



GOVERNMENT OF TRIPURA

URBAN DEVELOPMENT DEPARTMENT

THE TRIPURA MUNICIPALITIES (Conduct of Election)
(1st Amendment) RULES, 2000.

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GOVERNMENT OF TRIPURA
URBAN DEVELOPMENT DEPARTMENT

NO.F14/11)-UDD/2000

Dated, Agartala, the 11th October, 2000

NOTIFICATION

In exercise of the powers conferred by Section 274 of the Tripura Municipal Act, 1994, the State Government hereby makes the following rules to amend the Tripura Municipalities (Conduct of Election) Rules, 1995, namely :-

1. (1) These rules may be called the Tripura Municipalities (Conduct of Election) (First Amendment) Rules, 2000.

(2) They shall come into force at once.

2. In the Tripura Municipalities (Conduct of Election) Rules, 1995 (herein after referred to as the Principal Rules) after sub-rule (2) of rule 3 the following sub-rule shall be inserted, namely :-

"5. The Returning Officer, Asstt. Returning Officer, Election Authority, Asstt. Election Authority and any other officer appointed under these rules and any police officer designated for the time being by the State Government for the conduct of any election shall be deemed to be on deputation to the State Election Commissioner for the period in which they are so employed and such officers and staff during that period be subject to the control, superintendence and discipline of the State Election Commissioner".

3. In the Principal Rules the following rule shall be inserted after Rule 3, namely :-

"3A State Election Commissioner may nominate observers who shall be the officers of the Government to watch the conduct of election or elections in a constituency or a group of constituencies and to perform such other functions as may be entrusted to them by the State Election Commissioner".

4. In the Principal Rules, -

(i) after sub-rule (1) of rule 13 the following proviso shall be inserted namely :

" Provided that such person shall not be entitled to be a candidate for election from more than two constituencies".

- (ii) after sub-rule (2) of rule 13 the following new sub-rule shall be inserted, namely :-

“(3) A candidate not set up by a recognised political party shall not be deemed to be duly nominated for election from a constituency unless the nomination paper is subscribed by 5 proposers being electors of the constituency :

Provided that nomination form may be prescribed by the State Election Commissioner in keeping with the format in use for nomination of candidates for election to State Assembly”.

5. In the Principal Rules, below sub-rule (2) of rule 15 the following proviso shall be inserted, namely :-

“ Provided that the State Election Commissioner may notify before every general election revised Schedule of the symbols keeping in view updated list of free symbols notified by the Election Commission of India which may be chosen by the candidates at the election in a constituency.

6. In rule 20 of the Principals Rules, for the figure “Rs.250/-” and “Rs 125/-” the figures “Rs.500/-” and “Rs.250/-” shall be respectively be substituted.

7. In the Principal rules, in rule 25, for sub-rule (3) the following sub-rule shall be substituted, namely :-

“(3) For the purpose of listing the names under sub-rule(I) , the candidates shall be classified as follows, namely :-

- (a) candidates of recognised Political Parties ;
- (b) the candidates of registered Political Parties other than those mentioned in Clause (a).
- (c) other candidates.

The names of candidates in each category shall be arranged in the order as specified above in Bengali alphabetical order or in other language as the State Election Commissioner may direct and the addresses of the contesting candidates as given in the nomination papers together with such other particulars as prescribed in Form 7. Alphabetic order shall be determined with reference to the names of the candidates and not with reference to their surnames.

8. In the Principal Rules, - in rule 33 the following proviso shall be inserted, namely :-

“Provided that where the paper seal is used for securing a ballot box, the Presiding Officer shall affix his own signature on the paper seal and obtain thereon the signatures of such polling agents present as are desirous of fixing the same and that the procedure as the State Election Commissioner may direct shall be followed”.

9. In the Principal Rules, after rule 33 the following new rule shall be inserted, namely :-

"33A The State Election Commissioner may, if he considers it expedient so to do, direct that electronic voting machine used for conduct of Parliament or Assembly Election may also be used for conduct of election of any municipality or any constituency or any part thereof subject to permission, where necessary, and following the procedure prescribed/determined by the Election Commission of India".

10. In the Principal Rules, the following proviso shall be inserted below sub-rule (4) of rule 37, namely :-

"Provided that in the case of use of ballot box of a particular design the procedure for preparation of the ballot box for the poll and sealing of the ballot box on completion of poll shall be such as the State Election Commissioner may direct.

11. In rule 39 of the Principal Rules, after sub-rule (4) the following sub-rule shall be inserted, namely :-

"(5) For the purpose of identification of an elector, the identity card, if any, supplied to him by the Election Commission of India may be entertained by the Presiding Officer concerned.

12. In the Principal Rules, in rule 80 -

- (i) the existing marginal note shall be substituted by the words "Registration etc" ;
- (ii) after sub-rule (3) the following sub-rule shall be inserted, namely :-

"4. (i) The Chairperson or other authorities mentioned above may on receipt of the resignation under sub-section (1) of Section 59B accept the same and declare the seat vacant and on failure of the member to submit resignation within 14 days as specified in that sub-section declare all the seats vacant in Form 25.

- (ii) The Chairperson may on receipt of the resignation under sub-section (2) of section 59B and if satisfied that it is genuine and voluntary accept the resignation and declare the seat vacant in Form 26.
- (iii) The Chairperson if satisfied that a member has remained absent from three consecutive meetings without permission of the Chairperson as provided in sub-section (3) of section 59B, declare the seat vacant in Form 27.
- (iv) The Chairperson or other authorities on receipt of information about resignation under sub-section (4) of Section 59 B shall record such information and on failure of the member to resign within 14 days under that sub section from the membership of Loksabha, Rajyasabha, Tripura Legislative Assembly, Tripura

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Tribal Areas Autonomous District Council, Panchayat or other local authority declare the seat in the Municipality vacant in Form 28.

13. In the Principal Rules, for the existing Forms 2,3, 4 and 7 the following new forms bearing the same number 2, 3, 4 and 7 as given in the annexure shall respectively be substituted.

By order of the Governor.
(D.Chakraborti)
Commissioner-cum-Secretary,
Urban Development Department.

FORM-2
[See rule 13(3)]

Election to Municipality.....the State of Tripura.
STRIKE OFF PART I OR PART II BELOW WHICHEVER IS NOT APPLICABLE

PART- I

(To be used by candidate set up by recognized political party)

I nominate as a candidate for Election to the.....Municipality from the Seat No.....of.....constituency which is a general seat/ a seat reserved for Women/ Sch.Castes/ Sch Castes(Women)/ Sch. Tribes/ Sch.Tribes(Women).

Candidate's name.....Father's/Mother's/Husband's name.....His/Her postal address.....
.....His/Her name entered at Sl.No.....in Part No.....of the electoral rolls of the.....constituency of.....Municipality.

My name is.....and it is entered at Sl.No.....in Part No.....of the electoral rolls of the.....constituency of the.....Municipality.

Date.....

(Signature of Proposer)

PART-II

(To be used by candidate NOT set up by recognised Political Party)

We hereby nominate as candidate for election to the.....Municipality from the Seat No.....of constituency.....which is general seat/ a seat reserved for Women/ Sch. Castes/Sch.Castes(Women)/ Sch.Tribes/Sch.Tribes(Women).

Candidate's name.....Father's/Mother's/Husband's name.....His/Her postal address.....

His/Her name is entered at Sl.No.....in Part No.....of the electoral rolls of the.....constituency of the Municipality.

We declare that we are electors of this Constituency and our names are entered in the electoral rolls of.....Constituency as indicated below and we append our signatures below in token of subscribing to this nomination.

Particulars of the proposers and their signatures.

Sl. No.	Electoral Roll No. of proposer			Signature	Date
	Name & Number of the Constituency.	Sl.No. in that part.	Full name.		
1.					
2.					
3.					
4.					
5.					

NB : There should be 5 electors of constituency as proposers as prescribed in Rule 13.

PART-III

I, the candidate mentioned in Part-I/Part-II(Strike out which is not applicable) accept nomination and hereby declare –

(a) that I have completed..... years of age.
(STRIKE OUT b(I) OR b(II) BELOW WHICHEVER IS NOT APPLICABLE

(b) (I) that I am set up this election by theparty which is a registered political Party/ State Party in this State and that the symbol reserved for the above party be assigned to me

OR

(b) (II) that I am set up at this election by the..... party, which is a registered/unregistered political party/ that I am contesting this election as an independent candidate (Strike out which is not applicable) and that the symbols I have chosen in order of preference are -

(i).....(ii).....

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

(d) that to the best of my knowledge and belief, I am qualified and not also disqualified for being chosen to fill the seat in the Municipality.

- I further declare that I am a member of the.....castes/tribe which is a scheduled caste/tribe of the State of Tripura
- I also declare that I have not been, and shall not be nominated as a candidate at the present general election/ ** the bye-elections to the Municipality from more than two constituencies.

Date.....

(Signature of Candidate)

*Score out the words not applicable.

*Score out this paragraph, if not applicable.

* Score out which is not applicable.

A "recognized political party" means a political party recognised by the Election Commission under the Election Symbols(Reservation and Allotment) order, 1968 in the State concerned.

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PART-IV

(To be filled by the Returning Officer)

Serial No.of nomination paper.....

This nomination was delivered to me at my office at.....(hour) on.....(date) by the
* candidate/proposer.

Date..... Returning Officer.

* Score out the word not applicable.

PART-V

Decision of Returning Officer Accepting or Rejecting the Nomination Paper.

I have examined this nomination paper in accordance with Rule 14 of the Tripura Municipalities(Conduct of Election) Rules, 1995.

Date..... Returning Officer.

PART-VI

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.....a candidate for election
from the.....Municipality from seat No.....Constituency No.....
was delivered to me at my office at.....(hour) on.....(date) at.....
.....(Place) by the candidate/proposer.....(name).
All nomination papers will be taken up for scrutiny at.....(hour) on.....(date) at.....
.....(Place).

Date..... Returning Officer.

* Score out the word not applicable

FORM-3
(See rule 21)
NOTICE OF NOMINATION

Election to the.....Municipality from the seat No.....which is
general seat/ a seat reserved for Women/ Sch. Castes/Sch.Castes(Women)/Sch. Tribes/Sch. Tribes(Women)
under.....constituency.

Notice is hereby given that the following nominations in respect of the above election have been received
upto.....PM today :

Serial No. of nomination paper.	Name of candidate.	Name of father/mother/husband	Age of candidate.	Address
1	2	3	4	5

Party affiliation.	Particulars of castes or tribes for candidates belonging to Scheduled Castes or Scheduled Tribes.	Electoral roll number of candidate.	Names of proposers.	Electoral roll number of proposers.
6	7	8	9	10

Place.....

Returning Officer.

Date.....

*Score off the inappropriate alternative.

FORM-4

[See rule 23(1)]

List of Validity Nominated Candidates.

Election to the Municipality from the Seat
 which is a general seat/a seat reserved for Women/Sch.Castes/Sch.Castes(Women)/
 Sch Tribes(Women) under Constituency.

Serial number	Name of candidate.	Name of ** father/mother/husband.	Address of candidate.	@ Party affiliation.
1	2	3	4	5

Candidates of recognized National and State Political Parties.

Candidates of registered Political Parties(other than recognized National and State Political Parties)

(iii) Other Candidates.

Place

Date

Returning Officer.

* Appropriate particulars of the election to be inserted here.

** Strike off the inappropriate alternative.

@ Applicable in the case of candidates mentioned under categories (I) and (II) above.

NB :- Under Col.1 above, the serial numbers of candidates of all the three categories shall be given consecutively and not separately for each category.

FORM-7

[See rule 25(3)]

List of Contesting Candidates.

Election to the Municipality from the Seat
No. which is a general seat/ a seat reserved for Women/Sch. Castes/Sch. Castes(Women)/
Sch. Tribes/Sch. Tribes(Women) under constituency.

Serial.	Name of candidate.	Address of candidate.	*Party affiliation.	Symbol allotted.

(iv) Candidates of recognized National and State Political Parties.

(v) Candidates of registered Political Parties (other than recognized National and State Political Parties)

(vi) Other Candidates.

Place

Date

Returning Officer.

* Applicable in the case of candidates mentioned under categories (I) and (II) above.

NB:- Under col.I above the serial numbers of candidates of all the three categories shall be given consecutively and not separate for each category.

FORM - 25

See Rule - 80(4)(i)

Whereas Sri, member of theMunicipality being elected from more than one constituency has submitted his resignation from..... seat and I have accepted the same ;

Now therefore, I hereby declare that the said seat has fallen vacant with immediate effect.

2. WHEREAS Srimember of the Municipality being elected from more than one constituency has not submitted resignation within the stipulated period ;

Now, therefore, I hereby declare that all the seats, namely from which he was elected have fallen vacant with immediate effect.

Chairperson.....Nagar Panchayats
Agartala Municipal Council.

To

Secretary, UDD
State Election Commissioner.

FORM -26

See Rule - 80(4)(ii)

Whereas Sri.....member of theMunicipality has submitted his resignation from.....seat and after being satisfied that it is genuine and voluntary I have accepted the same ;

Now therefore, I hereby declare that the said seat has fallen vacant with immediate effect.

Chairperson.....Nagar Panchayats/
Agartala Municipal Council.

To

1. Secretary, UDD
2. State Election Commissioner.

FORM 27

(See Rule 80(4)(iii))

Whereas Sri member of the
Municipality has remained absent from three consecutive meetings
of the municipality held on (1) (2) and (3) and I am
satisfied that he did not obtain permission of the Chairperson for remaining absent

Now therefore I hereby declare that the seat from which he was
elected has fallen vacant with immediate effect.

Chairperson
(..... of Municipality).

To

1. Secretary, UDD
2. State Election Commissioner.

FORM - 28

See rule 80(4)(iv)

Whereas I am satisfied that Sri..... member of the
..... Municipality has failed to resign from the membership of the Tripura
Legislative Assembly/Tripura Tribal Areas Autonomous District
Council/..... Panchayat.....Local Authority within 14 days from the
date of his election to the aforesaid municipality ;

Now therefore I hereby declare that the said seat in Municipality has
fallen vacant with immediate effect.

Chairperson.....
(Name of Municipality)

Copy to .

1. Secretary, UDD
2. State Election Commissioner