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|  | <p align="center"><b>DELHI JAL BOARD: GOVT. OF NCT OF DELHI</b><br/> <b>OFFICE OF THE ASSTT. COMMISSIONER(W)</b><br/> <b>VARUNALAYA PHASE-II</b><br/> <b>KAROL BAGH, NEW DELHI-110005</b><br/> <b>PHONE:- 011-23544796</b><br/> <b>E-mail:- ac.water22@yahoo.co.in</b></p> |  |
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F. No. 618(22)/ DJB/AC (W)/2022/

16472

Dated: // .03.2022

**Subject: Forwarding of letters(s)/circular(s)- reg.**

The following letter(s)/circular(s) as mentioned hereunder is hereby forwarded for information and further necessary action at the end of concerned.

| Sl. No | Name of the Authority/ Department  | Reference No./ Circular                     | Subject  |
|--------|--|---|----------|
| 1      | Secretary(Services), Govt. of NCT of Delhi, Services Department(Services-I Branch) | No.F.2/22/2020/S.I/47<br>2 dated 24.02.2022 | Circular |

Encl.: As Above.

  
**(VIRENDER SINGH)**  
**ASSTT. COMMISSIONER (W)**

**All DDOs/Controlling Officer.**

**Copy for kind information to:-**

1. CEO, DJB
2. Member(A)/(F)/(W)/(Dr)/Secretary/C.V.O. /Addl. C.E.O.
3. All C.E.s/System Administrator/All Directors.
4. EE(EDP)- with the request to upload the same on the website of DJB.

LEE EDP

Prag-I

  
 14-03-2022  
**Ashok Kumar**  
 Executive Engineer (EDP)

  
**ASSTT.COMMISSIONER (W)**

Addl. Chief Engineer (Project)-I  
 EDP Cell, Delhi Jal Board, GNCTD  
 Dy. No. 812 dt. 14-03-2022

15/✓  
**GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI**  
**SERVICES DEPARTMENT (SERVICES-I BRANCH)**  
**DELHI SECRETARIAT: 7<sup>TH</sup> LEVEL, 'B' WING,**  
**I.P. ESTATE, NEW DELHI - 110002**  
**(<http://services.delhigovt.nic.in>)**  
**PHONE: 011-23392146 Fax No. : 23392150/23392764**

No. F. 2/22/2020/S.I/ 472

Dated: 24.02.2022

CIRCULAR

The General Elections to the three Municipal Corporation of Delhi having 272 wards are scheduled to be held in the month of March/April, 2022. For smooth conduct of elections, the State Election Commission has requested the Services Department for deployment of different categories of staff. Accordingly, Services Department has provided State Election Commission list of officers/officials for their further deployment by the State Election Commission.

In this connection, the following is brought to the notice of all concerned that:-

- (i) The 73<sup>rd</sup> and 74<sup>th</sup> amendments in the Constitution envisage setting up of a State Election Commission (SEC) consisting of a State Election Commissioner. The SEC referred to in Article 243-K(1) of the Constitution of India, has been vested with the powers of the superintendence, directions and control of the preparation of electoral rolls for, and the conduct of, all elections to the Municipalities under Article 243 ZA(1) of the Constitution of India which are similar to the powers of the Election commission of India (ECI).
- (ii) The three Municipal Corporations of Delhi have a constitutional status and hence, the matter of elections connected to these bodies is also needed to be dealt on priority so as to achieve the objective of holding fair and equitable elections of democratic bodies through franchise as has been very clearly held by the Hon'ble Supreme Court of India.
- (iii) The Hon'ble Supreme Court in Civil Appeal No.5756 of 2005 Kishan Singh Tomar V/s Municipal Corporation of the city of Ahmedabad & Ors has held as follows among others:-

".....In our opinion, the entire provision in the Constitution was inserted to see that there should not be any delay in the constitution of the new Municipality every five years and in order to avoid the mischief of delaying the process of election and allowing the nominated bodies to continue, the provisions have been suitably added to the Constitution. In this direction, it is necessary for all the State Governments to recognize the significance of the State Election Commission, which is a constitutional body and it shall abide by the directions of the Commission in the same manner in which it follows the directions of the Election Commission of India during the elections for the Parliament and State legislatures. In fact, in the domain of elections to the Panchayats and the Municipal bodies under the Part IX and Part IX A for the conduct of the elections to these bodies they enjoy the same status as the Election Commission of India.

The State Election Commissions are to function independent of the concerned State Governments in the matter of their powers of superintendence, direction and control of all elections, and preparation of electoral rolls for and the conduct of all elections, to the Panchayats and Municipalities.

Article 243 K(3) also recognizes the independent status of the State Election Commission. It states that upon a request made in that behalf the Governor shall make available to the State Election Commission such staff as may be necessary for the discharge of the



functions conferred on the State Election Commission by clause (1). It is accordingly to be noted that in the matter of the conduct of elections, the concerned government shall have to render full assistance and co-operation to the State Election Commission and respect the latter's assessment of the needs in order to ensure that free and fair elections are conducted.

Also, for the independent and effective functioning of the State Election Commission, where it feels that it is not receiving cooperation of the concerned State Government in discharging its constitutional obligation of holding the elections to the Panchayats or Municipalities within the time mandated in the Constitution, it will be open to the State Election Commission to approach the High Courts, in the first instance, and thereafter the Supreme Court for a writ of mandamus or such other appropriate writ directing the concerned State Government to provide all necessary cooperation and assistance to the State Election Commission to enable to fulfil the constitutional mandate...."

In view of above, it shall be ensured that staff deployed for elections duty shall report to the State Election Commission as and when required by it. Further, there shall be no laxity on the part of Head of Departments/Head of Offices in relieving of the requisitioned Officers, staff, machinery and other incidentals. The requisitioned Officers/Staff shall also be clearly briefed that they shall engage in the work assigned by the State Election Commission in right earnest with due diligence in order to avoid initiation of disciplinary action against erring officer/staff.

This issues with the approval of the Chief Secretary, GNCTD.

  
(S. B. DEEPAK KUMAR)  
SECRETARY (SERVICES)

No. F. 2/22/2020/S.I/472

Dated: 02.02.2022

To

All Additional Chief Secretary/Principal Secretaries/  
Secretaries/HODs/PSUs/Commissioners of Local Bodies/  
Grant-in-Aid Institutions/Autonomous/Societies  
Govt. of NCT of Delhi.