



The Nagaland Municipal
Election
(Delimitation of Wards)
Rules, 2023

**Municipal Affairs Department
Nagaland: Kohima**

**GOVERNMENT OF NAGALAND
MUNICIPAL AFFAIRS DEPARTMENT
NAGALAND: KOHIMA**

NOTIFICATION

In exercise of the powers conferred by Section 24 of the Nagaland Municipal Act, 2023, with a view to lay down the procedure for dividing the Municipal Areas into territorial constituencies, the Governor of Nagaland hereby makes the following rules:-

1. Short title, commencement and extent:

- (1) These rules may be called the Nagaland Municipal (Delimitation of Wards) Rules, 2023.
- (2) It shall come into force with immediate effect.
- (3) It shall apply to all municipalities.

2. Definitions :-

In these rules, unless the context otherwise requires:

- (a) "Act" means the Nagaland Municipal Act, 2023;
- (b) 'Board' means Delimitation Board constituted under rule 4;
- (c) 'Government' means the Government of the State of Nagaland or any other Department so entrusted with the responsibilities of administering the Municipalities.
- (d) All other words and expressions used in these rules but not defined therein shall have the meanings assigned to them in the Act.

3. Fixation of number of wards of Municipalities:

Upon completion of each Census, the number of territorial constituencies i.e. Wards in every Municipality shall be notified by the Government on the basis of the latest Census figures. The number of wards to be filled by election on each municipality shall be in accordance with the scale given below.

Municipality with a population	Number of Wards
Not exceeding 10000	9
Exceeding 10000 but not exceeding 20000	11
Exceeding 20000 but not exceeding 30000	13
Exceeding 30000 but not exceeding 40000	15
Exceeding 40000 but not exceeding 60000	17
Exceeding 60000 but not exceeding 80000	19
Exceeding 80000 but not exceeding 100000	21
Exceeding 100000 but not exceeding 120000	23
Exceeding 120000 but not exceeding 300000	25

4. Constitution of Delimitation Board:

- (1) For the purposes of carrying out the provision of these rules, the Government shall constitute a Delimitation Board for each Municipality consisting of the following members namely: -
- (a) The Deputy Commissioner of the District in which the Municipality is situated or any officer nominated by him in this behalf;
 - (b) The Administrative Officer In-charge of the Sub-Division in which the Municipality is situated;
 - (c) The Chairman of the Municipality concerned and if the Municipality has been dissolved or not constituted, the ex-Chairman of the dissolved Municipality or of the Adhoc Local Body existing in the Municipal area. This provision shall not apply in case the Municipality or the Local Body has been dissolved for misuse of power.
 - (d) Chief Executive Officer/Executive Officer of the Municipality concerned.
- (2) The Board shall associate with itself for the purpose of assisting it in its day to day duties, not more than five members of the Municipality having due regard to the representation of various political parties and groups in the composition of the Municipality. This provision shall not, however, apply in the case of Municipality, which has been dissolved.
- (3) In case the Municipality has not been constituted, the Board shall associate with itself for the purpose of assisting it in its day to day duties, not more than five persons from the Adhoc Local body existing in the area having due regard to the representation of various political parties and groups in the composition of the Adhoc Local Body.

5. Procedure and powers of the Board:

- (1) None of the associate members shall have a right to vote or to sign any decision of the Board.

- (2) The meeting of the Board shall be convened by the Administrative Officer in-charge of the Sub-Division in consultation with the Deputy Commissioner of the District, after giving notice of at least forty-eight hours of the date, time and place of the meeting to all of its members.
- (3) The quorum necessary for the transaction of business at a meeting of the Board shall be three.
- (4) All questions, which come before any meeting of the Board shall be decided by a majority of the votes of the members present and voting. The Chairman of the meeting, in case of an equality of votes, shall have a second casting vote.
- (5) The Board shall have power to act notwithstanding the temporary absence of a member, or an associate member, of the existence of a vacancy in the Board, and no act or proceeding of the Board shall be invalid or called in question on the ground merely of temporary absence of a member or associate member, or of the existence of such a vacancy.
- (6) The Administrative Officer In-charge of the Sub-Division in which the Municipality is situated shall be the Chairman of the Board. In his absence, members present shall elect one member who shall preside over the meeting of the Board as its Chairman.

6. Function of the Board:

It shall be the duty of the Board

- (1) To divide the Municipality into such number of wards as required by rule 3 above and as per the principles laid down in section 24 of the Act.
- (2) To re-adjust the wards as and when the limits of the Municipality are altered or there is increase in population of the Municipality or there is abnormal variation in population or voting figures of some of the wards of the Municipality, which requires, such re adjustment.
- (3) To invite, consider and dispose objections.

7. Scheme for Delimitation of Wards:

The scheme for delimitation shall contain: -

- i) Ward No:
- ii) Nomenclature of the Ward:
Each ward shall be known by the number given serially and a name shall also be given to it.
- iii) The limits of each ward to be defined in all four directions as follows:
Bounded on north by
Bounded on the south by.....
Bounded on the east by.....

Bounded on the west by.....

- iv) No. of households in each ward:
- v) Population of each ward:
- vi) Sketch Map of the Municipal Area showing the delimited wards:

8. Publication of scheme for delimitation of wards, invitation and disposal of objections:

The Delimitation Board shall: -

- (a) Publicise by fixing on the notice board of the Deputy Commissioner's Office, the office of the Administrative Officer in-charge of the subdivision and the concerned Municipality for a period not less than seven days, the scheme for the delimitation of wards prepared by the Delimitation Board, for eliciting objections or suggestions from the affected persons of the Municipality;
- (b) Specify the date(s) on which the scheme along with objections and suggestions, if any shall be considered and shall also consider the objections and suggestion which may have been received on the date(s) so specified; and
- (c) Pass an order accepting or rejecting the objections and suggestions giving reasons thereof. Thereafter, along with the details of the objections received and considered, submit the Delimitation Scheme to the Government for final publication.

9. Publication of final order of State Government:

The State Government shall consider the report submitted by the Delimitation Board containing the Delimitation Scheme, the objections and suggestions considered by the Board and the orders passed thereof by the Delimitation Board and cause its order made in the form of final notification under these rules to be published in the Official Gazette, and upon such publication every such order shall have the force of law.

10. Report to State Election Commission:

The Government shall cause to be delivered a copy of the final delimitation and reservation order made as such immediately to the State Election Commission.

11. Correction of printing mistake in order made by State Government:

The State Government may, from time to time, by notification in the Official Gazette, correct any printing mistake in any of the orders made by it, or any error occurring therein due to an inadvertent slip or omission.

12. Power to remove difficulties:

The State Government may remove any difficulty that may arise during the implementation of the present Rules and the decision of the State Government shall be final and binding.

By order and in the name of Governor.

A handwritten signature in black ink, appearing to read 'Kenilo Apon', with a long horizontal stroke extending to the right.

(Kenilo Apon), IAS
Commissioner & Secretary to the Government of Nagaland
Municipal Affairs Department
Nagaland, Kohima.

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