

Order-II

CONSTITUTION OF INDIA.

No.MNC 11.01/CR-23/D-XI.- In exercise of the powers conferred by clause (1) of Article 243-ZA of the Constitution of India read with sub-section (1), (2), (3) and (4) of section 10A of the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act, 1965 (Mah.XI of 1965)(hereinafter referred to as "the said Act") and of all other powers enabling me in this behalf, I, Y. L. Rajwade, State Election Commissioner, Maharashtra, hereby -

(a) delegate the powers under sections, sub-sections and clauses of the said Act and under rules, sub-rules and clauses of the Maharashtra Municipal Councils and Nagar Panchayats Election Rules, 1966 (hereinafter referred to as "the Election Rules") for the purpose and to the extent specified in column (2) of the schedule hereto, to the officers of the State Government and the Municipal Councils as shown against each of them in column (3) of the said Schedule; and

(b) direct that these officers of the State Government and of the Municipal Councils shall exercise these powers subject to my superintendence, direction and control and without prejudice to the provisions of sub-section (4) of section 10-A of the said Act.

SCHEDULE

Serial No. (1)	Sections, sub-sections and clauses of the Act or the rules, sub-rules and clauses of the Election Rules (2)	Officer of the State Government or Municipal Council (3)
1.	Section 10, sub-section (1) for division of municipal area into wards and specifying the reserved seats.	The Collector

(1)	(2)	(3)
2.	Section 11,- For the purpose of division of Maharashtra Legislative Assembly Electoral rolls into different sections corresponding to the different wards and for authenticating a printed copy of each section of the roll so divided;	The Chief Officer of the Municipal Council.
3.	Section 19,- (a) sub-section (1), for publication in the Official Gazette the result of bye-election or general election; (b) sub-section (2), for receiving a Notice in writing from a person elected in more than one ward; (c) sub-section (4), for deciding by lot one of the wards which a person elected in more than one ward shall serve.	The Collector
4.	Section 34, for making order for, or authorising filing of a complaint.	The Collector
5.	Section 35, for requisitioning of premises, vehicles, etc. for election.	The Collector
6.	Rule 4, sub-rules (1), (2) and (3) for making order in Form 1 and taking all other steps as provided and required under rule 4, subject to the direction of the State Election Commissioner fixing the programme of election.	The Collector
7.	Rule 4A, sub-rules (1), (2) and (3) postponing the election programme and fixing fresh dates, subject to the directions of the State Election Commission.	The Collector
8.	Rule 5, for appointment of Returning Officer and Assistant Returning Officer.	The Collector

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(1)	(2)	(3)
9.	Rule 11, for control on Officers appointed for any matter connected with the election.	The Collector
10.	Rule 23, for Returning Officer reporting fact of death of contesting candidate.	The Collector
11.	Rule 27, for approval of the design and colour of the ballot boxes.	The Collector
12.	Rule 30, clause (c) for authorising persons to be admitted to the polling stations.	The Collector
13.	Rule 36, sub-rule (3), for issuing directions as to distinguishing mark to be stamped on the back of the ballot papers.	The Collector
14.	Rule 46, sub-rules (2) and (3), for Returning Officer to report the circumstances with regard to adjournment of a poll, and, fixing fresh day on which poll shall recommence and for taking all other steps required to be taken under these sub-rules.	The Collector
15.	Rule 48, sub-rules (1) and (2), for the Returning Officer to report the matter with regard to the error or irregularity in procedure committed and which is likely to vitiate the poll, and, subject to the previous approval of the State Election Commissioner, to take steps under sub-rule (2).	The Collector
16.	Rule 50, sub-rule (1), clause (b), for authorising persons to be admitted to the place fixed for counting of votes.	The Collector
17.	Rule 56, sub-rule (1), for fixing the date, time and place to recommence counting of votes.	The Collector

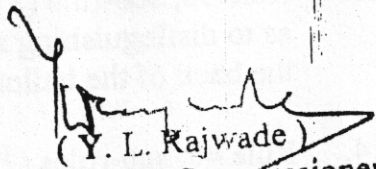
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18. Rule 59, for Returning Officer to send signed copies of the return of election in form XIV. The Collector

2. In exercising the powers as aforesaid, the officers concerned shall send reports in respect thereof to endorse copies of various notices, forms and communications to, and obtain directions and approval of the State Election Commissioner, wherever necessary.

Mumbai-400 032.
Dated 17th August, 2001.


(Y. L. Rajwade)
State Election Commissioner,
Maharashtra.