

## INTRODUCTION

### (Election to Municipal Corporation, Chandigarh)

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The Municipal Corporation of Chandigarh came into being in the Union Territory of Chandigarh under the Punjab Municipal Corporation Act, 1976, as extended to the Union Territory, Chandigarh by the Punjab Municipal Corporation Law (Extension to Chandigarh) Act, 1994 (Act No. 45 of 1994), with effect from 24<sup>th</sup> Day of May, 1994. As per sub section (3) of Section 4 of the said Act, the Corporation shall be composed of the following members, namely:-

- (i) members to be directly elected, representing wards;
- (ii) nine members with voting rights to be nominated by the Administrator, from amongst the persons who are eminent or distinguished in public affairs or those who have special knowledge or practical experience in respect of municipal administration; and
- (iii) the member of the House of the People representing the constituency which comprises wholly or partly, the municipal area, with the right to vote.

As per sub-section (1) of Section 7 of the said Act, the Corporation, unless sooner dissolved under Section 407, shall continue for five years from the date appointed for its first meeting and no longer.

According to sub-section (1) of Section 10 of the said Act, the Superintendence, direction and control of preparation of the electoral rolls for, and the conduct of all elections to the Corporation shall be vested in the Election Commission appointed under Section 7 of the Delhi Municipal Corporation Act, 1957, and the Election Commission so appointed under that section shall be responsible for the functions conferred on the Election Commission under this sub-section.

The Chandigarh Administration has framed the following rules for the purpose of holding the elections of Municipal Corporation of Chandigarh:-

- 1. Municipal Corporation of Chandigarh (Preparation of Electoral Rolls) Rules, 1995.**
- 2. Municipal Corporation of Chandigarh (Election of Councillors) Rules, 1995.**

For the purpose of constitution of 1<sup>st</sup> elected body of the Municipal Corporation, Chandigarh in the Union Territory of Chandigarh, the Local Government Department, Chandigarh Administration determined the number of wards as 20 and also extent of each ward of the Municipal Area of the Corporation for the purposes of Election of Councillors, in accordance with the provisions contained in sub section (2) of Section 8 of the said Act. The Chandigarh

Administration also determined the number of seats of Councillors for the candidates belonging to Scheduled Castes, Scheduled Castes (Women) and Women in accordance with the provisions contained in Section 6 of the said Act through different notifications in the year, 1995 and 1996 on the basis of figures of population of Census, 1991.

As per sub-section (3) of Section 8 of the Act, the State Election Commission determined the wards for Scheduled Castes, for women under the proviso to sub-section (2) of Section 6 of the Act and in accordance with the manner prescribed by the Administrator, U.T., Chandigarh, as under:-

<b>No. of Wards</b>	<b>Wards reserved for SC including SC(Women)</b>	<b>Wards reserved for Women</b>
20	5, 15 & 18	1, 8, 9, 11, 14 & 17
	18 for SCW	

The election was held on 8<sup>th</sup> December, 1996 and result declared on 10<sup>th</sup> December, 1996. The first meeting of the Corporation was held on 23<sup>rd</sup> December, 1996.

However, for the purpose of constitution of elected body for the 2<sup>nd</sup> term of the Municipal Corporation, Chandigarh, the Chandigarh Administration did not make any change in the Delimitation Order notified in the year, 1995, in respect of the number of wards as the population figures of Census-2001 were not available. The reservation of seats was, however, rotated in August, 2001 as per provisions of law.

As per sub-section (3) of Section 8 of the Act, the State Election Commission determined the wards for Scheduled Castes, for women, in rotation under the proviso to sub-section (2) of section 6 of the Act and in accordance with the manner prescribed by the Administrator, U.T., Chandigarh, as under:-

<b>No. of Wards</b>	<b>Wards reserved for SC including SC(Women)</b>	<b>Wards reserved for Women</b>
20	14, 19 & 7	2, 5, 6, 13, 15 & 16
	7 for SCW	

The General Election to elect 20 Councillors was held on 8<sup>th</sup> December, 2001 and result notified on 11<sup>th</sup> December, 2001.

For the purpose of constitution of elected body for the 3<sup>rd</sup> term of the Municipal Corporation of Chandigarh, the Department of Local Government,

Chandigarh Administration vide its Notification bearing No.6/1/45-FII (8)-2006/6554 dated 25<sup>th</sup> October, 2006 determined the number of wards and extent of each Ward of the Municipal Area of the Municipal Corporation of Chandigarh for the purpose of election of Councillors, accordingly to which the number of Wards of entire Municipal area of the said Corporation was increased from 20 to 26, due to the reason that the area of Gram Panchayats of Village Hallomajra, Kajheri, Palsora, Maloya & Dadumajra as well as area of revenue estate of Nizampur Barail, Nizampur Kumbhra, Jhumru, Burail (Adadi Faidan), Bair Majra, Badheri & Chartarf Burail was included in the Municipal Area of Municipal Corporation vide its Notification bearing No. 2138-FII (8)-2006/ 5787 dated 19.09.2006 & No. 2138-FII (8)-2006/ 5791 dated 19.09.2006.

The Department of Local Government, Chandigarh Administration further reserved Five seats of Councillors for members of Scheduled Castes (including two reserved for women Scheduled Caste candidates) and Nine seats for women candidates (including two reserved for women belonging to the Scheduled Cates) vide its Notifications bearing No. 6/1/45-FII (8)-2006/5889 dated 25<sup>th</sup> September, 2006, No. 6/1/45-FII (8)-2006/5884 dated 25<sup>th</sup> September, 2006 & No. 6/1/45-FII (8)-2006/5899 dated 25<sup>th</sup> September, 2006, respectively.

As per sub-section (3) of Section 8 of the Act, the State Election Commission determined the wards for Scheduled Castes, for women, in rotation under the proviso to sub-section (2) of section 6 of the Act and in accordance with the manner prescribed by the Administrator, U.T., Chandigarh, as under:-

<b>No. of Wards</b>	<b>Wards reserved for SC including SC(Women)</b>	<b>Number of wards reserved for Women</b>
26	5, 6, 7, 11 & 23	2, 8, 15, 17, 19, 20 & 26
	5 & 6 for SCW	

In the year, 2006, this Commission decided to use Electronic Voting Machines during the general election to 26 wards of the MCC held on 20.12.2006, as provided in Rule 47-A of the Municipal Corporation of Chandigarh (Election of Councillors) Rules, 1995 and therefore, issued an order dated 15.12.2006 in which procedure for use of EVMs was laid down. However this order has been superseded vide Order No. 1(E)/ SEC/CHD/29/2010/476 dated 25.12.2010. During said general election, the electoral rolls of Chandigarh Parliamentary Constituency were adopted by the Commission.

The General Election to elect 26 Councillors were held on 20<sup>th</sup> December, 2006 and result notified on 23<sup>rd</sup> December, 2006. The first meeting of the Corporation was held on 1<sup>st</sup> January, 2007 as per information received from the Local Govt. Department, Chandigarh Administration.

For the purpose of constitution of elected body for the 4<sup>th</sup> term of the Municipal Corporation, Chandigarh, the Chandigarh Administration did not make any change in delimitation order issued in the year, 2006 in respect of Wards of said Corporation, as the figures of population of the Census 2010 were not available. However, reservation of seats for candidates belonging to Scheduled Castes, Scheduled Castes (Women) and only for Women was rotated in accordance with sub-section (1) (2) of Section 6 of the Act *ibid* as per decision of the Chandigarh Administration, conveyed to this Commission vide letter No. 6/1/45/FII(8)-2011/8770 dated 14.10.2011.

As per sub-section (3) of Section 8 of the said Act, the State Election Commission determined the wards for Scheduled Castes, for women, in rotation under the proviso to sub-section (2) of Section 6 of the Act and in accordance with the manner prescribed by the Administrator, U.T., Chandigarh, as under:-

<b>No. of Wards</b>	<b>Wards reserved for SC including SC(Women)</b>	<b>Wards reserved for Women</b>
26	12, 13, 19, 20 & 24	1, 4, 7, 9, 14, 21 & 23
	12 & 24 for SCW	

The General election to elect 26 councillors was held on 17.12.2011 and result declared on 19.12.2012, under the Superintendence, direction and control of Sh. Rakesh Mehta, State Election Commissioner, State Election Commission, National Capital Territory of Delhi and Union Territory of Chandigarh.

The percentage of polling during the general election to the said Corporation held on 20.12.2006 was 45% which was very low. In order to motivate voters to go out and vote, the Commission carried out a campaign of voters education through advertisement in newspapers and playing of Jingles on F.M. Radio and enlisting support of civil society. The result was substantial increase in the percentage of voting from 45% to 59%, which was appreciated by the Chandigarh Administration, political parties and general public. It is specifically mentioned that the poll was held in a free, fair & peaceful manner.

During the aforesaid general/ bye elections, this Commission has adopted that electoral roll of Chandigarh Parliamentary Constituency as related to different wards of the Corporation.