

OFFICE OF THE CHIEF ELECTORAL OFFICER, DELHI

Most Impd.

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Kashmere Gate, Delhi - 110 006  
Fax: Nos.23969611, 23963604

No.F.CEO/102(26)/Rajyasabha Elections 2024/28735

Dated:- 22/12/23

To,

The Secretary,  
Delhi Legislative Assembly Secretariat,  
Delhi Vidhan Sabha,  
Old Secretariat, New Delhi-110054

Sub: Biennial election to the Council of States from NCT of Delhi –Press Note-reg

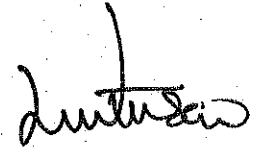
Sir,

I am directed to forward herewith a copy of Election Commission of India's Press Note No ECI/PN/73/2023 dated 22.12.2023 for the Biennial Election to the Council of States (Rajya Sabha) from NCT of Delhi, for kind information and necessary action.

Further, it is requested that the above said Press Note of ECI may be uploaded on the website of Delhi Legislative Assembly, as per ECI's instruction No. 318/Information/2011-CC&BE dated 05.08.2011 (copy enclosed).

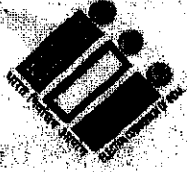
Yours sincerely,

Encls: As above



(T. Misao)

Asstt. Chief Electoral Officer (COE)



भारत निर्वाचन आयोग  
Election Commission of India

निर्वाचन सदन  
Nirvachan Sadan,  
अशोक रोड, नई दिल्ली-110001  
Ashoka Road, New Delhi-110001

No. ECI/PN/73/2023

Dated: 22<sup>nd</sup> December 2023

**PRESS NOTE**

**Subject: Biennial Elections to the Council of States from NCT of Delhi and Sikkim-reg**

The term of office of 4 members of the Council of States (Rajya Sabha) elected from Sikkim and National Capital Territory of Delhi is due to expire on their retirement as under:-

S.No.	State/Union Territory	Name of Member	Date of retirement
1.	NCT of Delhi	1. Sh. Sanjay Singh 2. Sh. Sushil Kumar Gupta 3. Sh. Narain Dass Gupta	27.01.2024
2.	Sikkim	1. Sh. Hishey Lachungpa	23.02.2024

2. The Election Commission has decided to hold the Biennial Elections to the Council of States from Sikkim and NCT of Delhi in accordance with the following schedule:-

1.	Issue of Notifications	02 <sup>nd</sup> January, 2024 (Tuesday)
2.	Last date of making nominations	9 <sup>th</sup> January, 2024 (Tuesday)
3.	Scrutiny of nominations	10 <sup>th</sup> January, 2024 (Wednesday)
4.	Last date for withdrawal of candidatures	12 <sup>th</sup> January, 2024 (Friday)
5.	Date of poll	19 <sup>th</sup> January, 2024 (Friday)
6.	Hours of poll	09.00 am to 04.00 pm
7.	Counting of Votes	19 <sup>th</sup> January, 2024 (Friday) at 05.00 pm
8.	Date before which election shall be completed	23 <sup>rd</sup> January, 2024 (Tuesday)

3. The National Capital Territory of Delhi has been allocated three seats in the Rajya Sabha, which are presently held by Sh. Sanjay Singh, Sh. Sushil Kumar Gupta and Shri Narain Dass Gupta, whose terms of office will expire on 27<sup>th</sup> January, 2024. Thus, biennial elections are due to be held to fill all the above mentioned three vacancies arising on 27<sup>th</sup> January, 2024, on a regular basis.

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4. 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. Walla 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".**

5. 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, 2024 from the National Capital Territory of Delhi, will also be filled by holding three separate biennial elections to fill one seat each.

6. Further, the term of office of the members to be elected to the Council of States from the National Capital Territory of Delhi shall be subject to the decision of the Hon'ble Supreme Court in SLP(C) No. 17123/2015 (Election Commission of India Vs Devesh Chandra Thakur & Others)."

7. Broad Guidelines of Covid-19 issued by ECI as contained in para 32 of Press Note, dated 09<sup>th</sup> October, 2023, available at link General Election to Legislative Assemblies of Chhattisgarh, Madhya Pradesh, Mizoram, Rajasthan and Telangana, 2023 - Press Releases - Election Commission of India (eci.gov.in) to be followed, wherever applicable, during entire election process by all persons.

  
(PRAFULL AWASTHI)  
UNDER SECRETARY

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**By Speed Post**

# **ELECTION COMMISSION OF INDIA**

**Nirvachan Sadan, Ashoka Road, New Delhi-110001**

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**No. 318/Information/2011-CC&BE**

**Dated: 5<sup>th</sup> August, 2011.**

To

The Chief Electoral Officers of  
all States and Union Territories of  
NCT of Delhi & Puducherry.

Subject: - Biennial/Bye-elections to the Council of States (Rajya Sabha), 2011—  
Information related to nominations/declaration of result – reg.

Sir/Madam,

I am directed to state that the following information may be uploaded on your  
website:—

- (a) Press Note issued by Election Commission for elections to the Rajya Sabha.
- (b) The notifications of declaration of result issued by Returning Officers of  
biennial election/bye-elections to the Rajya Sabha.
- (c) After the elections are over, on the lines of Assembly Elections, the complete  
data concerning biennial/bye-elections to the Rajya Sabha, as summary, which  
will also include the list of persons filing nominations, nominations rejected,  
and list of contesting candidates.

You are also requested to ensure that the above information is posted on the  
website of Legislative Assembly for which you may take up the matter with the Returning  
officer concerned.

The above arrangement shall be ensured for the elections held during the current  
year (2011) and for all future elections.

Yours faithfully,

**(KAJAYA KUMAR)**  
**PRINCIPAL SECRETARY**