

The Orissa Zilla Parishad (Division and Reservation of Constituencies) Rules, 1995

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Rule

THE-ORISSA-ZILLA-PARISHAD-DIVISION-AND-RESERVATION-OF-CO of 1995

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The Orissa Zilla Parishad (Division and Reservation of Constituencies) Rules, 1995Published vide Notification S.R.O. No. 1166/95, dated 30th October, 1995, Orissa Gazette Extraordinary No. 1201, dated 31.10.1995S.R.O. No. 1166/95. - Whereas the draft of certain rules was published as required by Sub-section (1) of Section 51 of the Orissa Zilla Parishad Act, 1991 (Orissa Act 17 of 1991), in the extraordinary issue No. 1110, dated the 29th September 1994 of the Orissa Gazette, under the notification of the Government of Orissa in the Panchayati Raj Department No. 19263 G.P., dated the 29th September 1995, bearing S.R.O No. 1059/95, inviting objections and suggestions from all persons likely to be affected thereby till expiry of the period of fifteen days from the date of publication of the said notification in the Orissa Gazette;And whereas no objection or suggestion has been received by the State Government;Now, therefore, in exercise of the powers conferred by Section 51 of the said act, the State Government do hereby make the following rules, namely :

1.

(1)These rules may be called the Orissa Zilla Parishad (Division and Reservation of Constituencies) Rules, 1995.(2)They shall come into force on the date of their publication in the official Gazette.

2.

(1)in these rules, unless the context otherwise requires, -(a)"Act" means the Orissa Zilla Parishad Act, 1991;(b)"Commissioner" means the State Election Commissioner appointed under Article 243-K of the Constitution;(c)"Constituency" means a constituency as may be determined under

Sub-section (3-A) of Section 6;(d)"Government" means the Government of Orissa;(e)"Section" means the section of the Act;(2)All other words and expressions used but not defined herein shall, unless the context otherwise requires, have the same meaning as assigned to them in the Act.

3.

(1)Every constituency shall be named after the Block and where there are more than one constituency in a Block, the Constituencies shall be named in numerical order beginning with North-West to South-East direction.(2)Population shall be computed to the nearest thousand only.

4.

The Collector shall prepare the list of constituencies of the parishad, as required under Clause (c) of Sub-section (3-A) of Section 6, in Form No.1

5.

Subject to the directions, if any, issued by the Governor of Orissa under Sub-paragraph (1) of Paragraph 5 of the Fifth Schedule to the Constitution of India, out of the Constituencies left in the list for the candidates, other than Scheduled Castes and the Scheduled Tribes, reservation of constituencies, for the members of backward class of citizens shall begin from the constituency which appears first and shall continue one by one until the required quota is completed.

6.

(1)The Draft statement as required under Clause (e) of Sub-section (3-A) of Section 6, showing the division of the Parishad area into constituencies and reservation of seats shall be prepared in Form No. 2 and published together with a notice in Form No. 3 inviting objections and suggestions from all persons interested to be filled within a period of ten days from the date of such publication.(2)Any person may file his objection or suggestion, in writing, within the period specified under Sub-rule (1), either in person or such objection or suggestion may be sent to the Collector by post so as to reach him within the aforesaid period.(3)Any objection or suggestion received after expiry of the period prescribed in Sub-rule (1) shall be rejected summarily.(4)All objections and suggestions received under Sub-rule (2) shall be consolidated constituency wise and after considering the objections and suggestions and making such further enquiry, if necessary, the Collector shall pass such orders as he may deem it appropriate as to whether there shall be any alteration to be made in respect of any constituency or reservation of any seats and if so, the extent and manner thereof.

7.

The Collector, after making such alterations as may be necessary, shall prepare the final statement showing the division of Parishad area and reservation of Constituencies therein in Form No. 2 and

shall submit the same to the Government as required under Clause (f) of Sub-section (3-A) of Section 6, within ten days from the date of expiry of the period prescribed in Sub-rule (1) of Rule 6.

8.

(1)After receipt of the final statement from the Collector under, Rule 7, the Government shall examine the same and to ensure that the division of Parishad area and reservation of seats therein have been made in accordance with the provisions of the Act and of these rules :Provided that if during the course of examination, in any case, it appears to the Government that there has been a departure from the provisions of the Act or the Rules or that the said provisions have not been followed, they may correct the division of Parishad area or reservation of seats therein by making such alteration as may be necessary so as to make the final statement in conformity with the Act and the Rules.(2)The Government shall approve the final statement of finalise the said statement and publish the same in the Gazette.

9.

The Government shall send to the Commissioner the lists of-(a)total number and description of the Constituencies from which the members are to be elected to the Parishad;(b)Constituencies reserved for the Scheduled Castes, Scheduled Tribes, Backward class of Citizens and Women; and(c)Offices of the Presidents of the Parishad reserved for the Scheduled Castes and Scheduled Tribes and Women, as the case may be.

10.

(1)If any question arises as to the interpretation of these rule the question shall be referred to the Government for decision.(2)The Government may, from time to time, issue such instructions, as occasion may require, for, -(i)smooth implementation of these rules; and(ii)removal of any doubt or difficulties arising out of implementations of these rules.

11.

The Orissa Zilla Parishad (Delimitation and Reservation of Constituencies) Rules, 1994 are hereby repealed.Form No. 1[See Rule 4]List of Constituencies of..... Zilla Parishad

Name of the District.....Totalpopulation.....

Population of

S.C.....

S.T.....

General.....

Sl. No.	Name of the Zilla Parishad Constituency	Name of the G.P. comprising Zilla ParishadConstituency	Population	If reserved for	Remarks

Percentage of S.C. S.C. population in the Constituencies			Percentage of S.T. population in the Constituencies			which category			
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)

Collector Form No. 2 [See Rules 6 & 7] Draft/Final Statement showing the list of Zilla Parishad Constituencies

Name of the Zilla Parishad	Total No. of Zilla Parishad Constituencies	No. of Constituencies reserved for S.C.....S.T.....B.C.....	No. of Constituencies reserved for women S.C.....S.T.....Others.....	
Sl. No. of the Constituency	Name of the Constituency	Name of the G.P. comprising Constituency	If reserved for which category	Remarks

Collector Form No. 3 [See Rule 6] Notice of Publication of Division and Reservation of Constituencies of..... Zilla Parishad Notice is hereby given that the statement showing the number of constituencies, extent of each constituency and status of such constituencies for reservation has been prepared in accordance with the provisions of the Orissa Zilla Parishad Act, 1991 and copy thereof is available for inspection of..... Objection or suggestion in this regard may be filed in the office of the undersigned or may be sent by registered post so as to reach the undersigned not later than..... Collector