory provisions in the relevant Acts/ Rules for the appointment of Returning Officer and Assistant Returning Officer, appointment of Presiding Officer, Polling personnel by the District Election Officer to discharge their functions and duties.

**5. The Rules, Regulations, Manuals and records held by it or under its control or used by its employees for discharging its functions (Section 4 (1) b) (v)):**

The State Election Commission has been constituted under Article 243 K of the Constitution of India for the superintendence, direction and control for the preparation of electoral rolls and the conduct of all elections to the Panchayats. By virtue of Article 243 ZA, similar functions relating to elections of municipalities are also vested in the very same State Election Commission. The functioning of Election Commission is independent. Following Central/State Acts/Rules/Manuals/Hand books etc. are used for the discharge of its function.

. Statutory provision of the Constitution of India under Part IX and Part IXA. ([click on the given link](#))

. The HP. Panchayati Raj Act-1994 (Act No.4 of 1994). ([click on the given link](#))

. The H.P. Panchayati Raj (Election) Rules 1994. ([click on the given link](#))

. The H.P. Municipal Act.1994. ([click on the given link](#))

. H.P. Municipal Election Rules, 2015. ([click on the given link](#))

. The H.P. Municipal Corporation Act, 1994. ([click on the given link](#))

. The H.P. Municipal Corporation(Election)Rules 2012. ([click on the given link](#))

. Returning Officer Hand books for Panchayat, Municipalities and Municipal Corporation.

([click on the given link](#))

. Presiding officer Hand books for Panchayat, Municipalities and Municipal Corporation.

([click on the given link](#))

. Besides above, the routine work of the election Commission is disposed off under the following Rules/instructions/Hand books etc.

. Himachal Pradesh Financial Rules 1971 Vol. 1 & II.

. Himachal Pradesh Budget Manual.

. FR & SR, Vol. I, II, III and IV

. CCS (Conduct) Rules, 1964.

CCS (CCA) Rules,1965.

. CCS (Pension) Rules,1972.

CCS (Leave) Rules,1972

. Temporary Service Rules, 1965.

. Himachal Pradesh Civil Services(Premature retirement)Rules, 1976.

. Hand Book for personnel matters, Vol. I, II & III



- . Consolidated instructions regarding grant of proficiency step up under ACPs
- . CCS(Commutation of Pension Rules) 1981.
- . CS(Medical Attendant)Rules, 1994.
- . LTC Rules.
- . GPF. Rules.
- . Office Mannual.

**6. A statement of the categories of the documents (Section 4 (1) b) (vi)):**

A compendium of Statutory provisions of the constitution of India, Acts and Rules, Governing elections to Panchayati Raj institutions and Municipalities in Himachal Pradesh.

[\(click on the given link\)](#)

**7. The particulars of any arrangements that exists for consultation with or representation by the members of the Public in relation to the formulation of its policy or implementation thereof (Section 4 (1) b) (vii)):**

Policy formulation is not the mandate of the Commission. The State Election Commission is responsible for the conduct of general elections/Bye-elections to Panchayati Raj Institutions and Urban local bodies i.e. Panchayat, Municipal Council, Nagar Panchayat and Municipal Corporations and its related activities i.e. revision of Electoral Rolls, setting up of polling stations etc. strictly in conformity with statutory provisions.

**8. Statement of the boards, councils, Committees and other bodies consisting of two or more persons constituted by it. Additionally, information as to whether the meetings of these are open to the public, or the minutes of such meetings are accessible to the public (Section 4 (1) b) (viii)):**

No Boards, Council, Committees and other bodies are constituted by this Commission.

**9. A directory of its officers and employees (Section 4 (1) b) (ix)):**

There are 34 posts of different categories sanctioned in the Election Commission. Category-wise detail of the same at Headquarter as well as District. Level is as under.—

## AT STATE HEAD QUARTER

Sr.No.	Name and designation of the officer/Official No. of post.	Official No. of post.
1	State Election Commissioner	1
2	Secretary State Election Commission	1 HAS Cadre.
3	Electoral Officer	1
4	Superintendent Grade-I	1
5	Private Secretary	1
6	Superintendent Grade-II	1
7	Personal Assistant	1
8	Senior Assistant	4
9	Assistant Programmer	1
10	Junior Office Assistant (IT)	3
11	Clerk	1
12	Junior Scale Stenographer	1
13	Driver	2
15	Peon	4
16	Chowkidar	1
<b>Total</b>		<b>24</b>
<b>AT DISTRICT HEAD QUARTER</b>		
1	Junior Office Assistant (IT)	1 each at 12 district Headquarters

**Grand Total 36**

**10. The monthly remuneration received by each of its officers and employees:**

**(Section 4 (1) b) (x))**

The pay scales of the Officers and employees of the Election Commission are as under.—

There are 34 posts of different categories sanctioned in the Election Commission Category-wise detail of the same at Headquarter as well as District. Level is as under.—

At State Headquarters

Sr.No.	Name. of post.	Pay scale
1	State Election Commissioner	225000 Apex Scale
2	Secretary State Election Commission	83600-203100+ other allowances
3	Electoral Officer	48700+154300+ other allowances
4	Superintendent Grade-I	--do--
5	Private Secretary	--do--
6	Superintendent Grade-II	43000-136000+other allowances
7	Personal Assistant	--do--
8	Senior Assistant	38500-122700+other allowances
9	Assistant Programmer	35600-112800+other allowances
10	Junior Scale Stenographer	28900-91600+other allowances
11	Junior Office Assistant (IT)	20600+65500+other allowances
12	Clerk	20200-64000+other allowances
13	Driver	29700-94100+other allowances
15	Peon	18000+56900+other allowances
16	Chowkidar	--do--

All the expenditure incurred on the pay and allowances of the officers and employees of the Election Commission is borne by the State Govt.

**11. The budget allocated to each of its agency, indicating the particulars of all plans, proposed expenditures and reports on disbursements made:**

**(Section 4 (1) b) (xi))**

**FOR NON-TRIBAL AREA**

Demand No. 17 – Election

Head of Account: 2015-Election (Non Plan) Voted Soon

Sub Head: 1. 101-Election Commission 01 State Election Commission

2. 109 Charges for conduct of Election/Panchayat/local bodies

01-Charges for the Election.

**FOR TRIBAL AREA**

Demand No. 31 - Tribal Development

Head of Account: 2015-Election(Non Plan)voted Soon

Sub Head 796-Other Expenditure. 06- Expenditure on charges for the conduct of Election to Local bodies.

Funds are sanctioned/provided to the Election Commission by the Finance Department as per requirement/demand submitted by the Commission.

**12. The manner of execution of Subsidy programmes, including the amounts allocated and the details and beneficiaries of such programmes (Section 4 (1) b) (xii)):**

As no development/welfare programmes/activities are undertaken by the Commission, therefore, no subsidy/amount is given/paid to the public.

**13. Particulars of recipients of concessions permits or authorizations governed by it (Section 4 (1) b) (xiii)):-**

This point does not pertain to Election Commission as no concession/permits/authorization are granted by this Commission.

**14. Details in respect of the Information, available to or held by it reduced in electronic form (Section 4 (1) b) (xiv)):**

Information for general public in Electronic Form is available on the official website (<https://sechimachal.nic.in>) of the Commission under different heads.

**15. The Particulars of facilities available to citizens for obtaining information, including the working hours of a library or reading room, if maintained for public use (Section 4 (1) b) (xv)):**

Although no reading room/Library is maintained by the Commission for public use. But wide publicity of each programme/activity is given through all means of communication viz. Print and electronic media, by affixing notices, posters etc. on notice Boards, Doordarshan and through All India Radio.

**16. The names, designations and other particulars of the Public Information Officers:**

**(Section 4 (1) b) (xvi))**

The names, designation and other particulars regarding appointment of State Public Information Officer, State Assistant Public Information Officer and Appellate Authorities in respect of Election Commission and in respect of districts the PIO, APIO and Appellate Authority have been notified. Notification regarding appointment of Appellate Authority, Public Information Officer and Assistant Public Information Officer are available on the website under head RTI. [\(Click on the given link\)](#)

**17. Such other information as may be prescribed as thereafter update these publications every year (Section 4 (1) b) (xvii)):**

All the relevant information pertaining to this Commission has been made available on its website. The Commission updates information as and when required.