

GOVERNMENT OF PUNJAB
DEPARTMENT OF ELECTIONS

Notification

The 4th October, 1994

No. G. S. R. 64/P. A. 19/94/S. 139/94—In exercise of the powers conferred by section 139 of the Punjab State Election Commission Act, 1994 (Punjab Act No. 19 of 1994), the Governor of Punjab, after consultation with the State Election Commission, is pleased to make the following rules to regulate the registration of electors and conduct of elections in municipalities in the State of Punjab.

PART I

[Preliminary

1. (1) These rules may be called the the Punjab Municipal Election Rules, 1994.

Short title
and
commencement

(2) These rules shall come into force from the date of their publication in the official Gazette.

2. (1) In these rules unless the context otherwise requires;

Definitions.

(a) "Agent" means any person appointed, in writing, by a candidate at an election to be his Agent for the purpose of these rules, with the acceptance, in writing, by such person of the office of such Agent;

(b) "Backward Classes" means castes, races or classes declared as Backward Classes by the State Government from time to time;

(c) "District Electoral Officer" means the District Electoral Officer, appointed under section 14 of the Act;

(d) "Election" means the election of a member of a Municipality from an area delimited as a constituency for the purposes of election to that Municipality;

(e) "Election Commission" or "Commission" means the State Election Commission, established under section 3 of the Act;

(f) "Form" means a form appended to these rules;

(g) "Act" means the Punjab State Election Commission Act, 1994;

(h) "Presiding Officer" and "Polling Officer" mean the Presiding Officer and Polling Officer, appointed under

section 20 of the Act, and any other person performing the duties of the Presiding Officer or Polling Officer for the time being;

- (i) "Returning Officer" and "Assistant Returning Officer" mean the Returning Officer and Assistant Returning Officer appointed under section 16 of the Act;
- (j) "Registration Officer" means to the Electoral Registration Officer, appointed under section 15 of the Act;
- (k) "Roll" means the electoral roll for a constituency ;
- (l) "Scheduled Castes" means such castes, races or tribes or parts or groups within such castes, races or tribes as have been specified under article 341 of the Constitution of India to be Scheduled Castes in the State of Punjab;
- (m) "Treasury" means a Government Treasury or Sub Treasury or a Bank to which the Government treasury business has been made over.

(2) The terms not defined but used in these rules shall have the same meaning as assigned to them in the Act.

PART II

Preparation of Electoral Rolls

3. (1) On receipt of directions from the Commission, the District Electoral Officer shall take action for preparation or revision of the roll in accordance with such directions and these rules in respect of all or any of the Municipalities in his district as the case may be.

(2) The Registration Officer of a Municipality shall prepare and revise the roll in respect of all or any constituency or part thereof of the Municipality of which he is the Registration Officer in accordance with the directions of the Commission and the provisions of these rules.

(3) The Registration Officer may appoint such Officers and staff as may be necessary in consultation with the District Electoral Officer, to assist him in the preparation or revision of the Roll.

4. The roll for each constituency shall be prepared in such form and in such language or languages as the Commission may direct.

5. The roll of each constituency shall be prepared by house to house enumeration of such persons who fulfil the conditions laid down under section 28 of the Act and do not suffer from any disqualification specified in section 25 thereof:

Issue of
directions
by the
Commission.

Form and
language
of Roll.

Preparation
of fresh Roll.

prepared in the manner specified above and the roll for the Punjab Legislative Assembly in relation to the area comprised in the said constituency for the time being in operation, shall be used in any election, with such modifications, as may be necessary :

Provided further that nothing in these rules shall prevent the use of the current Roll for the Punjab Legislative Assembly constituency in the preparation of fresh preliminary roll for the municipal elections.

6. (1) The roll shall be divided into convenient parts which shall be numbered consecutively.

Preparation
of roll in
parts.

(2) The number of names included in any part of the roll shall not ordinarily exceed one thousand.

(3) The last part of the roll shall contain the names of every person having a service qualification under sub-section (10) of section 29 of the Act and of his spouse, if any, who are entitled to be included in the Roll by virtue of a statement made under rule 8 shall be included in the part of the roll pertaining to the locality in which they would, according to that statement, have been ordinarily resident.

7. (1) The names of electors in each part of the roll shall be arranged according to house numbers subject to any general or special direction of the Commission in respect of any part that the names should be arranged in alphabetical order or that the names shall be arranged partly in one way and partly in other.

Order of
names.

(2) The names of electors in each part of the roll shall be numbered consecutively with a separate series of numbers beginning with the number one.

8. (1) Every person who holds a declared office or has a service qualification and desires to be registered in the roll of the constituency in which, but for his holding such office or having such qualification, he would have been ordinarily resident, shall submit to the Registration Officer of the constituency a statement in such one of the Form 1, Form 2, Form 3 and Form 4, as may be appropriate.

Statement
under
section 29.

(2) Every statement submitted under sub-rule (1) shall be verified in the manner specified in the Form.

(3) Every such statement shall cease to be valid when the person, making it ceases to hold a declared office, or, as the case may be, having a service qualification.

9. The Registration Officer may, for the purpose of preparing the roll through house to house enumeration, issue letters of request in Form 5 to the occupants of dwelling houses in the constituency or any part thereof; and every person receiving any such letter shall furnish the information called for therein to the best of his ability.

Information
to be supplied
by occupants
of dwelling
houses.

10. For the purpose of preparing any roll or deciding any claim or objection to a roll, any Registration Officer and any person employed by him shall have access to any register of births and deaths and to the

Access to
certain
registers.

admission register of any educational institution, and it shall be the duty of every person in charge of any such register to give to the said officer or person such information and such extracts from the said register as he may require.

Publication
of Roll
in draft.

11. As soon as the Roll for a constituency is ready, the Registration Officer shall publish it in draft by making a copy thereof available for inspection and displaying a notice in Form 6.

- (a) at his office if it is within the constituency ; and
- (b) at the office of the Municipality.
- (c) at such other places as may be specified by him.

Further
publicity
to the Roll
and notice.

12. The Registration Officer shall also:—

- (a) make a copy of each separate part of the Roll, together with a copy of the notice in Form 6, available for inspection at a specified place accessible to the public in or near the area to which that part relates.
- (b) supply free of cost two copies of each separate part of the Roll to every political party for which a symbol has been exclusively reserved by the Commission.

Period for
lodging
claims and
objections.

13. Every claim for inclusion of name in the Roll and every objection to an entry therein shall be lodged within a period of seven days from the date of publication of the roll in draft under rule 11.

Form for
claims and
objections.

14. (1) Every claim shall be—

- (a) in Form 7;
- (b) signed by the person desiring his name to be included in the Roll ; and
- (c) countersigned by another person whose name is already included in the Roll in which the claimant desires his name to be included.

(2) Every objection to the inclusion of name in the Roll shall be:—

- (a) in Form 8;
 - (b) preferred only by a person whose name is already included in the Roll ; and
 - (c) countersigned by another person whose name is already included in the Roll in which the name objected to appears.
- (3) Every objection to a particular entry or particulars in an entry in Roll shall be,—
- (a) in Form 9 ; and
 - (b) preferred only by a person to whom that entry relates.

15. Every claim or objection shall,—

- (a) be presented to the Registration Officer ; and
- (b) be sent post to the Registration Officer ; and
- (c) shall be accompanied by a fee of rupee one which may be deposited either with the Registration Officer or in the Treasury and shall not be refundable.

Manner of
lodging
claims and
objections.

16. (a) The Registration Officer shall maintain in duplicate the three lists in Form 10, 11, 12 and enter therein the particulars of every claim or objection as and when it is received by him ; and

Procedure
of Registra-
tion Officer.

(b) Keep exhibited one copy of each such list on a notice board in his office.

17. Any claim or objection which is not lodged within the period or in the form and manner, herein specified, shall be rejected by the Registration Officer.

Rejection
of certain
claims and
objections.

11. If the Registration Officer is satisfied as to the validity of any claim or objection, he may allow it the without further inquiry after the expiry of one week from the date on which it is entered in the list exhibited by him under clause (b) of rule 16 :

Acceptance
of claim and
objections
without
inquiry.

Provided that where before any such claim or objection has been allowed, a demand for inquiry has been made in writing to the Registration Officer by any person, it shall not be allowed without further inquiry.

19. (1) Where a claim or objection is not disposed of under rule 17 or rule 18, the Registration Officer shall,—

Notice of
hearing
claims and
objections.

(a) specify in the list exhibited by him under rule 16 the date, time and place of hearing of the claim or objection; and

(b) give notice of the hearing :—

- (i) in the case of a claim of the claimant in Form 13 ;
- (ii) in the case of an objection to the inclusion of a name to the objector in Form 14 and to person objected to in Form 15 ; and
- (iii) in the case of an objection to an entry or particulars therein to the objector in Form 15-A.

20. (1) The Registration Officer shall hold a summary inquiry into every claim or objection in respect of which notice has been given under rule 19 and shall record his decision thereon.

Inquiry into
claims and
objections.

(2) At the hearing, the claimant or as the case may be, the objector and person objected to and any other person who, the opinion of the Registration Officer, is likely to be of assistance to him, shall be entitled to appear and be heard.

(3) The Registration Officer may in his discretion :—

- (a) require any claimant, objector or person objected to appear in person before him ;
- (b) require that evidence tendered by any person shall be given on oath and administer on oath for the purpose.

Inclusion of
names in
advertently
omitted

21. (1) If it appears to the Registration Officer that owing to inadvertence or error during preparation, the names of any electors have been left out of the Roll and that remedial action should be taken under this rule, the Registration Officer shall,—

- (a) prepare a list of the names and other details of such electors ;
- (b) exhibit on the notice board of his office, a copy of the list together with a notice as to the place at which the inclusion of these names in the Roll will be considered, and also publish the list and the notice in such other manner as he may think fit ; and
- (c) after considering any verbal or written objections that may be preferred, decide whether all or any of the names should be included in the Roll.

(2) If any statements under rule 8 are received after the publication of the roll in draft under rule 11, the Registration Officer shall direct the inclusion of the names of the electors covered by the statements in the appropriate parts of the Roll.

Deletion of
names

22. If it appears to the Registration Officer at any time before the final publication of the Roll that owing to inadvertence or error or otherwise, the names of dead persons or of persons who have ceased to be or are not, ordinarily resident in the constituency or of persons who are otherwise not entitled to be registered, that Roll, have been included in the Roll and that remedial action should be taken under this rule, the Registration Officer, shall ;

- (a) prepare a list of the names and other details of such electors ;
- (b) exhibit on the notice-board of his office, a copy of the list together with a notice as to the time and place at which the question of deletion of these names from the Roll will be considered, and also publish the list and the notice in such other manner as he may think fit ; and
- (c) after considering any verbal or written objections that may be preferred, decide whether all or any of the names should be deleted from the Roll ;

Provided that before taking any action under this rule in respect of any person on the ground that he has ceased to be, or is not, ordinarily resident in the constituency, or is otherwise not entitled to be registered in that Roll, the Registration Officer shall make every endeavour to give him a reasonable opportunity to show cause why the action proposed should not be taken in relation to him.

23. (1) The Registration Officer shall thereafter,—

Final Publication of Roll.

- (a) prepare a list of amendments to carry out his decision under rules 18, 20, 21 and 22 ;
- (b) correct any clerical, printing mistake, error or any other inaccuracy discovered in the rolls ;
- (c) publish the Roll, together with list of amendments, by making complete copy thereof available for inspection and displaying a notice, Form 16 at his office ;
- (d) subject to any general or special direction, as may be given by the Commission, supply free of cost, two copies of the Roll, as finally published, with the list of amendments, if any, to every political party for which a symbol has been exclusively reserved by the Commission.

(2) On such publication, the Roll, together with the list of amendments, shall be the Electoral Roll of the constituency.

(3) Where the Roll (hereinafter in this sub-rule referred to as the basic Roll), together with the list of amendments, becomes the Electoral Roll for a constituency under sub-rule (2), the Registration Officer, may, for the convenience of all concerned, integrate, subject to any general or special directions issued by the Commission in this behalf, the list into the basic Roll by incorporating, inclusion of names, amendments, transposition or deletion of entries in the relevant parts of the basic Roll itself so however that no change shall be made in the process of such integration in the name of any elector or in any particulars relating to any elector as given in the list of amendments.

24. (1) An appeal shall lie from any decision of the Registration Officer under rules 20, 21 and 22 to the Commission :

Appeals from orders deciding claims and objections

Provided that an appeal shall not lie where the person desiring to appeal has not availed himself of his right to be heard by, or to make representation to, the Registration Officer on the matter which is the subject of appeal.

(2) Every appeal under sub-rule (1) shall be,—

- (a) in the form of a memorandum signed by the appellant ; and
- (b) presented to the Commission within a period of fifteen days from the date of announcement of the decision or sent by registered post so as to reach the Commission within that period.

(3) The presentation of an appeal under this rule shall not have the effect of staying or postponing any action to be taken by the Registration Officer under rule 23.

(4) The decision of the Commission shall be final, but in so far as it reverses or modifies a decision of the Registration Officer, shall take effect only from the date of the decision in appeal.

(5) The Registration Officer shall cause such amendments to be made in the roll as may be necessary to give effect to the decisions of the Commission under this rule.

Preparation
of Roll on
redelimita-
tion of con-
stituencies.

25. (1) If any constituency is delimited a new in accordance with law and it is necessary urgently to prepare the Roll for such constituency, the Commission may direct that it shall be prepared :

(a) by putting together the rolls of such of the existing constituencies or parts thereof as are comprised within the new constituency; and

(b) by making appropriate alterations in the arrangement, serial numbering and heading of the Rolls so compiled.

(2) The Roll so prepared shall be published in the manner specified in rule 23 and shall, on such publication, be the electoral roll for the new constituency.

Revision of
Rolls

26. (1) The Roll for every constituency shall be revised under sub-section (2) of section 30 either intensively or summarily or partly intensively and partly summarily, as Commission may direct.

(2) Where the Roll or any part thereof is to be revised intensively in any year, it shall be prepared afresh and rules 4 to 24 shall apply in relation to such revision as they apply in relation to the first preparation of a Roll.

(3) When the Roll or any part thereof is to be revised summarily in any year, the Registration Officer shall cause to be prepared a list of amendments to the relevant parts of the roll on the basis of such information as may be readily available and publish the Roll together with the list of amendments in draft ; and the provisions of rules 10 to 24 shall apply in relation to such revision as they apply in relation to the first preparation of a Roll.

(4) Where at any time between the publication in draft of the revised Roll under sub-rule (2) or of the Roll and list of amendments under sub-rule (3) and the final publication of the same under rule 23, any names have been directed to be included in the Roll for the time being in force under section 29, the Registration Officer shall cause the names to be included also in the revised Roll unless there is, in his opinion, any valid objection to such inclusion.

27. (1) Every application under section 31 or sub-section (1) of section 32 shall be made in duplicate in such one of the Forms 7, 9, 17 or 18 as may be appropriate and shall be accompanied by a fee of Rupee one:

Correction
of entries
and inclusion
of names in
Electoral
Roll.

Provided that the statements in Forms 2, 3 and 4, from persons having service qualification, received after the final publication of the electoral Roll shall be deemed to be the applications under sections 31 and 32 and that no fee shall be deemed to have been prescribed for such application.

(2) Every such application as is referred to in sub-rule (1) shall be presented to the Registration Officer in such manner as the Commission may direct.

(3) Every application for inclusion presented in pursuance of sub-rule (2) shall be counter signed, where necessary, by another person whose name is already included in the roll in which the claimant desires his name to be included ;

(4) The fee specified in sub-rule (1) shall be—

(a) paid by means of non-judicial stamps ;or

(b) deposited in a treasury in favour of the Registration Officer concerned ; or

(c) paid in cash to the Registration Officer against receipt.

(5) Where the fee is deposited under clause (b) of sub-rule (4), the applicant shall enclose with the application a Treasury receipt in proof of the fee having been deposited.

(6) The Registration Officer shall, immediately on receipt of such application, direct that one copy thereof be posted in some conspicuous place in his office together with a notice inviting objections to such application within a period of seven days from the date of such posting.

(7) The Registration Officer shall, after the expiry of the period specified in sub-rule (6), consider the applications and objections thereto, if any, received by him and shall, if satisfied, direct the inclusion, deletion or correction or transportation of entries in the Roll, as may be necessary :

Provided that when an application is rejected by the Registration Officer, he shall record in writing a brief statement of his reasons for such objection.

(8) Where a claimant whose name is ordered to be included in the Roll is registered in the Roll of any other constituency, the Registration Officer shall, inform the Registration Officer of that constituency, who shall, on receipt of such information strike off the name of the claimant from the Roll of that constituency.

Appeals
from orders
under rule
27.

28. (1) Every appeal under section 33 shall be,—

- (a) in the form of a memorandum signed by the appellant ;
- (b) accompanied by a copy of the order appealed from and a fee of rupees five to be,—
 - (i) paid by means of non-judicial stamps ; or
 - (ii) deposited in a Treasury in favour of the Commission ; or
 - (iii) paid in such other manner as may be directed by the Commission ; and
 - (iv) the fee shall in no case be refunded.
- (c) presented to the Commission within a period of fifteen days from the date of the order appealed from or sent by registered post so as to reach the Commission within that period ;

Provided that the Commission may condone the delay in the presentation of the appeal, if it is satisfied that the appellant had sufficient cause for not presenting it within the specified time.

(2) Where the fee is deposited under sub-clause (ii) of clause (b) of sub-rule (1), the appellant shall enclose with memorandum of appeal a treasury receipt in proof of the fee having been deposited.

(3) For the purpose of sub-rule (1), an appeal shall be deemed to have been presented to the Commission when the memorandum of appeal is delivered by or on behalf of, the appellant to any officer appointed by the Commission in this behalf.

Identity
Cards for
electors in
notified con-
stituencies

29. (1) The Commission may, with a view to the preventing impersonation of electors and facilitating their identification at the time of poll, by notification in the Official Gazette of the State, direct that the provision of this rule shall apply to any such constituency or part thereof as may be specified in the notification.

(2) The Registration Officer for such notified constituency, as soon as may be, after the issue of the notification under sub-rule (1), arrange for the issue to every elector of an identity card prepared in accordance with the provisions of this rule.

(3) The identity card shall,—

- (a) be prepared in duplicate ;
- (b) contain the name, age, residence and such other particulars of the elector as may be specified by the Commission ;
- (c) have affixed to it a photograph of the elector which shall be taken at the expense of the Government ; and

(d) bear the facsimile signature of the Registration Officer :

Provided that if the elector refuses or evades to have his photograph taken, or cannot be found at his residence by the official photographer in spite of repeated attempts, no such identity card shall be prepared for the elector and a note of such refusal or evasion or that the elector could not be found at his residence in spite of repeated attempts shall be made in the copy of the Roll maintained by the Registration Officer.

(4) One copy of the identity card prepared under Sub-rule (3) shall be retained by the Registration Officer and the other copy shall be delivered to the elector to be kept by him for production at the time of a poll.

30. (1) After the Roll for the constituency has been finally published, the following papers shall be kept in the office of the Registration Officer or such other place as the Commissioner may, by order, specify until the expiration of one year after the completion of next intensive revision of Roll :—

Custody and preservation of Rolls and connected papers.

(a) one complete copy of the Roll and complete manuscript Roll ;

(b) duplicating pasting file ;

(c) all claim and objections to the draft Roll with the orders of the Registration Officer thereon ;

(d) all directions of the Registration Officer for correction of entries in the Roll ;

(e) all orders on appeal received from the Commission ;

(f) any other connected papers ;

(g) one complete copy of the Roll for each constituency duly authenticated by the Registration Officer shall be kept in the office of the District Electoral Officer for a period of six years from the date of its final publication.

31. (1) Every person shall have the right to inspect the election papers referred to in rule 30 on payment of such fee as may be specified by the Commission.

Inspection of Rolls and connected papers

(2) Attested copies of the Roll and other election papers will be supplied to such person, as may apply for the same, on payment of such fee as may be specified by the Commission from time to time.

PART III

NOMINATION AND CONDUCT OF POLLS

32. In this Part, unless the context otherwise requires,—

Definitions

(a) "Ballot Box", includes any box, bag or other receptacle used for the insertion of ballot papers by electors ;

- (b) 'Counterfoil' means the counterfoil attached to a ballot paper printed under the provisions of these rules ;
- (c) 'Electoral Roll Number' of a person means,—
- (i) the serial number of the entry in the electoral roll in respect of that person ;
 - (ii) the serial number of the part of the electoral roll in which such an entry occurs ; and
 - (iii) The name and/or the number of the constituency to which the Roll relates ;
- (d) 'Marked Copy' of the Roll means:—the copy of the Roll set apart for the purpose of marking the names of electors to whom ballot papers are issued at an election ;
- (e) 'Polling Station' in relation to an election means a place fixed for taking poll for that election. ;
- (f) For the purposes of these rules, a person who is unable to write his name shall unless otherwise expressly provided in these rules, be deemed to have signed an instrument or other paper, if—
- (a) he has placed a mark on such instrument or other paper, in the presence of the Returning Officer or the Presiding Officer or such other officer as may be specified in this behalf by the Commission ; and
 - (b) such officer on being satisfied as to his identity has attested the mark as being the mark of that person.

Notification
of symbols.

33. The Commission shall by notification in the Official Gazette specify the symbols that may be chosen by candidates at elections to municipalities and may amend or vary the list of symbols from time to time.

Public notice
of election

34. On the issue of notification by the Commission under section 35 of the Act, the Returning Officer shall give public notice of the intended election in Form 19 by pasting the same outside his office ; in the office of the municipality and at such other conspicuous place or places in the constituency as he may deem fit.

Eligibility
for membership
of
Municipality.
Nomination
Paper

35. A person desirous of contesting election for membership of a municipality should be an elector in that municipality.

36. (1) Every nomination paper presented under section 38 of the Act shall be in Form 20 and shall be presented to the Returning Officer by the candidate himself or his proposer during the hours of eleven O' clock of the forenoon and three O' clock of the afternoon or such other hours as may be fixed for this purpose on date/dates and place fixed for filing the nomination paper.

(2) The nomination paper of a member of scheduled castes or backward classes shall be accompanied by a declaration by the candidate indicating the scheduled caste or backward class to which he belongs.

(3) The nomination paper of a candidate for a constituency reserved for scheduled castes or backward classes, shall be accompanied by a certificate issued by the Deputy Commissioner or the Sub Divisional Officer (Civil) of the area of which the candidate is ordinarily resident certifying that the candidate belongs to scheduled castes or backward classes, as the case may be, and specifying the particulars of the scheduled caste or backward class to which the candidate belongs.

(4) For every candidature, fee as specified below will be deposited either in cash with the Returning Officer alongwith the nomination paper or in the Treasury in the 'Head' to be specified by the Commission ;

For election to ;

(a) Municipal Corporation	.. Rs. 200
(b) Municipal Council Class-I	.. Rs. 150
(c) Municipal Council Class-II	.. Rs. 100
(d) Municipal Council Class III and Nagar Panchayats	.. Rs. 50

Where the fee has been deposited in Treasury receipt in respect thereof shall be attached with the nomination paper :

Provided that for scheduled castes the fee will be fifty per cent of full fee specified above.

37. A certificate issued by the Commission under sub-section (3) of section 38 shall be signed by the Secretary to the Commission and shall bear its official seal.

Authentication
of Certificates
Issued by the
Commission.

38. The Returning Officer shall give notice of nominations in Form 21 by pasting one copy thereof outside his office.

Notice of
Nominations.

39. The Returning Officer shall examine the nomination papers at the date, time and place appointed in this behalf, hear objections if any, made by other candidates or their authorised agents as to the eligibility of any candidate and decide these objections after such enquiry as he may consider necessary. The decision rejecting or accepting a nomination paper shall be recorded on the nomination paper and signed by the Returning Officer and if a nomination paper has been rejected, reasons thereof shall also be briefly recorded on the nomination paper.

Scrutiny of
Nomination
Papers.

40. (1) The list of validly nominated candidates shall be in Form 22 and shall be displayed outside the office of the Returning Officer as soon as possible after the completion of scrutiny.

List of Validly
Nominated
Candidates.

(2) The names of the candidates in the list shall be arranged in alphabetical order according to Punjabi language in Gurmukhi script.

(3) The name of each candidate shall be shown in the said list as it appears in his nomination paper :

Provided that if a candidate considers that his name is incorrectly spelt or is otherwise incorrectly shown in the Roll or in his nomination paper or is different from the name by which he is popularly known, he may, at any time before the list of validly nominated candidates is prepared, furnish in writing to the Returning Officer the proper form and spelling of his name and the Returning Officer shall on being satisfied about the genuineness of the request, make necessary corrections or alterations in the list in Form 22 and adopt that form and spelling in the list of contesting candidates.

Withdrawal of
Candidature.

41. A notice of withdrawal of candidature shall be in Form 23 and on receipt of such notice, the Returning Officer shall note thereon the date and time at which it was delivered to him and publish a notice in Form 23-A.

Allocation of
Symbols to
Candidates.

42. Immediately after the expiry of the time fixed for withdrawal of candidatures, the Returning Officer shall allot to each candidate who has not withdrawn his candidature, a symbol out of the approved list of symbols in accordance with such notification, order or direction which might have been issued by the Commission in this respect.

Preparation of
List of
Contesting
Candidates.

43. The list of contesting candidates shall be displayed outside the office of the Returning Officer in Form 24 and will contain the names of the candidates in alphabetical order alongwith the particulars of the candidates and symbol allotted to each candidate.

Declaration of
result in
uncontested
election.

44. (1) If the number of contesting candidates is equal to or less than the seats to be filled, the Returning Officer shall declare the result of the election in Form 25 and send signed copies of the declaration to the Commission and the District Electoral Officer.

(2) If a poll becomes necessary, the Returning Officer shall supply a copy of the list of contesting candidates to each such candidate or his election agent.

Appointment of
Election
Agents.

45. (1) Appointment of an election agent under section 44 shall be made in Form 26 and the notice of such appointment shall be given by forwarding the same in duplicate to the Returning Officer who shall return one copy thereof to the election agent after affixing thereon his seal and signatures in token of his approval of the appointment.

(2) The revocation of the appointment of the election agent under sub-section (1) of section 46 shall be made in Form 27.

Appointment
of Polling
Agents.

46. (1) The Number of polling agents that may be appointed under section 47 shall be one agent and two relief agents for one polling station.

(2) Every such appointment shall be made in Form 28 and shall be made over to the polling agent for production at the polling station.

(3) No polling agent shall be admitted in the polling station unless he has delivered to the Presiding Officer, the instrument of his appointment under sub-rule (2) after duly completing and signing before the Presiding Officer the declaration contained therein.

47. (1) The revocation of the appointment of a polling agent under sub-section (1) of section 49 shall be made in Form 29 and lodged with the Presiding Officer.

Revocation of
the appointment
of the Polling
Agent.

(2) In the event of such revocation, the candidate or his election Agent, may make a fresh appointment in the manner specified in rule 46.

48. Save as hereinafter provided in rule 49, all electors entitled to vote in an election shall do so in person through secret ballot at the polling station provided for them.

Voting to be in
person.

49. (1) The following persons shall be entitled to vote by post :—

Voting by Postal
Ballot.

(a) Service voters defined in sub-section (5) of section 29 :

(b) Electors covered under sub-section (7) of section 29.

(c) Voters subject to preventive detention.

(d) Public servants on election duty.

(2) An elector covered in sub-rule (1) above, who wishes to vote by post shall send intimation in this regard to the Returning Officer in Form 30 for the supply of postal ballot paper at least fifteen days before the date fixed for poll.

(3) The form and the language of postal ballot papers shall be such as the Commission may direct.

(4) The Returning Officer shall send postal ballot paper to the electors who have applied under sub-rule (2) by post under certificate of posting at least ten days before the date of poll except that in the case of public servants on election duty, these can also be delivered to them against personal acknowledgement on proper identification.

(5) The elector shall mark his choice on the postal ballot paper, complete such other formalities as may be necessary according to the directions sent with the ballot paper and return the ballot paper to the Returning Officer so as to reach him before the hour fixed for close of poll at the polling stations.

(6) The Returning Officer shall make a note about issue of postal ballot paper against the name of the elector on the marked copy of the electoral roll.

50. The hours fixed for polling under section 57 shall be published by notification in the Official Gazette and also by affixing copies of the notification at the offices of the District Electoral Officer and the Returning Officer.

Publication of
hours fixed for
Polling.

Powers of the
Presiding Officer,
regarding
General Superin-
tendence.

51. The Presiding Officer shall in addition to other duties imposed upon him by these rules, be the incharge of all arrangements at the Polling Station and may issue orders as to the manner in which the electors shall be admitted to the Polling Station and generally for the maintenance of peace and order at and in the vicinity of the Polling Station.

Identity mark
on ballot papers.

52. The Commission may direct that before any ballot paper delivered to an elector at the Polling Station, it shall be marked with such official mark as may be specified by the Commission in this behalf and also signed in full on its back by the Presiding Officer. The official mark shall be kept secret.

Design of Ballot
Boxes.

53. Every Ballot box shall be of such design as may be approved by the Commission.

Form of Ballot
Papers.

54. (1) Every ballot paper shall have a counterfoil attached thereto and the said ballot paper and the counterfoil shall be in such form and the particulars therein shall be in such language or languages as the Commission may direct.

(2) The names of the candidates shall be arranged on the ballot paper in the same order in which they appear in the list of contesting candidates.

(3) If two or more candidates bear the same name, they shall be distinguished by the addition of their occupation or residence or in some other manner.

Material to be
supplied at the
Polling Stations.

55. The Returning Officer shall provide at the Polling Stations ;—

- (1) necessary number of ballot boxes.
- (2) sufficient number of ballot papers.
- (3) copies of the relevant part of the Roll.
- (4) Presiding Officer's seal for stamping the ballot papers.
- (5) other necessary material.

Arrangements at
Polling Stations.

56. (1) Outside each polling station, there shall be displayed ;—

- (a) a notice specifying the polling area and the particulars of electors which are entitled to vote at the polling station.
- (b) a copy of the list of contesting candidates.

(2) At each Polling Station shall be set up one or more voting compartments in which the electors can record their vote without being seen.

Admission to
Polling Stations.

57. The Presiding Officer shall regulate the number of electors to be admitted at any one time inside the polling station and shall exclude therefrom all persons other than ;—

- (a) Polling officers ;
- (b) public servants on duty in connection with the election ;
- (c) persons authorised by the Commission ;
- (d) candidates, their election agents and one polling agent of each candidate ;
- (e) a child in arms accompanying an elector ;
- (f) a person accompanying a blind or infirm elector who cannot move without help ;
- (g) such other persons as the Returning Officer or the Presiding Officer may employ for identification of electors.

58. (1) Before the commencement of the poll, the Presiding Officer shall show the ballot box to be used for the poll to the polling agents who may be present at the polling station so that they may see that the ballot box is empty. The Presiding Officer shall then secure and seal the ballot box in such a manner that the slit for insertion of ballot papers remains open and shall allow the polling agents present to affix, if they so desire, their seals. The ballot box shall bear labels both inside and outside marked with :—

Preparation of
Ballot Boxes for
Poll.

- (a) the serial number alongwith the name of the constituency if any ;
- (b) the serial number and name of the polling station ;
- (c) the serial number of the ballot box (to be filled at the end of the poll on the label outside the ballot box only) ;
- (d) the date of poll.

(2) The ballot box shall be placed in full view of the Presiding Officer and the polling agents.

(3) If it becomes necessary to use additional ballot box/boxes for the poll, the procedure as in sub-rules (1) and (2) shall be followed in respect of each such ballot box.

59. Immediately, before the commencement of the poll, the Presiding Officer shall also demonstrate to the Polling Agents and others present that the marked copy of the electoral roll to be used during the poll does not contain any entry other than that made in pursuance of sub-rule (6) of rule 49.

Marked copy
of electoral
Roll.

60. (1) Where a Polling Station is for both men and women electors, the Presiding Officer may direct that they shall be admitted into the polling station alternately in separate batches.

Facilities for
women electors.

(2) The Returning Officer or the Presiding Officer, may appoint a woman to serve as an attendant at any polling station to assist women electors and also to assist the Presiding Officer generally in taking the poll in respect of women electors and in particular to help in searching any woman elector in case it becomes necessary.

Identification of electors and safeguards against impersonation.

61. (1) Every elector on entering the polling station shall allow his left fore-finger to be inspected by the Presiding Officer or Polling Officer and indelible ink mark to be put on it. If any elector refuses to allow his left fore-finger to be marked with indelible ink or already has mark on his left fore-finger or does anything to remove it, he shall not be supplied any ballot paper or allowed to vote.

(2) Any reference in this rule to the left fore-finger or an elector in the case where the left fore-finger of the elector is missing, is to be construed as reference to any other finger of his left hand and shall in the case where the fingers of the left hand are missing, to be construed as a reference to the fore-finger or any other finger of his right hand and shall in the case, where all his fingers on both hands are missing be construed as a reference to such extremity of his left or right arm as he may possess.

(3) For identification of the elector, the Presiding Officer or a Polling Officer may require the elector to produce his identity card before the delivery of a ballot paper to him, if identity cards have been issued to electors in that constituency.

Seating arrangement of Polling Officers and voting procedure in the polling station.

62. (1) The table of the first Polling Officer shall be near the entrance inside the polling station and when an elector arrives at the polling station, this Polling Officer shall check the elector's name and other particulars with the relevant entry in the Roll and then call out the serial number, name and other particulars of the elector.

(2) After his identity is established, the elector will proceed to the second Polling Officer who will mark his left fore-finger in the manner provided in rule 61.

(3) The elector will then proceed to the third Polling Officer who will hand over the ballot paper and marking stamp to him after noting particulars of the elector and obtaining his signatures on the counterfoil of the ballot paper and also mark the name of the elector in the marked copy of the electoral roll.

(4) The elector will then go to the polling compartment where he will mark his choice on the ballot paper and after coming out return the marking stamp to the third polling officer and insert the ballot paper in the ballot box placed in front of the Presiding Officer, after folding it properly.

(5) The Commission may, if considered necessary, modify the duties of the Polling Officers as it may deem fit.

63. If a person representing himself to be a particular elector applies for a ballot paper after another person has already voted, as such elector,

Tendered votes.

he shall, after such enquiry as the Presiding Officer may make, be allowed to vote, in the following manner; namely :—

- (a) Such person shall before being supplied with tendered ballot paper, sign his name against the entry relating to him in a list in Form 31.
 - (b) A tendered ballot paper shall be the same as the other ballot papers used at the polling station except that ;
 - (i) such tendered ballot paper shall be serially the last ballot paper issued for use at the polling station ;
 - (ii) such tendered ballot paper and its counterfoil shall be endorsed on the back with the words "Tendered Ballot Paper", by the Presiding Officer in his own hand and signed by him.
 - (c) The elector after marking the tendered ballot paper in the voting compartment and folding it, shall hand it over, to the Presiding Officer who shall place it in a cover specially kept for the purpose.
64. (1) Any Polling Agent may challenge the identity of a person claiming to be a particular elector by first depositing a sum of rupees five in cash with the Presiding Officer.
- (2) On such deposit being made, the Presiding Officer, shall enter the name and address of the elector in the list of challenged votes in Form 32 and require him to affix his signatures in the said list.
- (3) The Presiding Officer shall thereafter hold a summary enquiry and may ask the challenger to produce evidence in favour of challenge, require the person challenged to produce evidence in proof of his identity, and may also administer oath to the person challenged and any other person offering to give evidence.
- (4) If after the enquiry, the Presiding Officer is satisfied that the challenge has not been established, he shall allow the person challenged to vote and if he considers that the challenge has been established, he shall debar such person from voting.
- (5) If in the opinion of the Presiding Officer, the challenge is frivolous or has not been made in good faith, the deposit shall be forfeited and in any other case it will be returned to the challenger.

Challenging
of identity of
elector.

65. An elector who has inadvertently spoilt his ballot paper in such a way that it cannot conveniently be used as a ballot paper, may, on delivering it to the Presiding Officer and satisfying him of his inadvertence, obtain another ballot-paper in place of the spoilt ballot paper and the latter shall be marked as "Cancelled". All such votes shall be put in a separate packet marked "Cancelled Votes".

Spoilt ballot
Papers.

Recording of
votes of inform
electors.

66. (1) If the Presiding Officer is satisfied that owing to blindness, old age or other physical infirmity an elector is unable to recognise the symbol on the ballot paper or to insert the ballot paper in the ballot box, the Presiding Officer shall permit the elector to take with him a companion of not less than eighteen years of age to the voting compartment for marking and putting the ballot-paper into the ballot box on his behalf and in accordance with his wishes.

(2) No person shall be permitted to act as the companion of more than one elector at any polling station on the same day.

(3) The Presiding Officer shall keep a brief record of all such instances without indicating the manner in which the votes have been cast in Form 32-A.

Returning of
Ballot-Papers
by electors.

67. (1) If an elector after obtaining any ballot-paper for the purpose of recording his vote decides not to use the same, he shall return the ballotpaper to the Presiding Officer, and the ballot paper so returned shall then be marked "Returned Cancelled" and kept in a separate packet set apart for the purpose and a record shall be kept by the Presiding Officer of all such ballot papers.

(2) If any ballot-paper which has been issued to any voter for the purpose of recording his vote has not been put in the ballot-box but has been left by the elector at the Polling Station or the Polling Compartment it shall be presumed as cancelled and dealt with in accordance with the provisions of sub-rule (1) as if it has been returned to the Presiding Officer.

Maintenance
of Secrecy of
voting by
elector.

68. (1) Every elector to whom a ballot paper has been issued under the provisions of these rules, shall maintain secrecy of voting with in the polling station and for that purpose observe the voting procedure herein-after laid down.

(2) The elector on receiving the ballot paper shall forthwith—

- (a) proceed to one of the voting compartments ;
- (b) there make a mark on the ballot paper with the instrument supplied for the purpose on or near the symbol of the candidate for whom he intends to vote ;
- (c) fold the ballot paper so as to conceal his vote ;
- (d) if required, show to the Presiding Officer the distinguishing mark on the ballot paper ;
- (e) insert the folded ballot paper into the ballot box ; and
- (f) quit the polling station.

(3) Every elector shall vote without undue delay.

(4) No elector shall be allowed to enter a voting compartment when another elector is inside it.

(5) If an elector to whom a ballot paper has been issued, refuses, after warning given by the Presiding Officer, to observe the procedure as laid down in sub-rule (2), the ballot paper issued to him shall, whether he has recorded his vote thereon or not, be taken back from him by the Presiding Officer or a polling Officer under the direction of the Presiding Officer.

(6) After the ballot paper has been taken back, the Presiding Officer shall record on its back the words "cancelled: voting procedure violated" and put his signature below these words.

(7) All the ballot papers on which the words "cancelled: voting procedure violated" are recorded, shall be kept in a separate cover which shall bear on its face the words "Ballot Paper; voting procedure violated".

(8) Without prejudice to any penalty to which an elector, from whom a ballot paper has been taken back under sub-rule (5), may be liable, the vote, if any, recorded on such ballot paper shall not be counted.

69. The Poll shall be commenced and closed at the hour fixed in that behalf under section 57 and no elector shall thereafter be admitted into the polling station after the close of the poll:

Commencement
and closing of
Poll.

Provided that all electors present at the polling station at the hour of the close of poll shall be entitled to have their votes polled:

Provided that if for any reason it was not possible to open a polling station at the hour appointed under section 57 or if by reason of disorder at the polling station or for any other reason the Presiding Officer has considered it necessary to stop the polling for a certain time, the Presiding Officer shall keep the polling station open for a further period equal to the period that elapsed between the hour appointed for the opening of the polling station and the hour at which it was actually opened or the time during which the polling was stopped as the case may be.

70. (1) The Presiding Officer shall at the close of the poll prepare a ballot account in Form 33 and if counting is not to be held immediately after the close of poll, enclose it in a sealed cover with the words "Ballot Paper Account", subscribed thereon.

Account of
Ballot Papers.

(2) The Presiding Officer shall furnish to every polling agent present at the close of the poll, a true copy of the entries made in the Ballot Paper Account after obtaining a receipt from the said polling agent.

71. (1) The Presiding Officer shall then make into separate packets—

Sealing of other
packets.

(a) the marked copy of electoral roll;

(b) the counterfoils of the used ballot papers;

- (c) the ballot papers signed in full by the Presiding Officer, but not issued to the electors;
- (d) any other ballot papers not issued to the electors;
- (e) the ballot papers cancelled for violation of voting procedure;
- (f) any other cancelled ballot papers;
- (g) the cover containing the tendered ballot papers and the list in Form 3I.
- (h) the list of challenged votes ; and
- (i) any other papers directed by the Commission to be kept in a sealed packet.

(2) Each such packet shall be sealed with the seals of the Presiding Officer and with the seals either of the candidate or of his election agent or of his polling agent who may be present at the polling station and may desire to affix his seal thereon.

72. (1) If at any election any ballot box used at a polling station or any other place fixed for the poll is unlawfully taken out of the custody of the Presiding Officer or is in any way tampered with or is intentionally or unintentionally destroyed, lost or damaged, the Presiding Officer will immediately submit report of facts to the Returning Officer who will forward it to the Commission with his comments and if the Commission is satisfied, on receipt of the report of the Presiding Officer through the Returning Officer, that in consequence thereof the result of the poll on that polling station cannot be ascertained; the Commission may—

- (a) declare the polling at that polling station to be void;
- (b) appoint a day and fix the hours for taking a fresh poll at the polling station ; and
- (c) notify the day so appointed and the hour so fixed in the manner prescribed under these rules;

(2) The provisions of these rules shall apply to every fresh poll as they apply to the original poll.

**Procedure for
adjournment of
poll.**

73. (1) If a poll at any polling station is adjourned for reasons provided in sections 58, 59 and 60, the provisions of the foregoing rules shall as far as applicable, apply as if the poll was closed at the hour fixed in that behalf under section 57.

(2) When an adjourned poll is recommended under sub section (3) of section 58 and sub section (2) of section 60, the electors who have already voted at the poll so adjourned, shall not be allowed to vote again

(3) The provisions of the foregoing rules shall apply in relation to the conduct of adjourned poll as they apply in relation to the poll before it was so adjourned.

PART IV

Counting of Votes

74. (1) The Commission may direct as to whether the counting of votes is to be done at the polling station itself after the close of poll or at a different date time and place.

Programme for
counting of
votes.

(2) When the counting is to be done at the polling station itself, the Presiding Officer of the Polling Station shall be designated as the Assistant Returning Officer for the purpose.

(3) Where the counting is to be done at a different date, time and place than the polling station, the Commission may appoint an Assistant Returning Officer to conduct the counting of votes of one or more constituencies.

(4) The counting of postal ballot papers will be done by the Returning Officer.

(5) The Returning Officer will appoint such number of persons as he may deem necessary, to be known as Counting Supervisors and Counting Assistants to assist him and Assistant Returning Officers in counting of votes.

(6) If counting is to be done at the polling station, then the Assistant Returning Officer will commence counting immediately after the close of the poll and the preparation of the ballot paper account.

(7) If the counting is to be done at a different place, date and time, the Presiding Officer will seal the ballot boxes and election papers in accordance with these rules and such further directions as may be issued by the Commission and deposit these at the place fixed for this purpose by the Returning Officer for safe custody.

(8) Reference to "Returning Officer" in rules, 76 to 80 and rules 82 and 83 shall also be construed as reference to "Assistant Returning Officer."

75. The Returning Officer shall, at least, one week before the date or the first of the dates, fixed for poll, appoint the place or the places where counting of votes will be done and the date and time at which the counting will be done and shall give notice of the same in writing to each candidate or his election agent ;

Intimation of
time and place
for counting of
votes.

Provided that if for any reason, the Returning Officer finds it necessary to do so, he may alter the date, time and place so fixed and inform, by giving notice of the same, in writing, to each candidate or his election agent.

Appointment of
counting agents
and revocation of
such appoint-
ments.

76. (1) Each contesting candidate shall, subject to such general or special direction as the Commission may issue in this behalf, appoint one counting agent for each polling station, one counting agent for the table of the Assistant Returning Officer if counting is to take place at a place different from the polling station and one counting agent for counting of postal ballot papers by the Returning Officer.

(2) Every such appointment shall be made in Form 34 in triplicate, one copy of which shall be forwarded to the Returning Officer, the second to the Assistant Returning Officer and the third shall be made over to the Counting agent for production at the place of counting.

(3) No Counting Agent shall be admitted into the place fixed for counting unless he has delivered to the Returning Officer his copy of appointment letter after duly completing and signing the declaration contained therein and receiving from the Returning Officer an authority for entry into the place fixed for counting.

(4) The appointment of a Counting Agent can be revoked in Form 34-A and lodged with the Returning Officer and in the event of any such revocation, the candidate or his election agent may make a fresh appointment in his place.

Admission to the
place fixed for
counting.

77. (1) The Returning Officer shall exclude from the place fixed for counting of votes all persons except,—

(a) such persons to (be known as Counting Supervisors and Counting Assistants) as he may appoint; to assist him in counting;

(b) persons authorised by the Commission;

(c) public servants on duty in connection with election; and

(d) candidates, their election agents and counting agents;

(2) No person who has been employed by or on behalf of, or has been otherwise working for a candidate in or about the election, shall be appointed under clause (a) of sub-rule (1).

(3) The Returning Officer shall decide which counting agent or agents shall watch the counting at any particular counting table or group of counting tables.

(4) Any person who during the counting of votes misconducts himself or fails to obey the lawful directions of the Returning Officer may be removed from the place where the votes are being counted by the Returning Officer or by any Police Officer on duty or by any person authorised in this behalf by the Returning Officer.

Maintenance of
secrecy of voting.

78. The Returning Officer shall, before he commences the counting, read out the provisions of section 113 to such persons as may be present.

79. (1) The Returning Officer may have all the ballot boxes, used at a polling station, opened and the ballot papers in such box or boxes counted simultaneously.

Scrutiny and opening of ballot boxes.

(2) Before any ballot box is opened at a counting table the counting agents present at the table, shall be allowed to inspect the paper seal or such other seal as might have been fixed thereon and to satisfy themselves that it is intact.

(3) The Returning Officer shall satisfy himself that none of the ballot boxes has been tampered with.

(4) If the Returning Officer is satisfied that any ballot box has in fact been tampered with, he shall not count the ballot papers contained in that box and shall follow the procedure laid down under rule 73 in respect of that polling station.

80. (1) The ballot paper taken out of each ballot box shall be arranged in convenient bundles and scrutinized.

Counting of votes.

(1) The Returning Officer shall reject a ballot paper,—

(a) if it bears any mark or writing by which the elector can be identified, or

(b) if it bears no mark at all or, to indicate the vote if it bears a mark elsewhere than on or near the symbol of one of the candidates on the face of the ballot paper, or

(c) if it bears a mark made otherwise than with the instrument supplied for the purpose, or

(d) if votes are given on it in favour of more than one candidate, or

(e) if the mark indicating the vote thereon is placed in such manner as to make it doubtful as to which candidate the vote has been given, or

(f) if it is a spurious ballot paper, or

(g) if it is so damaged or mutilated that its identity as a genuine ballot paper cannot be established, or

(h) if it bears a serial number, or is of a design, different from the serial numbers, or as the case may be, the design of the ballot papers authorised for use at the particular polling station; or

(i) if it does not bear both the mark and the signature which it should have borne under the provisions of rule 52 :

Provided that where the Returning Officer is satisfied that any such defect as is specified in clause (h) or clause (i) has been caused by any

mistake or failure on the part of a Presiding Officer or Polling Officer, the ballot paper shall not be rejected on the ground of such defect :

Provided further that a ballot paper shall not be rejected merely on the ground that the mark indicating the vote is indistinct or is made more than once, if the intention that the vote shall be for a particular candidate clearly appears from the way the ballot paper is marked.

(3) Before rejecting any ballot paper under sub-rule (2), the Returning Officer shall allow each counting agent present a reasonable opportunity to inspect the ballot paper but shall not allow him to handle it or any other ballot paper.

(4) The Returning Officer shall endorse on every ballot paper which he rejects the word "Rejected" and the grounds of rejection in abbreviated form either in his own hand or by means of a rubber stamp and shall initial such endorsement.

(5) All ballot papers rejected under this rule shall be bound together.

(6) Every ballot paper which is not rejected under this rule shall be counted as one valid vote :

Provided that no cover containing tendered ballot papers shall be opened and no such ballot paper shall be counted.

(7) After the counting of all ballot papers contained in all the ballot boxes used at a polling station has been completed,—

(a) the Returning Officer shall fill in and sign Part II Result of Counting in Form 33, and

(b) the Returning Officer shall make the entries in a result-sheet in Form 35 and announce the votes polled by each candidate.

Counting of votes
received by post.

81. (1) At the time fixed for counting of postal ballot papers, the Returning Officer shall open the covers in which the postal ballot papers have been received and examine the postal ballot papers and other papers contained in the cover;

Provided that no postal ballot paper received after the expiry of the time fixed in that behalf shall be opened and no vote contained in any such cover shall be counted.

(2) A postal ballot paper shall be rejected on the following grounds namely :—

(a) if it bears any mark (other than the mark to record the vote) or writing by which the elector can be identified; or

(b) if no vote is recorded thereon; or

- (c) if votes are given on it in favour of more candidates than one ;
or
- (d) if it is a suprious ballot paper; or
- (e) if it is so damaged or mutilated that its identity as a genuine
ballot paper cannot be established; or
- (f) if it is not returned in the cover sent alongwith it to the elector
by the Returning Officer.

(3) A vote recorded on a postal ballot paper shall be rejected if the mark indicating the vote is placed on the ballot paper in such manner as to make it doubtful to which candidate the vote has been given.

(4) A vote recorded on a postal ballot paper shall not be rejected merely on the ground that the mark indicating the vote is indistinct or made more than once, if the intention, that the vote shall be for a particular candidate, clearly appears from the way the ballot paper is marked.

(5) The Returning Officer shall count all the valid votes given by postal ballot in favour of each candidate, record the total thereof in the result sheet in Form 35 and announce the same.

82. (1) A candidate or, in his absence, his election agent or any of his counting agents may apply in writing to the Returning Officer to recount the votes either wholly or in part stating the grounds on which he demands such recount.

Recount of votes.

(2) On such an application being made, the Returning Officer shall decide the matter and may allow the application in whole or in part or may reject it in toto if it appears to him to be frivolous or unreasonable.

(3) Every decision of the Returning Officer under sub-rule (2) shall be in writing and contain the reasons therefor.

(4) If the Returning Officer decides under sub-rule (2) to allow a recount of the votes either wholly or in part, he shall—

- (a) do the re-counting in accordance with rule 80, or rule 81,
as the case may be ;
- (b) amend the result sheet in Form 35 to the extent necessary
after such recounting ; and
- (c) announce the amendments so made by him.

(5) After the total number of votes polled by each candidate has been announced under sub-rule (7) of rule 80, or sub-rule (5) of rule 81 or sub-rule (4) of this rule, the Returning Officer shall complete and

sign the result sheet in Form 35 and no application for a recount shall be entertained thereafter :

Provided that no step under this sub-rule shall be taken on the completion of the counting until the candidates and election agents present at the completion thereof have been given a reasonable opportunity to exercise the right conferred by sub-rule (1) of this rule.

Intimation of result of counting to the Returning Officer.

83. After completion of counting, the Assistant Returning Officer shall forthwith send the result sheet in Form 35 to the Returning Officer.

Declaration of result of election and return of election.

84. (a) The Returning Officer (a) shall enter the result of the counting of postal ballot papers and the result of counting of votes polled at all the polling stations in a constituency as received from the Assistant Returning Officer or Officers final result sheet in Form 35A and announce the particulars ;

(b) shall declare in Form 36 the candidate to whom the largest number of valid votes has been given, to be elected under section 69 and send signed copies thereof to the Commission and the District Electoral Officer ; and

(c) complete and certify the return of the election in Form 37 and send signed copies thereof to the Commission and the District Electoral Officer.

Grant of certificate of election to returned candidate.

85. As soon as may be after a candidate has been declared by the Returning Officer under the provisions of section 54 or section 69, to be elected, the Returning Officer shall grant to such candidate a certificate of election in Form 38 and obtain from the candidate an acknowledgement of its receipt duly signed by him and immediately send the acknowledgement by registered post to the Commission.

Sealing of used ballot papers.

86. The valid ballot papers of each candidate and the rejected ballot papers shall be bundled separately and the several bundles made up into a separate packet or packets for each candidate which shall be sealed with the seals of the Returning Officer and of such of the candidates, their election agents or counting agents as may desire to affix their seals thereon, and on the packets so sealed containing valid ballot papers of the candidates shall be recorded the following particulars, namely :—

(a) the name of the constituency ;

(b) the particulars of the polling station where the ballot papers have been used ; and

(c) the date of counting.

On the packet of the rejected ballot papers, in addition to particulars (a), (b) and (c) above, shall be recorded words "Rejected Ballot Papers."

PART V

Election Petitions

87. An election petition under section 76 shall be presented to the Election Tribunal.

Election
Petitions.

88. (1) The petitioner shall set forth in the petition full particulars of any material irregularities or corrupt practices which he alleges, including as full a statement as possible with regard to the commission of each such irregularity or corrupt practice.

Contents
of the
Petition.

(2) Where any corrupt practice is alleged in an election petition, the petition shall be accompanied by an affidavit in Form 39 in support of the allegations of such corrupt practice and the particulars thereof.

89. (1) At the time of, or before, presenting an election petition, the petitioner or petitioners shall deposit, in the treasury a sum of Rupees five hundred in cash or in Government promissory notes of equal value, as security for all costs that may become payable by him or them.

Deposit to
be made.

(2) If the petitioner by whom the deposit referred to in sub-rule (1) withdraws his election petition, and in any other case, after final orders have been passed on the election petition, the deposit shall, after such amount as may be ordered to be paid as costs, charges and expenses has been deducted, be returned to the petitioner by whom it was made, and if the petitioner dies during the course of the enquiry into the election petition, any such deposit, if made by him, shall after the amount of such costs, as may be ordered to be paid have been deducted, be returned to his legal representative.

(3) All applications for the refund of a deposit shall be made to the Election Tribunal who shall pass orders thereon in accordance with these Rules.

90. If any of the provisions of the Act and rule 88 and rule 89 have not been complied with, the Election Tribunal shall pass an order dismissing the Election petition and such order shall be final.

Petition to be
dismissed on
non-compliance
of provisions
of the Act and
the rules.

91. On receipt of an order, made by the Election Tribunal, under section 87 or section 88, the Commission shall, besides publishing the order in the Official Gazette, also forward copy thereof to the Secretary to Government, Punjab, Department of Local Government.

Transmission
of order to the
prescribed au-
thority and its
publication.

PART-VI

Miscellaneous

92. (1) If a candidate by whom or on whose behalf the deposit referred to in sub-rule(4) of rule 36 has been made, withdraws his candidature within the time specified in the notice issued under rule 34, or if the nomination of any such candidate is refused, the deposit shall be

Return of depo-
sits made by
candidates at
the time of
nomination.

returned to the person by whom it was made, and if any candidate dies before the commencement of the poll, any such deposit, if made by him, shall be returned to his legal representative or if not made by the candidate, shall be returned to the person by whom it was made.

(2) If a candidate by whom or on whose behalf the deposit referred to in sub-rule (1) has been made is not elected, and the number of votes polled by him does not exceed one-eighth of the total number of votes polled, the deposit shall be forfeited.

Explanation :—For the purpose of this sub rule, the number of ballot papers counted other than rejected ballot papers shall be deemed to be total number of votes polled.

(3) If a candidate by whom or on whose behalf the deposit referred to in sub rule (1) has been made is elected or is not elected the deposit shall, if it is not forfeited under sub rule (2) be returned to the candidate or the person, who has made the deposit in his behalf, as the case may be, as soon as may be, after the publication of the result of the election in the Official Gazette :

Provided that, if a candidate is, duly nominated at a general election in more constituencies than one, not more than one of the deposits made by him or on his behalf shall be returned and the remainder shall be forfeited to the State Government.

Maximum
election expen-
ses.

93. The Commission may, from time to time, by a notification in the Official Gazette, fix maximum election expenses which can be incurred by the candidate for election from one constituency and may fix different maximum limits of election expenses for election to a Municipal Corporation, a Municipal Council of Class-I, II and III and a Nagar Panchayat.

Submission of
return of elec-
tion expenses.

94. Every contesting candidate at an election shall, within thirty days from the date of declaration of the result of the election, submit to the Commission an account of his election expenses in such proforma as may be specified by the Commission.

Resignation in
case of election
from more than
one constitu-
ency.

95. (1) Where a candidate has been elected from more than one constituency, he may resign from membership of the municipality from all but one constituency within a period of fifteen days from the date of notification of his elections in the Official Gazette ;

(2) The resignations shall be addressed in writing to the Commission and Secretary to Government, Punjab, Department of Local Government, so as to reach within the time specified in sub rule (1).

(3) In the event of failure of a candidate who has been elected from more than one constituency to comply with the provisions of sub-rules (1) and (2) he shall be deemed to have resigned his membership of the municipality from all the constituencies from which he had been elected.

96. After the completion of the election, all the ballot boxes and papers relating to election shall be forwarded to the District Electoral Officer, who shall keep these in his custody till the expiry of one year from the date of election and shall then subject to any direction to the contrary of the Commission or Election Tribunal or a Competent Court, cause them to be destroyed.

Custody of ballot boxes and papers relating to elections.

97. (1) Every person shall have the right to inspect the election papers other than ballot papers, counterfoils of the used ballot papers and the marked copy of the Electoral Rolls on payment of such fee as may be specified by the Commission.

Inspection of election papers and supply of certified copies thereof.

(2) Attested copies of the election papers except of ballot papers, counterfoils of the used ballot papers and the marked copy of the Electoral Rolls, will be supplied to such person, as may apply for the same, on payment of such fee as may be specified by the Commission from time to time.

98. The Commission may, from time to time, issue instructions to carry out the purposes of the Act and of these rules. The instructions so issued by the Commission shall be complied with by all concerned.

Power of the Commission to issue instructions.

99. If any question arises regarding the interpretation of the rules, otherwise than in connection with the election petition, which has actually been presented, it shall be referred by the person or the official concerned to the State Government whose decision shall be final.

Final authority for the interpretation of the rules.

100. Subject to the provisions of the Act these rules shall have over riding effect notwithstanding anything inconsistent therewith contained in any other rules for the time being in force relating to matters covered under these rules or matters incidental thereto.

Over riding effect.

101. The Municipal Election Rules, 1952, hereby repealed :

Repeal.

Provided that such repeal shall not affect the previous operating of the corresponding provisions of the Municipal Election Rules so repealed or any other thing duly done or suffered thereunder.

FORM 1

(See rule 8)

Statement as to place of ordinary residence by a person
holding a Declared Office.

Full name_____

Father's/Husband's name_____

Age_____years_____

Office held_____

I hereby declare that I am a citizen of India and that but for
my holding the above-mentioned office, I would have been ordinarily
residence at (full postal address)_____

I further declare that my wife/husband (name)_____

_____aged_____years, ordinarily
resides with me (and is a citizen of India).

This cancels any previous statement as to place of ordinary
residence made by me.

Place_____

Signature_____

Date_____

FORM 2

(See rule 8)

Statement as to place of ordinary residence by a member of
the Armed Forces.

I hereby declare that I am a citizen of India and that but for my
service in the Armed Force; I would have been ordinarily resident at—

House No.

Street/Mohalla.

Locality.

Town.

Tehsil.

District.

State.

My full name.

Service No. Rank.

Service/Corps/Regiment.

Name and address of record office.

Age last birthday. years.

I further declare that my wife.
age. years, ordinarily resides with me and
is a citizen of India.

This cancels any previous statement as ordinary place of
residence made by me.

Date. 199 . Signature.

Record Office	Verified and found correct.
Folio No.	(Signature)
Place.	(Designation)
Date.	Officer-in-Charge, Records.

(For use in the Election Office)

Statement received on the. 199 .

Registered in the electoral roll for the.

Constituency (No.) Service voters' part, at

S. No.

Dated, 199 . (Electoral Registration Office)

*Delete if not applicable.

FORM 3

(See rule 8)

Statement as to place of ordinary residence by a member of an armed police force of a State, who is serving outside that State.

I hereby declare that I am a citizen of India and that but for my service outside the State in the armed police force mentioned below, I would have been ordinarily resident at—

House No.

Street/Mohalla.....

Locality.....

Town.....

Tehsil.....

District.....

My full name..... Rank.....

Buckle No.....

Name of armed police force.....

Name and address of the office of the Commandant.....

Age last birthday..... years

*I further declare that my wife..... age..... years, ordinarily resides with me and is a citizen of India.

This cancels any previous statement as to ordinary place of residence made by me.

Dated 199

Signature

*Delete if not applicable.

Commandant's office

Verified and found correct.

Folio No.....

(Signature).....

Place.....

(Designation).....

Date.....

Commandant.

FORM 4

(See rule 8)

Statement as to place of ordinary residence by a person employed
under the Government of India in a post outside India.

Full Name.....

Father's/Husband's Name

Age..... years.

Description of post
held outside India.....

I hereby declare that I am a citizen of India and that but for my
being employed under the Government of India in the above-
mentioned post, I would have been ordinarily resident at (full postal
address).....

I further declare that my wife (name)
..... aged..... years, ordinarily resides with me (and i
a citizen of India).

This cancels any previous statement as to place of ordinary residence
made by me.

Place.....

Signature.....

Date.....

Verified.

Signature.....

Designation of the

Head of Office.....

Place.....

Date.....

(for use in the Election Office)

Statement received on the.....199 .

Registered in the electoral roll for the
..... Constituency (No.) Service voters' part,
at Serial No.....

Date.....

Electoral Registration Officer.

FORM 5

(See rule 9)

Letter of request

Place _____

Date _____

To

The occupant of _____

Sir/Madam,

The preparation of the electoral roll for the Municipal Constituency in which you are residing has been taken in hand. It will greatly facilitate my work if you will kindly complete the statement below after reading the attached instructions and hand it over to my assistant who will call for it.

Electoral Registration Officer of
the _____

Municipal Constituency.

STATEMENT

Names and particulars of adult citizens ordinarily residing in the above premises.

Name of citizen	Particulars as to father or husband	Age on 1st Jan. 19. . .
-----------------	--	----------------------------

1.

2.

3.

4.

5.

6.

7.

etc.

Signature _____

Date _____

INSTRUCTIONS

1. Enter the names of all persons who have completed 18 years of age on or before the 1st of January of this year and who are ordinarily residing in the premises.

2. Only the names of those who are citizens of India should be entered.

3. Enter against Serial No. 1 in the first column, the name of the head or other senior member of the family, provided he or she has the qualifications mentioned in paragraphs 1 and 2 above.

4. "Ordinarily residing" does not mean that the person should be actually in the house when you are filling in the form. The persons who normally live in the house should be included even though they may be temporarily absent, e.g., on a journey or on business or in hospital. On the other hand, a guest or visitor, who normally lives elsewhere but happens to be in the house at the time should not be included.

5. All ordinary residents of the house should be included, whether they are members of the family or not, but do not enter the name of any person who is a member of the Armed Forces of India or is employed under the Government of India in a post outside India or the name of such person's wife if she ordinarily resides with him.

6. In the case of every male citizen, enter in the second column the name of his father preceded by the words "son of".

7. In the case of every female citizen, enter in the second column :—

(i) the name of the husband preceded by the words "wife of", if she be married ;

(ii) the name of the late husband preceded by the words "widow of", if she be a widow ; and

(iii) the name of the father preceded by the words "daughter of", if she be unmarried.

8. In the third column enter the age of the citizen as accurately as possible, giving only the number of complete years and ignoring the months.

FORM 6

(See rules 11 and 12)

**NOTICE OF PUBLICATION OF ELECTORAL ROLL IN
THE DRAFT**

To

The Electors of the.....

..... Constituency Municipality

Notice is hereby given that the electoral roll has been prepared in accordance with the Punjab Municipal Elections Rules, 1994, and a copy thereof is available for inspection at my office, and at..... during office hours.

The qualifying date for the preparation of the electoral roll is

.....

If, with reference to the abovesaid qualifying date, there be any claim for the inclusion of a name in the roll or any objection to the inclusion of name or any objection to particulars in any entry, it should be lodged on or before the.....199..... in Form or as may be appropriate.

Every such claim or objection should either be presented in my office at.....or sent by post to the address given below so as to reach me not later than the aforesaid date.

.....
Electoral Registration Officer

Date.....

(Address).....

FORM 7

[See rules 14(1) and 27]

CLAIM APPLICATION FOR INCLUSION OF NAME

To

The Electoral Registration Officer,

..... Constituency Municipality.

Sir,

I request that my name be included in the electoral roll for the above constituency; in part No.....

.....

My name (in full)..... Sex.....

My father's/Mother's/Husband's name.....

Particulars of my place of residence are.....

House No.....

Street/Mohalla.....

Town.....

.....

District.....

I, hereby declare that to the best of my knowledge and belief :—

(i) I am a citizen of India ;

(ii) My age on the first day of January last was.....
years and.....months.

(iii) I am ordinarily resident at the address given above ;

(iv) I have not applied for the inclusion of my name in the electoral roll for any other constituency ;

(v) My name has not been included in the electoral roll for this or any other constituency ;

or

my name may have been included in the electoral roll in.....
Constituency of.....Municipality in which I was
ordinarily resident of earlier at the address mentioned below and if so,
I request that the same may be excluded from that electoral roll.

Place.....

Date.....

Signature or thumb impression
of claimant.

I am an elector in the electoral roll in which the claimant applied for inclusion and my name is enrolled at Serial No..... in Part No..... of the roll. I support this claim and countersign it.

Signature of the elector

Name (in full):

Intimation of action taken

The application in Form 7 of Shri/Shrimati/Kumari*.....

.....adress*.....

.....has been

(a) (accepted and his/her name has been included in the electoral roll, —vide Serial No..... in part No. (b) rejected for the reason.

Date..... Electoral Registration Officer
(Address)

.....(Perforation).....

Receipt for application

Received the application in Form from Shri/Shrimati/Kumari
.....Address.....

Date..... Electoral Registration Officer
(Address).....

*To be filled in by the applicant.

FORM 8

[See rule 14(2)]

Objection to inclusion of name

The Electoral Registration Officer,

.....**Constituency.**

Sir,

I object to the inclusion of the name of.....
.....at Serial No.....in Part No.....of the electoral
roll for the following reason(s) :—

.....

.....

I hereby declare that the facts mentioned above are true to the
best of my knowledge and belief.

My name has been included in the electoral roll for this consti-
tuency as follows :—

☐ Name in full.....**Sex**.....

Father's/Husband's/Mother's name.....

Serial No.....

Part No.....

.....
Signature/thumb Impression
of objector.

(Full postal address).....

.....

Date.....

I am an elector included in the electoral roll in which the name objected to appear and my name is enrolled at serial No.....in Part No.....of the roll. I support this objection and countersign it.

.....
Signature of the elector

Name (in full).....

.....(Perforation).....

Intimation of action taken

The objection in Form 7 lodged by Shri/Shrimati/Kumari

Address.....

has been :—

(a) accepted and the name of Shri/Shrimati/Kumari.....
.....as appearing at Serial No.....
in part No.....has been deleted.

(b) rejected for the reason.....

Electoral Registration Officer,

Date.....

(Address).....

.....(Perforation).....

Receipt for Application

Received the application in Form 7 from Shri/Shrimati/Kumar*

Address*

Electoral Registration Officer

Date.....

(Address).....

*To be filled in by the applicant.

FORM 9

[See rules 14(3) and 27]

Objections to particulars in an entry

To

Electoral Registration Officer,
..... Constituency.

I submit that the entry relating to myself which appears at
Serial No.....in Part No.....of the
electoral roll as.....is not correct. It should
be corrected to read as follows :—
.....

Signature of thumb
Impression of elector.

Place.....
Date.....

.....(Perforation).....

Intimation of action taken

The objection in Form lodged by Shri/Shrimati/Kumari.....
Address :.....
has been :—

(a) accepted and the relevant entry has been corrected to
read as follows :—
.....
.....

(b) rejected for the reason.....

Electoral Registration Officer
Date.....
(Address).....

.....(Perforation).....

Received the application in Form from Shri/Shrimati/Kumari*.....
Address*.....

Electoral Registration Officer
Date.....
(Address).....

(*To be filled in by the applicant)

FORM 10

(See rule 16)

List of claims

Date of receipt	Serial Number	Name of claimant	Name of father/ husband/ mother	Place of residence	Date, time and Place of hearing
1	2	3	4	5	6

FORM 11

(See rule 16)

List of objections to inclusion of names

Date of receipt	Serial Number	Full name of objector	Particulars of name objected to			Reasons in brief for objection	Date, time and place of hearing
			Part No.	Serial No.	Name in full		
1	2	3	4	5	6	7	8

FORM 12

(See rule 16)

List of objections to particulars in entries

Date of receipt	Serial Number	Name in full of elector objecting	Part No. and Serial No. of entry	Nature of objection	Date, time and place of hearing
1	2	3	4	5	6

FORM 13

(See rule 19)

Notice of hearing of a claim

Duplicate
(Office Copy)

To

(Full Name and
address of
claimant

(.....
(.....
(.....

Reference : Claim No.

Take notice that your claim for the inclusion of your name in the electoral roll will be heard at.....
(place) at.....O'clock on the
.....day of.....
.....19 . You are directed to be present at the hearing with such evidence as you may like to adduce.

Place.....

Date..... Electoral Registration Officer.

FORM 13

(See rule 19)

Notice of hearing of a claim

Original

(To be served on the claimant)

To

(Full name
and address
of claimant

Reference : Claim No.

Take notice that your claim for the inclusion of your name in
the electoral roll will be heard at.....
(place) at.....O' clock on the
.....day of.....
.....19 . You are directed to be present at the hearing
with such evidence as you may like to adduce.

Place.....

Date..... Electoral Registration Officer.

CERTIFICATE OF SERVICE OF NOTICE

Received notice of the date of hearing

Date.....

Claimant

Certified that the notice on the claimant has been duly served by
me this..... day of.....on (name)
.....personally/by affixation on residence.

Place.....

Date.....

Serving Officer.

Note :—If this notice is served by post, attach receipt here.

FORM 14

(See rule 19)

Notice to the objector

Duplicate

(Office copy)

To

(Full name
and address
of objector)

Reference:—Objection No.....

Take notice that your objection to the inclusion of the name of

.....
.....
.....
will be heard at.....(place) at.....
O'clock on the.....day of.....199 . You are
directed to be present at the hearing with such evidence as you may
like to adduce.

Place.....

Date.....

Electoral Registration
Officer.

FORM 14

(See rule 19)

Notice to the Objector

Original

(To be served on
the objector)

To

(Full name and

address of objector)

Reference:—Objection No

Take notice that your objection to the inclusion of the name of

will be heard at(place) at.....O'clock on the
 day of199 . You are directed
 to be present at the hearing with such evidence as you may like to
 adduce.

Place

Date

.....
 Electoral Registration
 Officer.

FORM 15

(See rule 19)

(Notice to the person in respect of claim objection has been made)

Duplicate

(Office copy)

To

(Full name and
address of person
objected to)

Reference :—Objection No.....

Take notice that the objection to the inclusion of your name at
Serial No..... in part of the electoral
roll for constituency filed by.

(Full name and
Address of
Objector)

Will be heard at(place) atO'clock
on the..... day of.....199 . You are
directed to be present at the hearing with such evidence as you may
like to adduce. The ground of objection (in brief) are :—

(a)

(b)

(c)

Place

Date

.....
Electoral Registration
Officer.

Reference :—Objection No.

Take notice that the objection to the inclusion of your name at
Serial No. in Part of the
electoral roll for constituency filed by
(Full name and
address of
objector)

will be heard at (place) at
O'clock on the day of 199 .
You are directed to be present at the hearing with such evidence as you
may like to adduce. The grounds of objection (in brief) are :—

(a)

(b)

(c)

Place

Date

.....
Electoral Registration Officer.

CERTIFICATE OF SERVICE OF NOTICE

Received Notice of the date of hearing

Date

Person objected to.

Certified that the notice on the person, the entry relating to
whose name has been objected to, has been duly served by me this
..... day of on
(name) personally/by affixation
on residence.

Place

Date

.....
Serving Officer.

N.B.— If this notice is served by post, attach the receipt here.

FORM 15-A
(See rule 19)

Duplicate

————— Notice of hearing of an objection to particulars in
(Office copy) an entry.

To

(Full name
and address
of objector)

.....

.....

.....

Reference :—Objection No.....

Take notice that your objection to certain particulars in the entry
relating to you will be heard at.....(place)
at.....O'clock on the.....
.....day of.....199 . You are directed
to be present at the hearing with such evidence as you may like to
adduce.

Place.....

Date.....

.....

Electoral Registration Officer.

FORM 15-A
(See rule 19)

Original

————— Notice of hearing of an objection to particulars in
(To be served an entry.
on the objector)

To

(Full name
and address
of objector)

.....

.....

.....

Reference :—Objection No.....

Take notice that your objection to certain particulars in the
entry relating to you will be heard at.....(place)
at.....O'clock on the.....day of
.....199 . You are directed to be present at the
hearing with such evidence as you may like to adduce.

Place.....

Date.....

.....

Electoral Registration Officer.

CERTIFICATE OF SERVICE OF NOTICE

Received notice of the date of hearing

Date.....

Objector

Certified that the notice on the objector has been duly served by
me this.....day of
on name.....personally/by affixation on
residence.

Place.....

Date.....

.....
Serving Officer.

N.B.—If this notice is served by post, attach the receipt here.

FORM 16

(See rule 23)

Notice of final publication of electoral roll

It is hereby notified for public information that the list of amend-
ments to the draft electoral roll for the.....
constituency of.....Municipal Corporation/
Council/Nagar Panchayat has been prepared with reference to.....
.....as the qualifying date and in accordance with
the Punjab Municipal Election Rules, 1994. A copy of the said roll
together with the said list of amendments has been published and will
be available for inspection at my office.

.....
Electoral Registration Officer.

Place.....

Date.....

(Address).....

FORM 17

(See rule 27)

Application for transposition of entry in electoral roll

To

The Electoral Registration Officer,

..... Constituency.

Sir,

I submit that the entry at Serial No.....in
Part No.....of the electoral roll for the above
mentioned constituency relating to (myself, namely).....
son/wife/daughter of.....should be transposed
to Part No.....of the roll, because I have changed my
place of ordinary residence to which is within the same constituency.

I declare that I am an elector of this constituency being enrolled
at Serial No.....in Part No.....of the
roll.

.....
Signature/Thumb-impression

Full Postal Address.....
.....

Date.....

Place.....

.....(Perforation).....

Intimation of action taken

The application in Form 17 of Shri/Shrimati/Kumari.....

..... Address

..... has been—

(a) accepted and the name of Shri/Shrimati/Kumari.....

..... has been transposed
to Part No.....

(b) rejected for the reason.....

Date.....

Electoral Registration Officer.

(Address).....

.....(Perforation).....

Receipt for application

Received the application in Form 17 from Shri/Shrimati/Kumari.....

Address.....

Electoral Registration Officer.

(Address).....

Date.....

To be filled in by the applicant.

FORM 18

(See rule 27)

Application for deletion of entry in electoral roll.

To

The Electoral Registration Officer,

.....Constituency.

Sir,

I submit that the entry at Serial No.....in Part No.....
.....of the electoral roll for the above mentioned
constituency related to Shri/Shrimati/Kumari.....
son/wife/daughter of.....requires to be
deleted as the said person is dead/is no longer ordinarily resident in this
locality/ is not entitled to be registered in the electoral roll for the
following reasons :—
.....
.....
.....
.....

I hereby declare that the facts mentioned above are true to
the best of my knowledge and belief.

I declare that I am an elector of this constituency, being enrolled
at Serial No.....in Part No.....of the
roll.

Date.....

Place.....

Signature/Thumb-impression of
Objector.

Full Postal Address.....

.....

*Strike out the inappropriate words.

.....(Perforation).....

Intimation of action taken

The application in Form 18 lodged by Shri/Shrimati/Kumari....

..... Address.....
has been—(a) accepted and the name of Shri/Shrimati/Kumari.....
..... as appearing at Serial No.....
in Part No..... has been deleted.(b) rejected for the reason.....
.....

Date.....

Electoral Registration Officer,

Address*.....
.....

..... (Perforation).....

Receipt for application

Received the application in Form 18 from Shri/Shrimati/Kumari*

Address.....
.....

Date.....

Electoral Registration Officer,

Address.....
.....

FORM 19

[See rule 34]

NOTICE OF ELECTION

Notice is hereby given that :—

(1) an election is to be held of a member to Municipal Corporation/Council/Nagar Panchayat from constituency No.

(2) nomination papers may be delivered by a candidate of his proposer to me at ————— between 11 A.M. and 3 P. M. on any day (other than public holiday) not later than ————

(3) forms of nomination paper may be obtained at the place and times aforesaid;

(4) the nomination papers will be taken up for scrutiny at ————— on —————
at —————

(5) notice of withdrawal of candidature may be delivered by a candidate or his proposer or his election agent (who has been authorised in writing by the candidate to deliver it) to me before 3 P. M. on the —————

(6) in the event of the election being contested, the poll will be taken on ————— between hours of —————
————— and —————

Place —————

Date —————

Returning Officer,

FORM 20

[See rule 36]

NOMINATION PAPER

I nominate as a candidate for election to the Municipal Corporation/Municipal Council/Nagar Panchayat

_____ from constituency No. _____ Candidate's

Name _____ father's/husband's name _____

_____ His postal address _____

His name is entered at Serial No. _____ in part

No. _____ of the election roll for _____

constituency No. _____

My name is _____ and it is entered at

Serial No. _____ in part No. _____

of the electoral rolls for _____ constituency No. _____.

Date _____

(Signature of proposer).

I, the above mentioned candidate, assent to this nomination and hereby declare—

(a) that I have completed _____ years of age;

(b) that I am (set up) at this election by the _____
_____ party ;

(c) that the symbols I have chosen are in order of preference (i) _____ (ii) _____
and (iii) _____.

(d) that my name and my father's/husband's name have been correctly by spelt out above in _____
(name of the language).

(e) that to the best of my knowledge and be lieft, I am qualified and not also disqualified for being chosen to fill the seat in the Municipal Corporation/Council/Nagar Panchayat.

I further declare that I am a member of the _____
**caste/which is Scheduled **caste/Backward class _____ in
relation to _____ (area in that State.)

Date _____ (Signature of the Candidate).

I have examined this nomination paper in accordance with
section 38 and decide as follows :—

Returning Officer.

Date _____.

(Perforation) _____

Receipt for Nomination paper and Notice of Scrutiny.

(To be handed over to the person presenting the nomination paper).

Serial No. of nomination paper _____

The nomination paper of _____ a candidate for
election from the _____ constituency was
delivered to me at my office at _____
(hour) on _____ (date)* by the candidate/proposer. All
nomination papers will be taken up for scrutiny at _____
_____ (hour) on _____ (date) at _____
_____ (place).

Returning Officer.

Dated _____.

PUNJAB GOVT. GAZ. (EXTRA.), OCT. 7, 1994
(ASVN. 15, 1916 SAKA)

GOVT. GAZ. (EXTRA), OCT. 7, 1994
(ASVN. 15, 1916 SAKA)

GOVT. GAZ. (EXTRA), OCT. 7, 1994
(ASVN. 15, 1916 SAKA)

GOVT. GAZ. (EXTRA), OCT. 7, 1994
(ASVN. 15, 1916 SAKA)

GOVT. GAZ. (EXTRA), OCT. 7, 1994
(ASVN. 15, 1916 SAKA)

GOVT. GAZ. (EXTRA), OCT. 7, 1994
(ASVN. 15, 1916 SAKA)

GOVT. GAZ. (EXTRA), OCT. 7, 1994
(ASVN. 15, 1916 SAKA)

FORM 22

(See rule 40)

List of Validly Nominated Candidates

Election to the _____ Municipal Corporation/Council/
Nagar Panchayat,

Serial Number	Name of candidate	Name of father/husband	Address of Candidate	Party affiliation
------------------	-------------------	------------------------	----------------------------	----------------------

1		2		3		4		5
---	--	---	--	---	--	---	--	---

Place _____

Returning officer.

Date _____

FORM 23

(See rule 41)

Notice of Withdrawal of Candidature

Election to the Municipal Corporation/Council/Nagar Panchayat

The Returning Officer

I _____ a (candidate validly
nominated at the above election do hereby give notice that I
withdraw my candidature.

Place _____

Date _____ Signature of (validly nominated candidate).

This notice was delivered to me at my office at _____ (hour)
on _____ (date) by _____ (name)
the _____.

Date _____

Returning Officer.

Receipt of Notice of Withdrawal

(To be handed over to the person delivering the notice)

The notice of withdrawal of candidature by _____
a (validly nominated candidate) at the election to the

_____ was delivered to me by the _____
at my office at _____ (hour) on _____
_____ (date).

Returning Officer,

FORM 23-A

(See rule 41)

Notice of Withdrawal of Candidature

Election to the Municipal Corporation/Council/Nagar
Panchayat _____

Notice is hereby given that the following (validly nominated candidate/candidates at the above election withdraw his candidature/their candidatures today.

Name of (validly nominated candidate)	Address of (validly nominated candidate)	Remarks
---------------------------------------	---	---------

1.

2.

3.

etc.

Date _____

Returning Officer.

FORM 24

(See rule 43)

List of Contesting Candidates

Election to the Municipal Corporation/Council/Nagar Panchayat—
from _____ Constituency _____

Serial number	Name of candidate	Address of candidate	Party affiliation	Symbol allotted
---------------	-------------------	----------------------	-------------------	-----------------

1

2

3

4

5

1.

2.

3.

4.

etc.

Place _____

Date _____

Returning Officer.

FORM 25

(See rule 44)

(For use vacancy when seat is uncontested)

Declaration of the result of election :

Election to Constituency No. _____ of _____ Municipal Corporation Council/Nagar Panchayat. In pursuance of the provisions contained in section 54 of the Punjab State Election Commission Act, 1994. I declare that—

_____ (Name)

sponsored by _____

_____ (Address)

(name of the recognised/registered political party) has been duly elected to fill the seat in this municipality from the above constituency.

Place _____

Signature _____

Date _____

Returning Officer.

FORM 26

(See rule 45)

Appointment of Election Agent

Election to the Municipal Corporation/Council/Nagar Panchayat _____

To

The Returning Officer,

I, _____ of _____ a candidate at the above election do hereby appoint _____ of _____ as my election agent from this day at the above election.

Place _____

Date _____


Signature of candidate

I accept the above appointment

Place _____

Date _____

Signature of election agent

 (Approved)

Signature and Seal of the
Returning Officer.

FORM 27

[See rule 45 (2)]

Revocation of appointment of Election Agent

Election to the Municipal Corporation/Council/Nagar
Panchayat_____

To

The Returning Officer

_____a candidate at the
above election, hereby revoke the appointment of_____
my election agent.

Place_____

Date_____

Signature of candidate.

FORM 28

[See rule 46(2)]

Appointment of Polling Agent

Election to the Municipal Corporation/Council/Nagar Panchayat
who is a candidate at the above election do hereby appoint
_____(Name and address)_____

as a polling agent to attend polling station No._____
at place fixed for the poll_____
at_____

Place_____

Date_____

Signature of candidate/election agent.

I agree to act as such polling agent.

Place_____

Date_____

Signature of polling agent.

Declaration of polling agent to be signed before Presiding Officer.

I hereby declare that at the above election I will not do any
thing forbidden by the Punjab State Election Commission Act, 1994
which I have read/has been read over to me.

Date_____

Signature of polling agent.

Signed before me.

Date_____

Presiding Officer.

FORM 29

[See rule 47]

Revocation of appointment of Polling Agent.

Election to the Municipal Corporation/Council/Nagar Panchayat.

To

The Presiding Officer,

I, _____ (the election agent of
_____) a candidate at the above
election, hereby revoke the appointment of
my/his polling agent.

Place _____

Date _____

Signature of person revoking:

FORM 30

[See rule 49(2)]

Letter of intimation to Returning Officer.

To

The Returning Officer for

Constituency No. _____ of _____

Municipal Corporation/Council/Nagar Panchayat.

Sir,

I intend to cast my vote by post at the ensuing election to the
Municipality from _____ constituency
No. _____. My name is entered at
serial No. _____ in Part No. _____
of the electoral roll for the constituency.

The ballot paper may be sent to me at the following address :—

Place _____

Date _____

Yours faithfully,

FORM 31

(See rule 63)

List of Tendered Votes

Election to the Municipal Corporation/Council/Nagar Panchayat from Constituency

Number and name of Polling Station

Serial No.	Part number, serial number and name of elector	Address of elector	Serial number of tendered ballot paper	Serial number of ballot paper issued to the person who has already voted	Signature or thumb- impression of person tendering vote
1	2	3	4	5	6

Date

Signature of Presiding Officers.

PUNJAB GOVT GAZ. (EXTRA), OCT. 7, 1994
(ASYN. 15, 1916 SAKA)

List of Challenged Votes

Election to the Municipal Corporation/Council/Nagar Panchayat from Constituency _____

Polling Station Number and Name of Polling Station _____

Serial Number of entry	Name of Elector	Serial number of Part of roll	Serial number of Elector's name in that part	Signature or thumb- impression of the person challenged	Address of the person challenged	Name of identifier, if any	Name of Challenger	Order of Presiding Officer	Signature of challenger on receiving refund of deposit
1	2	3	4	5	6	7	8	9	10
1									
2									
3									
4									
5									
6									
7									
8									
9									
10									

Date _____

Signature of Presiding Officer.

FORM 33

(See rule 70)

Part I.—Ballot Paper Account

Election to the Municipal Corporation/Council/Nagar Panchayat from
Constituency.....

No. and name of Polling Station.....

..... Serial No.

Total No.

From To

1. Ballot paper received..
2. Ballot papers unused (i. e. not issued to voters)
 - (a) With the signature of Presiding Officer.....
 - (b) Without the signature of Presiding Officer.....
 - * Total : (a+b).....
3. *Ballot papers used at the Polling Station..
 - (1—2=3).....
4. Ballot papers used at the polling station but NOT
INSERTED INTO THE BALLOT BOX ;
 - (a) Ballot papers cancelled for violation of voting procedure
under rule 68.....
 - (b) Ballot papers cancelled for other reasons.....
 - (c) Ballot papers used as tendered ballot papers.....
 - * Total : (a+b+c).....
5. *Ballot papers to be found in the ballot box
 - (3—4=5)

*(Serial numbers need not be given)

Date.....

Signature of the Presiding Officer

Part-II Result of Counting

1. Name of candidate	Number of vaild votes/cast
1.	
2.	
3.	
4.	
5.	
etc	

II Rejected Ballot Papers

III TOTAL

Whether the total number of ballot papers shown against item No. III above tallies with the total shown against item No. 5 of Part I or any discrepancy noticed between these two totals

Place.....

Signature of the Counting
Supervisor.

Date.....

Place.....

Signature of the Returning
Officer

Date.....

FORM 33-A

[See rule 66 (3)]

List of Blind and infirm Voters

Election to the Municipal Corporation/Council/Nagar Panchayat-----
-----Constituency-----

----- (State)

Number and Name of Polling Station-----
in Constituency No.-----

Serial No.	Part No. and Serial No. of elector	Full Name of elector	Full Name of companton	Address of companion
---------------	--	-------------------------	---------------------------	-------------------------

1	2	3	4	5
---	---	---	---	---

Date-----

Signature

FORM 34

[See rule 76 (2)]

Appointment of Counting Agents

Election to the Municipal Corporation/Council/Nagar Panchayat
from _____ constituency.

To

The Returning Officer,

I..... a candidate/the election agent of
..... who is a candidate at the above election, do hereby
appoint the following persons as my counting agents to attend the
counting of votes at..... :

Name of the counting agent

Address of the counting agent

1.

2.

3.

4.

We agree to act as such counting agents

Signature of candidate/
election agents.

1.

2.

3.

4.

Place.....

Date.....

Signature of counting agents.

DECLARATION OF COUNTING AGENTS

(To be signed before the Returning Officer)

We hereby declare that at the above election we will not do anything forbidden by section 113 which we have read/ has been read over to us.

- 1.
 - 2.
 - 3.
- etc.

Date.....

Signature of Counting agent.

Signed before the

Date.....

Returning Officer.

FORM 34 A

[See rule 76 (4)]

Revocation of Appointment of Counting Agent

Election to the Municipal Corporation/Council/Nagar
Panahayat.....

To

The Returning Officer,

I.....the election agent of.....
a candidate at the above election hereby revoke the appointment of
.....my/his counting agent.

Signature of person revoking

Place.....

Date.....

FORM 35

[See rules 80 (7) (b), 81 (5), 83 and 84]

(Result of counting of votes at the Polling Station)

FORM OF ACCOUNT OF BALLOT-PAPERS

Election to the Municipal Corporation/Council/Nagar Panchayat

From the _____ Constituency.

Polling Station _____

Date of Counting _____

Serial No.	Name of Candidate	Number of valid ballot papers polled for him.	Number of rejected ballot papers
1	2	3	4
1			
2			
3 etc.			
Total number of valid votes recorded in ballot-papers contained in the ballot-boxes at the polling station _____			
Total number of rejected votes _____			
Total votes polled _____			
Place _____			
Date _____			

Signature of the Assistant
Returning Officer.

FORM 35-A

[See rule 84(1)]

Final Result Sheet

(To be used for recording the result of voting at polling Station in the constituency.

Election to the Municipal Corporation/Council/Nagar Panchayat from the _____ constituency.

PART I

No. of the Constituency	Total No. of electors in Municipality Constituency.....
.....	

Serial No. of Polling Station	No. of valid in favour of A	B	C	Total of valid votes	No. of rejected	Total No. of tendered votes
-------------------------------------	-----------------------------------	---	---	----------------------------	--------------------	-----------------------------------

(if there are more
than one Polling Stations
in the constituency)

(1)

(2)

(3)

etc.

Total No. of votes recorded at Polling Stations.

No. of votes recorded on postal ballot papers.

Total votes polled

Place.....

Returning Officer.

Date :

PART II—Result of Counting

I.	Name of candidate	Number of valid votes cast
1.		
2.		
3.		
4.		
5.		
etc.		

II. Rejected Ballot Papers

III. TOTAL

Whether the total number of ballot papers shown against item No. III above tallies with the total shown against item No. 5 of Part I or any discrepancy noticed between these two totals.

Place.....

Date.....

Signature of the Returning
Officer.

FORM 36

[(See rule 84 (b))]

(For use when seat is contested)

Declaration of the result of Election under_____

Election to the_____

Constituency No._____ of_____ Mpl. Corp./Council/

Nagar Panchayat_____

In pursuance of the provisions contained in section 69 of the Punjab
State Election Commission Act, 1994.

Rule 84 of the Punjab Municipal Election Rules, 1994, I declare
that

_____ (Name)

_____ (Address) Sponsored by_____

_____ (name of the recognised/registered

political party) has been duly elected to fill the seat in that
Municipality from the above constituency.

Place_____

Signature_____

Date_____

Returning officer.

FORM 37

[(See rule 84) (c)]

Return of Election

Election to the.....from the.....constituency

Return of Election

Serial No.	Name of candidate	Party affiliation	Number of votes polled

Total number of electors

Total number of valid votes polled

Total number of rejected votes

Total number of tendered votes

I, declare that—

..... (name)

of..... (address)

has been duly elected from.....constituency.

Place.....

Date.....

Returning Officer.

FORM 38
(See rule 85)

Certificate of Election

I, Returning Officer for Constituency No.....of.....
Municipal Corporation/Council/Nagar Panchayat hereby certify that
I have on the.....day of.....19.....
declared Shri.....of.....sponsored by
.....(name of the recognised/registered political party) to
have been duly elected by the said constituency in the General
Election/Bye-election to be a member of the aforesaid Municipality
and that in taken thereof I, have granted to him this certificate of
election.

Place.....

Date.....

Returning Officer.

Seal

FORM 39

[See rule 18 (2)]

I.....the petitioner in the accompanying election petition
calling in question the election of Shri/Shrimati.....respondent
No.....in the said petition make solemn affirmation/oath
and say—

(a) that the statement, made in paragraphs.....of
the accompanying election petition about the commission of the corrupt
practice of *.....and the particulars of such corrupt practice
mentioned in paragraphs.....of the same petition and in
paragraphs.....of the Schedule annexed thereto are true to
my knowledge;

(b) that the statements made in paragraphs.....of the
said petition about the commission of the corrupt practice of *.....
.....and the particulars of such corrupt practice given in paragraphs
.....of the said petition and in paragraphs.....of the
Schedule annexed thereto are true to my information;

(c)

(d)

etc.

Signature of dependant.

Solemnly affirmed/sworn by Shri/Shrimati.....at.....
this.....day of.....199..

Before me,

Magistrate of the first class/Notary/
Commissioner of Oaths.

*Here specify the name of the corrupt practice.

K. K. BHATNAGAR,
Secretary to Government of Punjab,
Department of Elections.