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PLANNING AND CONVERGENCE DEPARTMENT

NOTIFICATION

The 29th March, 2016

S.R.O. No. 131/2016—In exercise of the powers conferred by section 13 of the Odisha District Planning Committees Act, 1998 (Odisha Act 8 of 1998), the State Government do hereby make the following rules further to amend the Odisha District Planning Committees Rules, 2000, namely : —

1. (1) These rules may be called the Odisha District Planning Committees (Amendment) Rules, 2016.

(2) They shall come into force on the date of their publication in the *Odisha Gazette*.

2. In the Odisha District Planning Committee Rules, 2000 (hereinafter referred to as the said rules), in rule 2, —

(a) after clause (h), the following clause shall be inserted, namely:—

“(h-1) ‘reserved seat’ in relation to elected members of the Committee, means seats to be reserved under second proviso to sub-section (3) of section 3;

(b) after clause (l), the following clause shall be added, namely:—

(m) ‘unreserved seat’ means seats other than reserved seats.”.

3. In the said rules, in Rule 4, —

(a) in the opening portion, for the words and comma “Returning officer shall,” the words and comma “the Returning officer shall, after determining one-half the number of seats of the Committee to be reserved for women according to second proviso to sub-section (3) of section 3,” shall be substituted;

(b) in clause (a), after second proviso, the following provisos and the Explanation shall be inserted, namely:—

“Provided also that after determination of number of seats to be reserved for women out of the total number of elected members of the Committee, the Returning Officer shall, as far as practicable, allot seats in proportion to the ratio of number of members for Zilla Parishad and Municipalities as specified against that district in the Schedule and where the number of seats in the Committee so arrived is odd numbers, then the remainder fraction shall be ignored and one more reserved seat in the Committee shall be allotted to the Zilla Parishad Members:

Provided also that where one member to be elected to the Committee from among elected members of the Municipalities, the same shall be reserved for women candidate, which shall be filled up by rotation and then in such a case, one more reserved seat in the Committee as referred to in the third proviso shall not be allotted to the Zilla Parishad.

Explanation — For removal of doubt it is hereby declared that where there is one elected member in the Committee to be elected from among elected members of Municipality, it shall be reserved for woman for the first time subsequent to the coming into force of the Odisha District Planning Committee (Amendment) Act, 2015 (Odisha Act 16 of 2015).”

4. In the said rules, in Rule 6, for sub-rule (4), the following sub-rule shall be substituted, namely: —

“(4) The nomination of every candidate for the reserved seat or unreserved seat shall be presented to the Returning Officer in Form 2:

Provided that where a woman candidate files a nomination paper, she shall give a declaration whether she intends to contest for the reserved seat or unreserved seat.”

5. In the said rules, in Rule 7, in sub-rule (6), after the words “nominated candidates” and before the words “and affix”, the words “including the women candidates intending to contest for a reserved seat” shall be inserted.

6. In the said rules, in Rule 9, —

(a) in sub-rule (1), after the words “contesting candidates” and before the words “who have valid”, the words “along with the women candidates who are contesting for the reserved seats” shall be inserted;

(b) in sub-rule (2), the following proviso shall be added, namely: —

“Provided that the names of women who are contesting for reserved seats shall be mentioned separately and in alphabetical order.”; and

7. In the said rules, in Rule 11, —

(a) for sub-rule (1), the following sub-rule shall be substituted, namely: —

“(1) every ballot paper for unreserved seat and reserved seat shall be in Form 8 and in Form 8-A, respectively, and shall contain the names of candidates both in English and Odia in the same order in which they appear in the list of contesting candidates prepared under Rule 9.”;

(b) in sub-rule (4), for the words “equal to the number”, the words “twice the number” shall be substituted;

(c) in sub-rule (5), the following proviso shall be inserted, namely: —

“Provided that a separate ballot paper shall be printed for reserved and unreserved seats with distinct mark and colour for easy identification during counting of votes.”.

8. In the said rules, in Rule 14, the brackets and figure “(1)” shall be omitted;

9. In the said rules, in Rule 17, —

(a) in sub-rule (4), for the words “one ballot paper”, the words “with one ballot paper each for reserved and unreserved seat” shall be substituted.;

(b) in clause (b) of sub-rule (5), in opening portion, after the words “one vote” and before the words “at an election”, the words “each for reserved seat and unreserved seats” shall be inserted;

(c) in sub-rule (6), in the opening portion, for the words “ballot paper”, the words “ballot paper for unreserved and reserved seat” shall be substituted;

“(d) in sub-rule (7), for the ‘words’ the ballot paper” and the words “fold the ballot paper”, the words “the ballot paper or ballot papers” and the words “fold the each ballot paper separately” shall, respectively, be substituted.

10. In the said rules, in Rule 22, for the words “have been elected”, the words “have been elected against reserved seats and unreserved seat”, shall be substituted.

11. In the said rules, in Rule 26, in sub-rule (4), in clause (a), after the words “by the Chairperson or”, the words “by the Vice-Chairperson or” shall be inserted.

12. In the said rules, after Rule 26, the following rules shall be inserted, namely:—

“26-A. Constitution of Technical Committees.— (1) There shall be Constituted Technical Committees at the District Level, Block level and Municipalities level to assist District Planning Committee for preparation of the integrated development plan for the district.

(2) The Technical Committee called the Steering Committee shall be constituted in each district consisting of the following members, namely:—

- | | | |
|--|------|------------------|
| (i) Collector of the district. | | Chairperson |
| (ii) Members of the Legislative Assembly
of the State representing the Constituencies
which comprise wholly or partly any area
of the district. | | Member |
| (iii) Project Director, DRDA | | Member |
| (iv) Project Administrator, ITDA
(wherever exist) | | Member |
| (v) District Development Officer | | Member |
| (vi) Deputy Director, DPMU | | Member-Secretary |

(3) The Technical Committee called the Block level Planning Committee shall be constituted in each Block consisting of the following members, namely :—

- | | | |
|---|------|------------------|
| (i) Chairperson of the concerned Panchayat
Samiti, who shall be the Chairperson. | ... | Chairperson |
| (ii) Members of the Legislative Assembly
of the State representing the Constituencies
which comprise wholly or partly any area
of the Block. | | Member |
| (iii) all Members of the Panchayat Samiti
of the Block. | | Member |
| (iv) Block Development Officer. | | Member-Secretary |

(4) The Technical Committee called the Municipal area Planning Committee shall be constituted in each Municipality consisting of the following members, namely:—

- (i) The Mayor or the Chairperson, as the case may be, or the concerned Municipality, who shall be the Chairperson. Chairperson
- (ii) Members of the Legislative Assembly of the State representing the Constituencies which comprise wholly or partly any area of the Municipality. Members
- (iii) Corporators or Councilors, as the case may be, of a Municipality. Member
- (iv) Municipal Commissioner or Executive Officer, as the case may be, of a Municipality. Member-Secretary

(5) The Chairperson of the concerned Technical Committee may, as and when required, invite District Level Officers concerning in the subject matter which will be discussed in the meeting.

26-B. Power and functions of the Technical Committees.— (1) Each Municipal level Planning Committee shall prepare a development plan within Municipal area forward the same to the concerned Steering Committee for consolidation and finalization of development plan with a copy to the concerned District Planning Committee.

(2) Each Block level Planning Committee shall prepare a development plan within jurisdiction of its Panchayat Samiti area and forward the same to the concerned Steering level Committee for consolidation and finalization of the development of the District Planning Committee.

(3) The Steering Committee shall after deliberating the issues in all aspects of the draft of development plans forwarded by each Municipal level Planning Committee and Block level Planning Committee coming within the jurisdiction of the respective district, prepare a draft of the district plan and place the same before the concerned District Planning Committee for consideration and approval.”.

(4) Every Technical Committee shall formulate its own procedure for conduct of its business in the meeting and the Committee shall meet at such times as may be decided by

the Chairperson of the Committee or as may be directed by the State Government in this behalf”.

13. In the said rules, for Rule 28, the following rule shall be substituted, namely:—

“28. Allowances. — (1) The Chairperson of the Committee shall be eligible for such privileges and facilities as may be notified by the Government, from time to time.

(2) The Vice-Chairperson and other Members of the Committee shall be paid following allowances, namely:—

(a) The Vice-Chairperson, the Member-Secretary or any other official performing the functions of the Committee shall be entitled to Travelling Allowances and Daily Allowances as per their grade and they will receive their Travelling Allowances and Daily Allowances from their establishment and in case of non-official members of the Committee either elected, nominated or invitees for performing the functions of the Committee shall be entitled to draw Travelling Allowances as admissible to 1st Grade Government servants in accordance with Finance Department Office Memorandum No.27953/F., dated the 23rd June, 1998 as amended from time to time.

Note:— The Vice-Chairperson and Members of the Committee may perform tours within the State with the approval of Chairperson and the Collector shall be the countersigning authority.

(b) Non-official members not receiving travelling allowance for attending meetings of the Committee shall be paid sitting fee of an amount equivalent to the rate of Daily Allowance as admissible on tour.”.

14. In the said rules, in Rule 29, for the words “Development Office” the words “Monitoring Unit”, shall be substituted.

15. In the said rules, in Form 1, —

(a) for serial No.(1), the following shall be substituted, namely: —

“(1) An election to be held of (number in figure and words) out of which (number in figure and words) (***) reserved for women) members (District) District Planning Committee by and from among the elected members of the *Zilla Parishad and the * Municipality in the district, and —

*(a)(number in figure and words) members to the Committee to be elected by and from among elected members of the Zilla Parishad out of which (number in figure and words) (** reserved for women);

*(b) (number in figure and words) members to the Committee to be elected by and from among elected member of the Municipalities out of which (number in figure and words) (** reserved for women).";

(b) for serial No.(6), the following shall be substituted, namely: —

"(6) In the event of election being contested, the Polling will be taken on (date) between the hour of (time) and (time). The counting of votes will be taken of on (date) at (time) at (venue).";

(c) after the asterisk mark "*"along with its words", occurring at the end, the following shall be added, namely: —

*** strike out if the seats are unreserved.";

16. In the said rules, in Form 2, —

(a) in the first part, after the words "District Planning Committee" and before the words "by and from among", the words bracket and asterisk mark "(** reserved for women)" shall be inserted;

(b) in the second part, relating to declaration by the candidate for item "(c)", the following items shall be substituted, namely: —

"(c) that I intend to contest against the *reserve seat/unreserved seat;

(d) that to the best of my knowledge and belief, I am qualified and also not disqualified for being chosen to fill a seat in the District Planning Committee for..... (district).";

(c) under the heading "Receipt for Nomination paper and Notice of Scrutiny", after the words "for election" and before the words "by and from", the asterisk mark and the words and bracket "(** to a seat reserved for woman)" shall be inserted; and

(d) after the asterisk mark “*score out the inappropriate alternative” occurring at the end, the asterisk mark and the words “** strike out if seat is unreserved” shall be added.

17. In the said rules, in Form 3, —

(a) after column 4 appearing under the heading “Name of Constituency from which elected to *Zilla Parishad/Municipality”, following column and the heading shall be added, namely:

“

Contesting for ** reserved/unreserved seat
5

”; and

(b) after the asterisk mark *score the inappropriate alternative”, the asterisk and the words “** If the woman candidate is contesting for a reserved seat write “reserved seat”, against her name under column.

18. In the said rules, in Form 4, —

(a) in the addressing portion, after the words “ I a candidate”, and before the words “validly nominated, the asterisk mark and the words “****contesting for a seat reserved for woman” shall be inserted;

(b) under the heading of “Receipt for Notice of withdrawal”, after the word “nominated candidate”, and before the words “at the election”, the words “****contesting for a seat reserved for woman” shall be inserted; and

(c) after the asterisk mark “****along with the expressions” occurring at the end, the asterisk mark and the words “****strike out if the seat is unreserved” shall be added.

19. In the said rules, in Form 5, —

(a) in the table, for the heading “Remark”, the following heading along with the words shall be inserted, namely: —

“Remark
(*reserved for woman);

(b) after the asterisk mark “**score out the inappropriate alternative”, occurring at the end, the following shall be added, namely: —

“***write “reserved for woman” against the woman candidate who has filed the nomination to contest for a reserved seat.”.

20. In the said rules, for Form 6, the following form shall be substituted, namely: —

“FORM 6
[See Rule 9 (1)]

List of Contesting Candidates

Election to the * District Planning Committee by the elected members of the **Zilla Parishad/Municipalities of the district.

Sl.No	Name of the Candidate	Name of the constituency from which elected to **Zilla Parishad/Municipality
(1)	(2)	(3)

**** Unreserved Seat**

- 1.
- 2.
- 3.
- 4.
- 5.

** Seats Reserved For Women		
Sl.No	Name of the Candidate	Name of the constituency from which elected to **Zilla Parishad/Municipality
(1)	(2)	(3)

- 1.
- 2.
- 3.
- 4.
- 5.

Date

Place

Returning Officer

* Insert the name of the District

** Score out the inappropriate alternative

21. In the said rules, in Form 7, —

(a) for the words “elected to fill a seat”, the asterisk mark, bracket and words “fill a seat (**reserved for woman)”, shall be substituted; and

(b) after the asterisk mark “** along with the expression”, occurring at the end, the following shall be added, namely: —

“*** strike out if the seat is unreserved.”.

22. In the said rules, after Form 8, the following Form shall be inserted, namely: —

FORM 8-A

[See Rule 11 (1)]

BALLOT PAPER FOR ELECTION TO THE SEAT RESERVED FOR WOMEN

Counterfoil No.....

(To be written on the back side)

BALLOT PAPER FOR ELECTION (year) by the elected members of the
*Zilla Parishad/Municipalities to** District Planning Committee.

Serial No. in the list of voters

Signature or Thumb impression of voter

.....Perforation.....

Folio No.

(To be written on the back side)

BALLOT PAPER FOR ELECTION.....(year) by the elected members of the *Zilla Parishad/Municipalities to ** District Planning Committee.

Sl.No	Name of the Candidate (in English and Odia)	Order of Preference
1		
2		
3		
4		
5		

* Score out the inappropriate alternative

** Insert name of the district.

23. In the said rules, in Form 9, —

(a) after the words “candidate at the above election” and before the words “do hereby”, the asterisk mark bracket and the words “(**reserved for woman)” shall be inserted”; and

(b) after the asterisk mark “*along with the expressions”, the following asterisk mark and the words shall be inserted, namely: —

“**strike out if the seat is unreserved.”:

24. In the said rules, in Form 10, for serials 1, 2 and 3 along with its entries, the following serial Number along with its entries shall be substituted, namely: —

“1. Ballot paper received —

(a) in Form 8: -

(b) in Form 8-A: -

2. Ballot paper unused (i.e. not issued to voters)

(a) Form 8:

(b) Form 8-A:

3. **Ballot papers used the Polling Station —

(i) 1(a) —2(a)=3.....

(ii) 1(b) —2(b)=3

25. In the said rules, for Form 11, the following Form shall be substituted, namely: —

"FORM 11

(See Rule 22)

(For use in Election when seat is contested)

**Declaration of the Result of Election under rule 22 of the
Odisha District Planning Committees Rules, 2000.**

Election to the..... (name of the district) District Planning Committee by
the elected members of the *Zilla Parishad/Municipalities in the district.

In pursuance of the provisions contained in rule 22 of the Odisha District Planning
Committees Rules, 2000, I declare that—

.....(name) an elected member of the *Zilla Parishad/
Municipality from**Constituency has been duly elected to fill a
seat (** reserved for women) in that Committee from among the elected members of the
*Zilla Parishad/Municipalities.

Date

Place.....

Returning Officer

* Score out the inappropriate alternative.

** Insert appropriate particulars.

*** Strike out if the seat is unreserved."

26. In the said rules, in Form 12, —

(a) after the words "to be a member" and before the words "of the District Planning
Committee", the asterisk, bracket and the "words "(** reserved for woman)" shall be
inserted; and

(b) after the asterisk mark and words "*** insert the name of district", occurring at the
end, the following asterisk mark and the words "**** strike out of the seat is unreserved",
shall be inserted.

[No. 4276/DPC-01/2016/P.]

By the order of the Governor

R. BALAKRISHNAN

Development Commissioner-cum-
Additional Chief Secretary to Government