

# ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi - 110 001

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No. ECI/PN/67/2011

Dated: 19<sup>th</sup> December, 2011

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## PRESS NOTE

**Subject: Biennial Elections to the Council of States from NCT of Delhi 2011-12.**

The National Capital Territory of Delhi has been allocated three seats in the Rajya Sabha, which are held by Dr. Karan Singh, Shri Janardan Dwivedi and Shri Parvej Hashmi, whose terms of office will expire on 27<sup>th</sup> January, 2012. Thus, biennial elections are due to be held to fill all the above mentioned three vacancies arising on 27<sup>th</sup> January, 2012, on a regular basis.

2. These three vacancies are being filled by holding three separate elections, in accordance with the law on the subject, as each of these three vacancies fell under three different cycles, which were determined at the time of the initial constitution of the Rajya Sabha in 1952 itself. The decision of the Commission to hold three separate elections was called in question before the Hon'ble Delhi High Court in Civil Writ Petition No.132 of 1994 (A.K. Walia Vs. Union of India and Others) on behalf of the Indian National Congress, contending that all the three vacancies should be filled by holding a common election as the elections to the Rajya Sabha are held under the system of proportional representation. The Hon'ble Delhi High Court, however, dismissed the petition, by its order dated 14<sup>th</sup> January, 1994, holding, inter alia, as follows:

**“We are of the view that once the seats have been divided into the three categories from the inception, the Respondents were right in holding separate elections for each category. Now these three seats fall in three separate categories, so elections to these three seats have to be also separate”.**

3. In accordance with the law so laid down by the Delhi High Court, the aforesaid three seats, now due to fall vacant in the Rajya Sabha on 27<sup>th</sup> January, 2012 from the National Capital Territory of Delhi, will also be filled by holding three separate biennial elections to fill one seat each.

4. The Election Commission has decided to hold the aforesaid three separate biennial elections to the Council of States from the NCT of Delhi, in accordance with the following schedule :-

1.	Issue of Notifications	2 <sup>nd</sup> January, 2012 (Monday)
2.	Last date of making nominations	9 <sup>th</sup> January, 2012 (Monday)
3.	Scrutiny of nominations	10 <sup>th</sup> January, 2012( Tuesday)
4.	Last date for withdrawal of candidatures	12 <sup>th</sup> January, 2012 (Thursday)
5.	Date of poll	<b>19<sup>th</sup> January, 2012 ( Thursday)</b>
6.	Hours of poll	9.00 A.M. to 4.00 P.M
7.	Counting of Votes	<b>19<sup>th</sup> January, 2012 ( Thursday)</b> at 5.00 PM
8.	Date before which election shall be completed	23 <sup>rd</sup> January, 2012 (Monday)

**(YASHVIR SINGH)**  
**DIRECTOR**