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असाधारण

EXTRAORDINARY

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 14th January, 2008/Pausa 24, 1929 (Saka)

THE DELIMITATION (AMENDMENT) ORDINANCE, 2008

No. 1 OF 2008

Promulgated by the President in the Fifty-eighth Year of the Republic of India.

An Ordinance further to amend the Delimitation Act, 2002.

WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for her to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

1. (1) This Ordinance may be called the Delimitation (Amendment) Ordinance, 2008.

(2) It shall come into force at once.

2. In section 10 of the Delimitation Act, 2002 (hereinafter referred to as the principal Act),—

(i) in sub-section (4), the following proviso shall be inserted, namely:—

“Provided that nothing in this sub-section shall apply to the delimitation orders published in relation to the State of Jharkhand.”;

(ii) in sub-section (6), for the words “within two years of the constitution of the Commission”, the words “within a period not later than 31st day of July, 2008” shall be substituted.

Short title
and
commencement.

Amendment
of section 10.

Insertion of new sections 10A and 10B. Deferment of delimitation in certain cases.

3. After section 10 of the principal Act, the following sections shall be inserted, namely:—

“10A. (1) Notwithstanding anything contained in sections 4, 8 and 9, if the President is satisfied that a situation has arisen whereby the unity and integrity of India is threatened or there is a serious threat to the peace and public order, he may, by order, defer the delimitation exercise in a State.

(2) Every order made under this section shall be laid before each House of Parliament.

Delimitation Commission's order with respect to the State of Jharkhand not to have any legal effect.

10B. Notwithstanding anything contained in sub-section (2) of section 10, the final orders relating to readjustment of number of seats and delimitation of constituencies in respect of the State of Jharkhand published under the said section vide order O.N. 63(E), dated 30th April, 2007 and O.N. 110(E), dated 17th August, 2007 shall have no legal effect and the delimitation of the constituencies as it stood before the publication of the said order shall continue to be in force until the year 2026 in relation to every election to the House of the People or to the Legislative Assembly, as the case may be, held after the commencement of the Delimitation (Amendment) Ordinance, 2008.”

PRATIBHA DEVISINGH PATIL, President.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

When laid in the Lok Sabha on 24.12.2008

THE DELIMITATION (AMENDMENT) ORDINANCE, 2008

NO. 1 OF 2008

K.D. SINGH, Secy. to the Govt. of India.

Enacted by the President in the 79th Year of the Republic of India.

An Ordinance to amend the Delimitation Act, 2008.

WHEREAS the President is not to exercise the powers conferred on him by section 10 of the Constitution of India which vests in him the power to defer the delimitation exercise in a State;

AND WHEREAS the President is empowered by clause (1) of article 73 of the Constitution to exercise the powers conferred by clause (1) of article 73 of the Constitution, the President is pleased to promulgate the following Ordinance:—

1. (1) This Ordinance may be called the Delimitation (Amendment) Ordinance, 2008.

(2) It shall come into force at once.

2. In section 10 of the Delimitation Act, 2008 (hereinafter referred to as the principal Act)—

(a) in sub-section (1) the following proviso shall be inserted, namely:—

“Provided that nothing in this sub-section shall apply to the delimitation exercise in relation to the State of Jharkhand.”

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

“Provided that nothing in this sub-section shall apply to the delimitation exercise in relation to the State of Jharkhand.”

(c) in sub-section (2) the following proviso shall be inserted, namely:—

“Provided that nothing in this sub-section shall apply to the delimitation exercise in relation to the State of Jharkhand.”

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