

MODEL
PANCHAYAT ELECTION RULES
2011
DRAFT



सत्यमेव जयते

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MODEL PANCHAYAT
ELECTION RULES, 2011

PART I

Preliminary

1. Short title and commencement.—

(1) These rules may be called the Model Panchayat Election Rules, 2011.

(2) They shall come into force on the ...th day of..., 20.....

Provided that these rules shall not apply to or in relation to any election called but not completed before that date and the.....(*name of the existing Rules*) shall continue to apply to or in relation to any such election as if these rules had not been made.

2. Interpretations:

(1) In these rules, unless the context otherwise requires,

(i) "**Act**" means the Model Panchayat Election Act, 2011 (... of 2011).

(ii) "**Assistant Returning Officer (Panchayat)**"

means an officer appointed as such under section 56 of the Act.

(iii) "**ballot box**"

means any box, bag or other receptacle, as approved by the State Election Commission for the purpose of casting votes through ballot papers by the electors in an election.

(iv) "**Commission**" means the State Election Commission constituted under Article 243(K) of the Constitution, read with Section 37 of the Act.

(v) "**Counterfoil**" means the counterfoil attached to a printed ballot paper.

(vi) "declared office"

means an office declared by the Governor to be an office to which the provisions of sub-section (4) of section 20 of the Representation of People Act 1950 (Act 43 of 1950) apply.

(vii) "District Deputy Election Officer (Panchayat)"

means the Officer designated or nominated as such under these Rules.

(viii) "District Panchayat Raj Officer"

means an officer appointed or designated as such by the Government.

(ix) "election by members" or "indirect election"

means an election to offices of Panchayats by the elected members of Panchayat.

(x) "elector"

(a) means an elector as defined in section 2(xviii) of the Act; and

(b) in relation to an election by Panchayat members for offices of the Panchayat, means any member entitled to vote at that election.

(xi) "electoral roll"

(a) means an electoral roll as provided in section 65 of the Act; and

(b) in relation to an election by Panchayat members, means the list of elected members notified under sub-section 2 of section 137 of the Act by the Returning Officer.

(xii) "electoral roll number" of a person means--

(a) the serial number of the entry in the electoral roll in respect of that elector;

(b) the serial number of the part of the electoral roll in which such entry occurs; and

(c) the name of the constituency to which the electoral roll relates.

(xiii) "form"

means a form appended to these Rules and in respect of any constituency, includes a translation thereof in the language or any of the languages in which the electoral roll for that constituency is prepared.

(xiv) "marked copy of the electoral roll"

means copy of the electoral roll set apart for the purpose of marking the names of electors to whom ballot papers are issued at an election.

(xv) "photo electoral roll"

means electoral roll with photographs of the electors inserted in the roll.

(xvi) "Presiding Officer"

means an officer appointed as such under section 57 of the Act and includes—

(a) any polling officer performing any of the functions of a presiding officer under sub section (2) or sub-section (3) of section 57; and

(b) any returning officer while presiding over an election under sub-section (2) of section 137.

(xvii) "Returning Officer"

means an officer appointed as such under section 54 and includes any Assistant Returning Officer performing any function, he is authorised to perform under of section 56 of the Act.

(xviii) "Registration Officer"

means the electoral registration officer (Panchayat) of a constituency and includes assistant electoral registration officer (Panchayat) as such under the Rules.

(six) "roll" means the electoral roll for a Panchayat constituency.

(xx) "*Schedule*" means the Schedule annexed to the Act.

(xxi) "*section*" means a section of the Act.

(xxii) "*territorial constituency*"

means the constituency for the election of the members of Panchayat at village, intermediate and district levels.

(2) For the purposes of the Act or 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—

(i) 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 State Election Commission, and

(ii) such officer on being satisfied as to his identity has attested the mark as being the mark of that person.

(3) Any requirement under these rules that a notification, order, declaration, notice or list issued or made by any authority shall be published in the official gazette shall, unless otherwise

expressly provided in these rules, be construed as a requirement that it shall be published in the gazette of the District if it relates to an election to, or membership of Panchayat or an office of a Panchayat, and in the official gazette of the State, if it relates to any general policy direction by the State Election Commission to the districts or for information of the general public of the State.

(4) The General Clauses Act, 1897 (10 of 1897) shall apply for the interpretation of these rules as it applies for the interpretation of an Act of Parliament or a legislature.

(5) The terms and expressions used in these Rules but not defined will have the same meaning as have been assigned to them in the Act.

PART II

PANCHAYATS

CONSTITUTION, DELIMITATION & RESERVATION OF SEATS & OFFICES OF PANCHAYATS

CHAPTER I

CONSTITUTION AND COMPOSITION OF PANCHAYATS

3. Constitution of a village Panchayat :

(1) Subject to the general or special order of the State Government, for the purpose of holding election of a village Panchayat, a District Magistrate shall, by notification in the District Gazette under section 5 of the Act, constitute a village

Panchayat with effect from such date as may be specified in the notification.

(2) A village Panchayat shall be constituted for each village or group of contiguous villages or part thereof, with a population nearing five thousand as may be practicable, and shall be specified by the name of and headquarter at the village having the largest population.

(3) The area of village Panchayat shall be contiguous and an area of a Panchayat shall not be sub-divided by a natural barrier.

4. Draft publication of the list of village Panchayats:

(1) Draft list of village Panchayats shall be published in *Form 1* by the District Magistrate in the offices of the village Panchayat, intermediate Panchayat and the district Panchayat.

(2) Any objection with regard to anything contained in the draft list published under sub- rule (1) shall be filed in writing before the District Magistrate within fifteen days from the date of publication of such draft.

(3) On receipt of an objection under sub-rule (2), the District Magistrate or shall, after necessary enquiry and verification, record his order and his order shall be final.

5. Final list to be submitted to the State Government for its approval:

(1) the draft list, so amended after disposal of the objections, along with objections and suggestions received during draft publication and final orders thereon under sub-rule(3) of rule 4, shall be submitted to the State Government for its approval ;

(2)After the approval of State Government the list shall be finally published in *Form 2* by notification in the official Gazette by the District Magistrate;

Provided that a copy of each such notification shall be submitted to the State Election Commission.

6. Review by the State Election Commission:

If the State Election Commission, suo motu or on receipt of a written representation from an aggrieved person, is of the opinion that there are sufficient reasons for doing so, may review the legality and propriety of constitution of any village Panchayat declared under sub-rule (1) of rule 5 and may call for the relevant records for this purpose, and subject to the provisions of sub-section (i) of section 5 of the Act, may pass such order as the Commission may deem necessary and proper.

7. Copies of notification of constitution of Panchayats at intermediate and district levels to be furnished to the State Election Commission:

Copies of all notifications of constitution of Panchayats at intermediate and district levels shall be furnished to the State Election Commission by the State Government.

PART II

CHAPTER II

DELIMITATION OF PANCHAYATS

8. Delimitation of territorial constituencies of Panchayats:

(1) For the purpose of holding election of village Panchayat, intermediate Panchayat, and district Panchayat the areas falling within their jurisdiction shall be divided into territorial constituencies by the District Magistrate as provided in sections 8, 14 and 20 of the Act respectively under the superintendence, direction and control of the State Election Commission.

(2) Each territorial constituency shall consist of a contiguous area and it shall be constituted in such manner that each territorial constituency may consist of a population, as far as practicable, uniform with the others and the boundaries of each territorial constituency to be clearly defined separating it with the others by natural or artificial elements; provided that —

(i) the population of each territorial constituency of a village Panchayat shall be nearing five hundred, as may be practicable;

(ii) the population of each territorial constituency of an intermediate Panchayat shall be nearing five thousand, as may be practicable;

(iii) the population of each territorial constituency of district Panchayat shall be nearing fifty thousand, as may be practicable;

Provided further that, if any difficulty arises in the delimitation of territorial constituencies according to the principles mentioned above or in other exceptional circumstances, the District Magistrate shall decide the matter on merit with previous concurrence of the State Election Commission.

9. Delimitation of the territorial constituencies of a village

Panchayat:

The territorial constituencies of village Panchayats shall be delimited in such a manner that all the territorial constituencies of the village Panchayat are covered under the village Panchayat concerned and all the delimited constituencies of a village Panchayat taken together shall constitute the area of the village Panchayat.

10. Delimitation of the territorial constituencies of an intermediate Panchayat:—

The territorial constituencies of an intermediate Panchayat shall be delimited in such a manner that —

(1) all the territorial constituencies of the intermediate Panchayat are covered under the area of the intermediate Panchayat concerned and all the delimited constituencies of an intermediate Panchayat taken together shall constitute the area of the intermediate Panchayat;

(2) each of the territorial constituencies of the intermediate Panchayat is covered under a specified village Panchayat area; and

(3) territorial constituency of a village Panchayat shall not be split due to delimitation of the territorial constituencies of the intermediate Panchayat in any circumstances.

11. Delimitation of the territorial constituencies of a district

Panchayat:

Territorial constituencies of a district Panchayat shall be delimited in such a manner that —

(1) all the territorial constituencies of a district Panchayat shall be covered under the area of district Panchayat concerned and all the delimited constituencies of a district Panchayat taken together shall constitute the district Panchayat.

(2) each of the territorial constituencies of the district Panchayat shall be covered under the area of a specified intermediate Panchayat; and

(3) the territorial constituency of the intermediate Panchayat shall not be split due to the delimitation of territorial constituencies of a district Panchayat in any circumstances.

12. Procedure for assignment of codes to the constituencies:

The constituencies shall be codified in the following manner:

(1) Allotment of district codes

Each district of the State shall be allotted a district code by the State Election Commission in capital Roman numerals, starting from I onwards from north-west to south-eastern tip of the State, followed by name of the district.

e.g. I Garhwa, II Palamu, IV Latehar, etc.

(2) Assignment of codes to intermediate Panchayats:

(i) Each *intermediate* Panchayat within a district Panchayat shall be allotted a code in Arabic numerals starting from 01 onwards by the District Magistrate at the district level,

starting from north-west of the district Panchayat to its south-east end.

(ii) structure of the codes shall be as follows:

“ the district code, name of the district, stroke, intermediate Panchayat code, name of the intermediate Panchayat, ” e.g.

VIII Ranchi/01 Mander

VIII Ranchi/02 Chanho

VIII Ranchi/03 Burmu

(3) Assignment of codes to territorial constituencies of a district Panchayats:

(i) each territorial constituency of a district

Panchayat shall be allotted a numeric code in Arabic numerals serially starting from 01 onwards at the district level from north-west of the district Panchayat to its south-east;

(ii) arrangement of the number shall be as follows:

“the district code, name of the district Panchayat, stroke, the intermediate Panchayat code, name of the intermediate

Panchayat, stroke, name of the district Panchayat, territorial constituency code, ” e.g.

VIII Ranchi / 01 Mandar / Ranchi district Panchayat territorial constituency 01 ;

VIII Ranchi / 01 / Mandar / Ranchi district Panchayat territorial constituency 02;

VIII Ranchi / 02 Chanho / Ranchi district Panchayat territorial constituency 03;

VIII Ranchi / 03 Burmu / Ranchi district Panchayat territorial constituency 04;

(4) Assignment of codes to village Panchayats constituencies:

(i) each village Panchayat within a district Panchayat shall be allotted numeric code in Arabic numerals serially, by the District Magistrate, at the intermediate level starting from 01

onwards from north-west of the intermediate Panchayat to its south-east end;

(ii) arrangement of the codes shall be as follows:

“District code, name of the district, stroke, code assigned to the intermediate Panchayat, name of the intermediate Panchayat, stroke, code and name of the village Panchayat constituency,”

e.g.

VIII Ranchi / 01 Mandar / 01 Rampur village Panchayat constituency

VIII Ranchi / 01 Mandar / 05 Magarpal village Panchayat constituency

(5) Assignment of codes to territorial constituencies of an intermediate Panchayats:

(i) each of the territorial constituencies of an intermediate Panchayat shall be allotted numeric codes in Arabic numerals starting from 01 onwards serially at the

intermediate Panchayat level, by the District Magistrate from the north-west of the intermediate Panchayat to its south-east;

(ii) structure of the codes shall be as follows:

“District code, name of the district, stroke, code and name of the intermediate Panchayat, stroke, name of the intermediate Panchayat territorial constituency and code,” e.g.

VIII Ranchi / 1 Mandar / 1 Rampur / intermediate Panchayat territorial constituency 03;

VIII Ranchi / 1 Mandar / 5 Magarpal / intermediate Panchayat territorial constituency 08;

(6) assignment of codes to village Panchayats territorial constituencies:

(i) territorial constituencies of a village Panchayat shall be allotted numeric codes in Arabic numerals starting from 01 onwards serially at the village Panchayat level, by the District Magistrate from north-west of the village Panchayat to its south-east end;

(ii) structure of the codes shall be as follows:

“District code, name of the district, stroke, code assigned to the intermediate Panchayat, name of the intermediate Panchayat, stroke, code assigned to the village Panchayat, name of the village Panchayat, stroke, village Panchayat territorial constituency code;”e.g.

VIII Ranchi / 1 Mandar / 5 Magarpal / village Panchayat - territorial constituency-1.

VIII Ranchi / 1 Mandar / 5 Magarpal / village Panchayat – territorial constituency-2.

Explanation: If more than one constituency is situated at one direction, then the constituency nearest to the boundary of the village Panchayat in the said direction shall be coded as first, the constituency adjacent to it as second and so on.

13. Publication of the list of territorial constituencies:

(1) District Magistrate shall prepare or cause to be prepared draft list of territorial constituencies of Panchayats of all the three levels and such draft list prepared by him shall be duly published for fifteen days in *Form 3* in the area concerned,

(i) in case of a village Panchayat and intermediate Panchayat, it shall be published in the offices of the village Panchayat and the intermediate Panchayat concerned,

and (ii) in case of district Panchayat, in the offices of the intermediate Panchayat, the Sub-divisional Magistrate and the District Magistrate.

(2) Any objection with regard to anything contained in the draft list published under sub-rule (1) may be filed in writing before the District Magistrate or an officer authorized by him during the period of draft publication of the list.

(3) On receipt of an objection under sub-rule (2) the District Magistrate shall, after necessary enquiry and verification, record his order in writing, which shall be final.

(4) Draft list of constituencies as prepared after amendment, if any, under sub rule (3) shall be sent to the State Election Commission for their concurrence

(5) After concurrence of the Commission, final list shall be prepared in *Form -4* from the draft so concurred under sub-rule (4) above and shall be duly published by the District Magistrate in the offices of the village Panchayat and the intermediate Panchayat concerned in case of village Panchayat and intermediate Panchayat and in the offices of the intermediate Panchayat , the Sub-divisional Magistrate and the District Magistrate concerned in the case of district Panchayat and also in the district Gazette and a copy of the same shall be submitted to the State Election Commission.

PART II

CHAPTER-III

RESERVATION & ALLOTMENT OF SEATS & OFFICES OF PANCHAYATS

14. Allotment and reservation of seats for constituencies in general areas:

(1) Subject to the provisions contained in sections 25, 27, and 29 of the Act, seats in different constituencies shall be reserved for and allotted on rotational basis to Scheduled Castes, Scheduled Tribes and other backward classes and to women by the District Magistrate under the superintendence, direction and control of the State Election Commission;

(2) Such reservation and allotment of seats shall be done in the same manner in *Form 5 (Part I and II)* as is shown in illustration (1) of the annexure.

15. Allotment and reservation of seats in constituencies of

Scheduled areas:

(1) Subject to provisions of sections 26 and 28 of the Act, seats shall be reserved in constituencies and allotted on rotational basis by the District Magistrate under superintendence, direction and control of the State Election Commission.

(2) Such reservation and allotment of seats in constituencies shall be done in the same manner as is shown in illustration (2) of the annexure and shall be reckoned in **Form 5** (*Part III & IV*) prescribed for the purpose;

16. Allotment of posts of Panchayats in general areas:

(1) Subject to the provisions of section 31 of the Act, posts of Chairpersons of village Panchayats, and subject to the provisions of section 33, posts of Chairpersons of intermediate Panchayats shall be reserved and allotted on rotational basis by the District Magistrate under the superintendence, direction and control of the State Election Commission;

Provided that subject to the provisions of section 31(3), 33(2), and 35(4) respectively, the posts of Deputy Chairpersons of village, intermediate, and district Panchayats, shall be kept unreserved;

(States may decide the policy at their own level)

(2) Subject to the provisions of section 35(1) of the Act, posts of Chairpersons of district Panchayats shall be reserved for and allotted to Scheduled Castes, Scheduled Tribes and other backward classes and for women on rotational basis in proportion to their respective population to the total population in the State; (*see illustration 3 of the annexure*).

17. Allotment and reservation of posts of Panchayats in

Scheduled Areas:

(1) Subject to the provisions of section 32, 34, 36, the posts of a Chairperson of village Panchayat, intermediate Panchayat and district Panchayat in scheduled areas shall be reserved for the Scheduled Tribes. However the posts of the Deputy Chairpersons

of Panchayats at all levels shall remain unreserved in the Scheduled areas.

(2) Out of such posts as are reserved for Scheduled Tribes, not less than fifty percent posts at each level shall be allotted to women members of Scheduled Tribes by the District Magistrate under superintendence, direction and control of the State Election Commission;

(3) Allotment of reserved posts in sub rule 2 for women of Scheduled Tribes shall be done in such manner that number of posts allotted to women of Scheduled Tribes shall not be less than fifty percent in any election.

(4) In Scheduled Areas, posts of Chairpersons of village, intermediate and district Panchayats shall be reserved for Scheduled Tribes and fifty percent posts shall be allotted to women member of Scheduled Tribes on rotational basis;

As such in the first election, posts in serial number 1,3,5,7,9,11,13,15,etc. shall be reserved for Scheduled Tribes women and in the subsequent second election serial numbers 2,4,6,8,10,12,14,etc. shall be allotted to such women.

(See illustration 3 in the annexure)

18. Reckoning of number of posts for reservation:

For reckoning of number of posts of Panchayats for reservation, less than half number shall be ignored, whereas more than half number shall be rounded to one post.

19. Allotment of seats in constituencies:

(1) Constituencies, as admissible against reservations, shall be allotted to different categories by the District Magistrate under the superintendence, direction and control of the State Election Commission, by rotation to such categories whose population, as such, is found higher in relation to others when arranged in a descending order.

Provided that in the first election, number of constituencies shall be allotted in order of Scheduled Castes, Scheduled Tribes, other backward classes and others as per their entitlements and this order shall be repeated in allotments of the remaining constituencies as well;

Provided further that in the second election, number of constituencies shall be allotted in order of Scheduled Tribes, other backward classes, others and Scheduled Castes respectively as per their entitlements and this order shall be repeated in allotment of remaining constituencies as well.

Provided further again that in the third election, number of constituencies shall be allotted in order of other backward classes, others, Scheduled Castes and Scheduled Tribes as per their entitlement and this order shall be repeated in allotment of remaining constituencies as well;

Provided again further that in the fourth election, number of constituencies shall be allotted in order of others, Scheduled Castes, Scheduled Tribes and other backward classes as per their entitlements and this order shall be repeated in allotment of remaining constituencies also.

(2) Where there is no other option available, constituency allotted to a particular category in previous election may again be allotted to the same category in subsequent election.

(see illustration 1 and 2 in the annexure)

20. Not less than fifty percent reservation of seats and posts for women:

Not less than fifty percent of reserved or unreserved seats and posts shall be allotted by rotation to women members of the respective categories and for this purpose less than half part shall be ignored, whereas more than half part shall be rounded to one.

Note: see illustrations 1 and 2 in the annexure.

21. Reservation in the first election and allotment of constituencies to women:

(1) Where only one post is available for a particular category, the post shall be reserved in the first election for women and in subsequent first consecutive election, the post shall not be reserved for women.

(2) For constituencies reserved in each category, number of constituencies coming first in serial order shall be allotted to women as per their entitlement.

22. Maintenance of registers relating to constituency-wise

details of reservations:

For reservation of constituencies, the following registers shall be maintained in Form 5 showing the details of constituency wise population, etc. viz.

- (a) for members of village Panchayats – territorial constituency wise – to be maintained by B D O at block level;
- (b) for members of intermediate Panchayats - – territorial constituency wise — to be maintained by District Magistrate at district level;
- (c) for Chairpersons of village Panchayats – village Panchayat wise - to be maintained by District Magistrate at district level;
- (d) for member of district Panchayats – territorial constituency wise - to be maintained by District Magistrate at district level;
- (e) for Chairpersons of intermediate Panchayats – intermediate Panchayat area - to be maintained by District Magistrate at district level;

(f) for Chairpersons of district Panchayats – district Panchayat area - to be maintained by State Election Commission at State level;

Provided that the registers to be maintained at the block and district level shall be maintained at the block and district level and a copy of each of the registers shall be sent by the District Magistrate to the State Election Commission.

23. Publication of list of reserved constituencies by the State Election Commission:

List of constituencies reserved and unreserved by the District Magistrate shall be published in *Form 6*, while the list of constituencies reserved or unreserved by the State Election Commission shall be published in *Form 7* in the offices of the District Magistrate and the Commission.

24. Gazette notification of the list of constituencies so reserved:

List of constituencies reserved and unreserved and published under rule 16 and 17 shall be published in the official gazette of the District as well as that of the State.

PART III

ADMINISTRATIVE MACHINERY

25. State Government to make available services of officers and staff:

The State Government, whenever a request is made, shall make available to the Commission, services of such staff and officers as may be necessary for the preparation of electoral rolls, delimitation of constituencies and conduct of all elections to the Panchayats.

26. Staff of local authorities to be made available:

Every local authority in the district shall, when so required by the District Magistrate or Deputy Commissioner-cum - District Election Officer (Panchayat), make available such staff as may be necessary for performance of duties in connection with the preparation and revision of electoral rolls, delimitation of constituencies or for conduct of elections.

27. District Election Officer (Panchayat) to be designated or nominated:

(1) The State Election Commission shall, in consultation with the State Government, designate or nominate the District Magistrate as District Election Officer (Panchayat) for each district for the purpose of preparation of electoral rolls, delimitation of constituencies and conduct of elections to Panchayats,

(2) Subject to the superintendence, direction, and control of the State Election Commission, the District Election Officer (Panchayat) shall be responsible for all works relating to the preparation of electoral rolls, delimitation of constituencies and conduct of election in the area under his jurisdiction.

28. District Deputy Election Officer (Panchayat) to assist the District Election Officer (Panchayat):

(1) The State Election Commission shall, in consultation with the State Government, designate or nominate one or more

officers of the State Government as District Deputy Election Officer (Panchayat) to assist the District Election Officer (Panchayat) in discharge of his electoral functions.

(2) Such officers shall be a District Panchayat Raj Officer or a senior Deputy Collector not below the rank of a Sub-Divisional Magistrate.

29. Electoral Registration Officers (Panchayat)

(1) The State Election Commission shall, in consultation with the State Government, designate or nominate such officer of the Government or of a local authority as Electoral Registration Officer (Panchayat) as it deem fit for preparation and maintenance of electoral roll for every Panchayat constituency.

(2) Such officers shall be a a senior Deputy Collector not below the rank of a Sub-Divisional Magistrate.

(3) An Electoral Registration Officer (Panchayat) may, subject to any prescribed restrictions, employ, with prior approval of the District Election Officer (Panchayat), such staff

or employees as he deems fit for proper discharge of his electoral functions.

30. Assistant Electoral Registration Officers (Panchayat)

(1) The State Election Commission may, in consultation with the State Government, appoint one or more persons to be Assistant Electoral Registration Officers (Panchayat) to assist Electoral Registration Officer (Panchayat) in the discharge of his electoral functions.

(2) Such Assistant Electoral Registration Officer (Panchayat) shall be an officer of the government or of local authority, not below the rank of a Deputy Collector.

(3) Assistant Electoral Registration Officer (Panchayat) shall, subject to the control of the Electoral Registration Officer (Panchayat), be competent to discharge all or any of the functions of the Electoral Registration Officer (Panchayat).

31. Booth Level Officer (Panchayat):

(1) District Election Officer (Panchayat) shall appoint Booth level Officer (Panchayat) for every polling station with prior approval of the State Election Commission, and such booth level officer shall function under the supervision and control of the Electoral Registration Officer (Panchayat).

(2) Booth Level Officer (Panchayat) shall be an employee of the government, local authority or of a public undertaking and shall be responsible for preparation, safe custody and maintenance of the electoral roll of the polling area assigned to him.

(3) Booth Level Officer (Panchayat) shall be responsible for proper publication of the roll and for facilitation to the electors in filing claims or objections during draft publication.

(4) Booth Level Officer (Panchayat) shall also be responsible for receiving claims and objections during draft publication and helping the registration officer in disposal of such claims or objection by field enquiries, as detailed in rule 64.

(5) Booth Level Officer (Panchayat) shall have a fixed office in the polling area assigned to him and shall keep a copy of the roll readily available with him for inspection of the electors.

32. Appointment of Roll Observer to oversee the preparation or revision of electoral roll:

(1) The State Election Commission may appoint or nominate senior officers of the Government as roll observer.

(2) Roll observers so appointed or nominated shall report to the State Election Commission and shall function under the superintendence, direction and control of the Commission.

(3) Roll Observers shall be senior officers of the Government and may include Divisional Commissioner or any such officer.

33. Appointment of Returning Officer:

The State Election Commission or on being authorised by it, the District Election Officer(Panchayat) shall appoint a

Returning Officer for every Panchayat constituency for the conduct of elections to Panchayats and such officer shall be a Block Development Officer, or Circle Officer(Land Revenue) or an officer not below the rank of a Deputy Collector.

Provided that the Returning Officer, for constituencies of intermediate Panchayat, shall be not below the rank of a Sub-Divisional Magistrate.

Provided further that the Returning Officer, for constituencies of a District Panchayat, shall not be below the rank of an Additional District Magistrate.

34. Appointment of Assistant Returning Officer:

The State Election Commission or on being authorised by it, the District Election Officer (Panchayat), shall appoint, one or more Assistant Returning Officers, to assist the Returning Officer in discharge of his functions, who shall be an officer of the State Government.

35. Appointment of Presiding Officer and Polling Officer:

The District Election Officer (Panchayat) shall appoint at every polling station a Presiding Officer and such number of polling officer or officers to assist the Presiding Officer as he may deem necessary for conduct of election.

Provided that the Presiding Officer or Polling Officer shall be a government employee or an employee of a government company or an employee of a government aided institution.

Provided further that, in case of a polling officer being absent from the polling station, the presiding officer may appoint as polling officer any person present at the polling station other than a person appointed as polling agent by a candidate or on his behalf has been doing other work for him and inform the District Election Officer (Panchayat) of such appointment accordingly.

Provided further that, the polling officer, on being authorised by the presiding officer subject to the direction of the State Election Commission, shall perform all or any of the functions of the presiding officer under the Act or these rules.

36. Discharge of the functions of the Presiding Officer due to unavoidable reason:

If a presiding officer owing to illness or on any other unavoidable reason is compelled to be absent from the polling station, his functions shall be performed by such polling officer who has been so authorised previously by the Returning Officer to perform such functions during such absence.

37. Duty of Presiding Officer:

It shall be the general duty of a presiding officer to maintain order at the polling station and see that the poll is properly going on.

38. Duty of Polling Officer:

It shall be the duty of a Polling Officer to assist the Presiding Officer of such polling station in the discharge of his functions.

39. Appointment of Election Observers:

(1) The State Election Commission may appoint or nominate senior officers of the Government as Election Observers to watch the conduct of election or elections in a constituency or a group of constituencies and perform such other functions as may be entrusted to him by the State Election Commissioner.

(2) Election Observers so appointed or nominated shall report to the State Election Commission and shall function under the direction and control of the Commission;

(3) Election Observers shall be senior officers of the Government and shall include Divisional Commissioner or any such officer.

(4) State Election Commission may appoint micro-observers at specified polling stations to assist election observers to ensure free and fair polling;

(5) Such micro-observers shall be officers of the State Government or of public undertakings;

***40. District Election Officers (Panchayat) ,Electoral
Registration Officers (Panchayat), Assistant Electoral
Registration Officers (Panchayat) or Police Officers etc.,
deemed to be on deputation to State Election Commission.***

(1) The officers referred to in this Part and any other officer or staff including Police Officers, employed in connection with the preparation of the electoral rolls, for the delimitation of constituencies and the conduct of all elections to Panchayats shall be deemed to be on deputation to the State Election Commission for the period during which they are so employed and such officers and staff shall, during that period, be subject to the control, superintendence and discipline of the State Election Commission.

PART IV

POLLING STATIONS

41. Provision of Polling Station:

(1) District Election Officer (Panchayat) shall be responsible for the provision of polling stations and the publication of the list of polling stations.

(2) Polling stations shall be set up in the territorial jurisdictional area of a village Panchayat and those polling stations shall be used for election of members of Panchayat at all levels. The electoral rolls for different Panchayat constituencies shall be prepared polling station-wise.

(3) The polling stations shall be set up on a permanent footing, covering well-defined polling areas.

(4) District Election Officer (Panchayat) shall obtain approval of the State Election Commission on the list of Polling Stations so constituted. If the same list is proposed to be adopted

no fresh approval of the Commission is necessary and Commission be intimated accordingly and wherever modifications are proposed, the Commission's approval be obtained well in advance, at least two weeks before the last date for the withdrawal of candidatures.

Provided that the Commission may consider any modification at a later date on recommendation of the District Election Officer (Panchayat) in exceptional circumstances.

42. Drawing up of fresh list of polling stations:

(1) The optimum number of polling stations to be set up in a village Panchayat shall be determined by dividing the total number of voters in the Panchayat by five hundred. However, a polling station may be provided to every such village having more than 300 voters where there is a suitable building for it.

(2) A polling station shall be provided for a well-defined polling area, normally covering not more than five hundred electors. However, in exceptional cases such number may

exceed five hundred electors to avoid the breakup of any polling area in large villages.

(3) as far as practicable, the polling station will have normally a minimum area of 20 sq. meters so that there is no congestion inside the polling station.

(4) the halls or rooms in a polling station shall be well-lit and shall be having two openings at least, so that one can be used as 'entrance' and the other as 'exit' for the smooth and orderly conduct of poll.

(5) Polling stations may be set up in such a manner that ordinarily no voter is required to travel more than two kilometers for recording his vote. In sparsely populated, hilly or forest area this rule may have to be relaxed; but in order to avoid voters having to walk unduly long distances, polling stations in such cases may be set up for a smaller number of voters than usual.

(6) Not more than four polling stations will be located in the same building in any case, in order to avoid overcrowding and to facilitate maintenance of peace and order.

(7) Polling station shall be set up within the polling area. If a suitable building is not available in the area, then it may be set up outside the polling area, as near to its own area as possible. As and when suitable building is found, then, that polling station shall be shifted to its polling area, with the approval of the State Election Commission.

(8) Further, where the polling area for a polling station comprises a number of villages, the polling station or stations will ordinarily be located in the village, which has the largest number of voters. Where, however, another village is much more central or has distinctly better facilities, it might be chosen for location of polling station in preference to the village with the largest number of voters.

(9) Polling station in a temporary structure shall be avoided in view of risk of fire, storm etc.

(10) Due consideration shall be given to the existence of obstructions like hills, forests, rivers, jungle, etc. For instance, no polling area may contain villages on either side of a big river; but where a village itself is divided by a river or stream it shall

not be split up for polling purpose, unless there are special reasons.

(11) Polling areas shall be carved out in such a way that it does not intercept administrative boundaries. Villages of same administrative unit like one village Panchayat, firka, patwari circle, etc will comprise one polling area. A polling station shall be located in one of the villages attached to that polling station unless special circumstances exist for providing the station outside the polling area. All polling areas within the constituency shall be covered by the proposed polling stations.

(12) As far as possible, polling stations may be located in Government buildings or Government-aided buildings or buildings of Semi-Government institutions.

(13) The location of the polling stations in private buildings or premises shall be avoided; but where this becomes unavoidable, the buildings may be properly requisitioned and the consent of the owner may be obtained in writing. The private building so requisitioned shall be at the disposal of the Returning Officer at least twenty four hours before the

commencement of the poll and for the period required for the poll. The building and the area around it up to a radius of two hundred meters shall be under the control of the Presiding Officer. No watch and ward or other personnel connected with the owner, whether armed or unarmed, shall be allowed to remain either at the polling station or within a radius of two hundred meters around it. The security arrangement at the polling station and within the above area on the poll day will be the responsibility entirely of the State Police under the control of the Presiding Officer. Further, after nominations are filed, it shall be ensured that the owner of such private building is not a contesting candidate or a known sympathizer or worker of any of the candidates at the election.

(14) No polling station shall be located in police stations, hospitals, temples or places having religious significance.

(15) No office of a candidate shall be located within a periphery of 200 metres of a polling station.

(16) As far as possible, to avoid inconvenience to the old and disabled persons, the polling stations will be set up in the

ground floor of a building. Ramps shall be provided to ease entry of physically challenged persons.

43. Setting up of polling stations for electors suffering from leprosy:

If there is a leprosy sanatorium within the constituency, then a separate polling station may be set up for the inmates alone and the officers, medical and others, working in the sanatorium may be appointed as Presiding and Polling Officers of the polling station.

44. Provision of polling stations for weaker sections:

(1) To ensure free and fearless polling the location of polling stations in some cases may be fixed in such a way that the electors belonging to weaker sections are not intimidated and prevented from going to polling stations for voting.

(2) The localities predominantly inhabited by weaker sections shall be identified and polling stations shall be located in these localities irrespective of the number of electors.

(3) Polling stations may be set up in localities or colonies inhabited by the weaker sections of the society, even though the number of voters may be less than five hundred.

45. Auxiliary polling stations:

Whereas as a result of annual revision of roll, the numbers of electors assigned to a particular polling station exceeds five hundred, auxiliary polling stations may be set up subject to following conditions:

(1) Auxiliary polling stations shall have the same serial number as that of the original polling station, but with a suffix “A”, “B”, etc.

(2) As far as practicable, the auxiliary polling stations shall be located in the same building or premises as that of the original polling station.

(3) Only when it is unavoidable due to non-availability of suitable rooms, the auxiliary polling station may be located in a separate building, but shall be within the same area as that of the original polling station.

(4) No separate serial number shall be given to auxiliary polling station even if it is located in a separate building. It shall have the same serial number as that of the original polling station with the permitted suffix “A” or “B” in view of the fact that the original polling station and its auxiliary polling station may be having the electors shown in the same part of the electoral roll.

46. Preparation of List and maps:

(1)(i) The draft list of polling stations shall be drawn up in the prescribed *Form-08*.

(ii) The demarcation of polling area shall be clearly done. The name of each village covered by the polling area and the number of voters in it shall be shown in the respective columns against each polling station.

(iii) By a clear description of the polling area it will be feasible for an ordinary voter to know to which polling station he has to go for recording his vote.

(iv) In order to ensure that a uniform method is followed in the matter of filling up the columns, the following rules shall be followed:

Column 1

The serial numbers of the polling stations should be given on a rational basis commencing from the north-western corner of the constituency and proceeding in a zig-zag manner to south-eastern corner of the constituency. The serial number of a polling station and part number of the electoral roll covering the polling area assigned to that polling station should be the same.

Column 2

The locality to be specified shall be the name of the area in which the polling station is located. In the case of temporary structures the description of the exact site chosen for the location of the temporary structure shall be clearly indicated.

Column 3

The name of the building in full shall be clearly described. The use of abbreviations shall be avoided. In cases where more

than one polling station is located in the same building the location shall be made clear by mentioning “North Wing”, “South Wing”. etc.

Column 4

The area of the polling station in square metres shall be indicated. The reason for locating polling stations in rooms or halls having an area of less than 20 square metres shall be furnished in ‘Remarks’ column of the pro forma against the appropriate entry.

Column 5

If there is a separate entrance and a separate exit ‘Yes’ may be written otherwise reasons why it has not been possible to locate the polling station in a room or hall with separate entrance and exit may be given.

Column 6

The names of villages, blocks, wards, streets, localities, house numbers and part number of the electoral roll shall be given.

Column 7

It shall be indicated whether the polling station is for all voters or men voters or women voters only.

Column 8

This column shall contain information about the total number of voters assigned to the polling station according to the final electoral roll of the constituency.

Column 9

This column shall indicate the distance to be travelled, if the maximum limit of 2 kilometres is exceeded.

Column 10

Where it is not practicable to conform to the provisions mentioned in the preceding rules in regard to the location or area of a polling station, broad reasons may be given in this column, as far as possible, for the consideration of the State Election Commission, besides any other remarks which the District Election Officer (Panchayat) or Returning Officer may like to make.

(2) The total number of electors in the constituency, the total number of polling stations proposed and the average number of voters per polling station shall invariably be shown at the end of each list.

(3) The list will be accompanied by a map to scale showing:

(i) All the villages, and wards or localities in towns, with the number of voters in each such village or locality, on the map itself, and where this is not convenient or practicable, in a statement annexed to the map.

(ii) The place selected for the location of the polling stations.

(iii) The area served by each polling stations, indicated by serial numbers in a systematic manner, preferably beginning from the north-western corner of the constituency proceeding zig-zag and ending at the south-eastern corner. (Such serial numbers shall be the same as the part numbers of the electoral roll, which cover the respective polling areas assigned to those polling stations).

(4) The use of abbreviations in the list shall be avoided, as far as possible, and where these are used, these shall be explained.

(5) If any local terms are used to describe buildings, etc. in the list, these should be explained.

47. Publication of the list of polling stations in draft:

(1) After the list has been prepared, the District Election Officer (Panchayat) or on being authorised by him, the Returning Officer shall publish such list in draft, in the language or languages of the electoral roll for the constituency, for general information, inviting objections and suggestions by a specified date, allowing a period of not less than *seven days*. The notice of publication of the draft list of polling stations and places at which it can be inspected shall also be given in local newspapers and written objections or suggestions invited for consideration.

(2) Copies of the draft lists shall be supplied to the concerned offices of the Panchayats.

(3) The District Election Officer (Panchayat) shall dispose of the claims or objections, amend the draft list where necessary and finalize the list of polling stations for each constituency. He shall then forward it, along with the map to the State Election Commission along with the scrutiny sheet and the certificate in the forms prescribed as *Form 9 & 10*.

(4) The Commission will then consider and approve the proposed list of polling stations, with any changes it deems necessary.

(5) The approval of the Commission shall be communicated by the State Election Commission to the District Election Officer (Panchayat).

(6) After the approval of the Commission is received, the District Election Officer (Panchayat) shall once again check the list to see whether there are any errors and incorporate the changes, if any, suggested by the Commission in the list.

48. Final publication of the list of polling stations:

(1) The District Election Officer (Panchayat) shall finally publish the list of polling stations provided by him, with the previous approval of the State Election Commission, by making a copy thereof available for inspection, and displaying at his office a notice in the form given in *Form 11* at his office and at the office of Electoral Registration Officer (Panchayat) of that constituency. The District Election Officer (Panchayat) shall also, as far as practicable, make a copy of the relevant parts of the list together with the notice in the form appended available for inspection at office of the Collector or District Magistrate / Sub-divisional Magistrate / Revenue Divisional Officer / Tahsildar / Block Development Officer / Deputy Tahsildar / Sub-Registrar / Police Stations/ or Sarpanches or Panchayat Ghars/ District Board, and at such other places and in such other manners as he may consider necessary and suitable. On such publication, the list shall be the list of polling stations for that constituency.

(2) The District Election Officer (Panchayat) may correct only printing or clerical mistakes, if any, after such publication.

(3) It shall not be necessary for the Returning Officer to publish the list, a second time, except at his office, in a case where elections are being held simultaneously to the intermediate and district Panchayats. He shall, however, do so in the case of single election to the intermediate or district Panchayats.

(4) The entries in columns 4, 5, 8, 9 and 10 and the entries at the bottom of the list relating to the total number of voters, the total number of polling stations and the average number of voters per polling station, shall be deleted before the final publication of the list.

(5) The list of polling stations for a village Panchayat Constituency shall be published in the language or languages in which the electoral roll for that constituency is published.

49. Modification in the list:

(1) Changes in the location of polling stations to new buildings or sites may become necessary, where the owner of the building or site originally proposed for a polling station has since become a contesting candidate or has strong sympathies for such candidate, or because of any natural calamity that might have befallen on such building. All such changes shall be reported forthwith to the State Election Commission for approval.

(2) Once the lists are approved, requests for shifting of the polling stations from one village to another or from one site to another shall be considered, only in extremely exceptional cases where there are overriding considerations of law and order, internal security or public convenience for the change proposed. If the District Election Officer (Panchayat) or Returning Officer is satisfied, he may consult other members of public and contesting candidates and make his recommendations [in case of a Returning Officer, through the

District Election Officer (Panchayat)] to the Commission in the matter.

(3) District Election Officer (Panchayat) shall, on no account, make any change in the location of polling stations already approved by the Commission, without its prior approval, as any change may ultimately result in the election being declared void.

(4) Where changes become inevitable and have to be made, such changes shall be referred to the Commission for its previous approval. The changes shall be fully publicized and all contesting candidates etc., informed in writing.

50. Supply of copies of the list:

(1) As soon as may be, after the list of polling stations has been finally published in the manner specified in Rule 48, a copy of such finally published list shall be supplied, free of cost, to every Panchayat to whom copies of draft lists were earlier supplied under Rule 47.

(2) Each contesting candidate at an election shall be supplied, free of cost, with one copy of the list of polling stations for that constituency, immediately after the last date for withdrawal of candidatures. Copies shall also be made available for sale at the price fixed and may be freely sold to all persons who demand copies.

(3) The District Election Officer (Panchayat) for any Panchayat constituency will also supply the required number of copies to the Director General of Police or Superintendent of Police, as the case may be. Copies will also be supplied to the Returning Officer for the different Panchayat Constituencies, Panchayat Raj Department of the State Government and Assistant Returning Officer(s).

(4) List of polling station may also be put on official website.

51. List of polling stations for future General Elections and bye-elections:

(1) Polling stations shall be located more or less permanently, so that the voters may have a fair idea about their polling stations.

(2) the electoral rolls shall be prepared polling station wise, i.e., each part shall cover a well-defined polling area assigned to a polling station.

(3) Wherever such list has been submitted to the Commission and its approval in regard to that list obtained in terms of section 64, such approved list shall be the list of polling stations for the constituency.

(4) Whenever any General Election or Bye-election is to be held in that constituency in future, the District Election Officer (Panchayat) or Returning Officer shall examine whether any addition to or alteration in the list of polling stations already approved is necessary on account of the revision of the electoral rolls or otherwise before that election.

(i) Change due to variation in no. of electors consequent to the revision of electoral roll:

Every modification as a result of variation in the number of voters within the polling area allotted to a polling station, consequent on the revision of electoral rolls, shall be reported to the State Election Commission for information.

(ii) Change in the nomenclature of the building of a polling station:

After the approval of the list of polling stations for a constituency, if there is any change in the nomenclature of the building in which the polling station is proposed to be set up, for example, upgradation of a Primary School to a Middle School and the like, but otherwise there is no change in the location of the polling station, cases of such change need not be referred to the State Election Commission for its previous approval. However, the Commission shall be informed of such change. The members of public and the

contesting candidates etc. shall also be informed in writing about such change.

(5) If at any such election, no change or modification in the approved list is considered necessary and the same is proposed to be adopted in toto for that election, no further approval of the Commission in regard to that list will be necessary and such list need not be referred to the Commission for its fresh approval before the election. The Commission must, however, be informed of this fact at least two weeks before the last date for withdrawal of candidatures.

(6) Where, however, the list of polling stations already approved by the Commission is proposed to be adopted, with modifications, for the said election, the District Election Officer (Panchayat) shall call a meeting of the representatives of the members of the Panchayat, and the office bearers and after consulting them and informing the Commission of any such modification , it may be used at the said election.

PART V

PREPARATION OF ELECTORAL ROLLS

CHAPTER-I

Electoral Rolls for village Panchayat

52. District Election Officer (Panchayat) to prepare electoral roll for Panchayats:

Electoral Roll for each Panchayat constituency shall be prepared in accordance with the provisions of the Act and these rules by the District Election Officer (Panchayat) under the superintendence, direction and control of the State Election Commission.

53. District Election Officer (Panchayat) to take assistance of officers etc.

The District Election Officer (Panchayat) may take assistance of officers and staff of the Government or of local authorities in the district for preparation of electoral rolls.

54. Last published electoral roll of the Legislative Assembly constituency to be the reference roll:

For every constituency in Panchayats, electoral roll shall be prepared with reference to the last published electoral roll in force under the Representation of People Act 1950(Act 43 of 1950) for the respective Legislative Assembly constituency of the area.

55. Meaning of constituency and electoral roll for every constituency;

In this Part "constituency" means a village Panchayat and every village Panchayat shall have its electoral roll duly prepared under these rules.

56. Form and languages of roll:

(1) The roll for each constituency shall be prepared in such form and in such language or languages as the State Election Commission may direct.

(2) The roll may contain photographs of the electors to convert it into a photo electoral roll on direction of the State Election Commission.

57. Preparation of the electoral roll:

(1) Draft electoral roll shall be prepared from that much part(s) of the electoral roll of the Legislative Assembly constituency(ies) which falls within the territorial area of the village Panchayat.

(2) Every person whose name is included in the electoral roll of that much part(s) of the respective Legislative Assembly constituency(ies), or who is otherwise eligible for registration in that electoral roll and is ordinarily resident of the area shall be eligible to be registered as an elector in the respective village

Panchayat electoral roll in accordance with the provisions of the Act.

(3)(i) The roll shall be divided into convenient parts which shall be numbered consecutively and each part shall cover a ward or a village Panchayat constituency.

(ii) The number of electors included in any Part shall be nearing five hundred.

(4) The last part of the roll shall contain the names of every person having a service qualification and of his wife, if any, who are entitled to be included in that roll by virtue of a statement made under rule 59.

(5) The names of any person holding a declared office and of his wife, if any, who are entitled to be included in the roll by virtue of a statement made under rule 59 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.

58. Order of names:

(1) the names of electors in each part of the roll shall be arranged according to house number, unless the District Election Officer (Panchayat), subject to any general or special instructions issued by the State Election Commission, determines in respect of any part that the alphabetical order is more convenient or that the names shall be arranged partly in one way and partly in the other.

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

59. Claim of being otherwise ordinary resident under section 20 of the Representation of People Act 1950 (Act 43 of 1950):

(1) Every person who holds a declared office or has a service qualification and desires to be registered in the roll for the constituency in which, but for 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 *Forms 12, 13, 14 and 15* as may be appropriate.

(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, have a service qualification.

60. Information to be supplied by occupants of dwelling-houses:

The registration officer may, for the purpose of preparing the roll, send letters of request in *Form 16* 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.

61. Access to certain registers:

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 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.

62. *Publication of roll in draft.*—

(1) 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 17—

(i) at his office, if it is within the constituency, and

(ii) at such place in the constituency as may be specified by him for the purpose, if his office is outside the constituency;

(2) The registration officer shall also—

(i) make a copy of each separate part of the roll, together with a copy of the notice in *Form 17* available for

inspection at a specified place like at the polling station or at the office of the Booth Level Officer or at any other place as the registration officer may deem fit, accessible to the public and in or near the area to which that part relates;

(ii) give such further publicity to the notice in *Form 17* as he may consider necessary; and

(iii) supply one copy of each separate part of the roll to a candidate contesting election of a Panchayat and to whom a symbol has been allotted by the Returning Officer on payment of such price per copy as may be determined by the State Election Commission.

63. Period for lodging claims and objections:

Every claim for the inclusion of a name in the roll and every objection to an entry therein shall be lodged within a period of thirty days from the date of publication of the roll in draft under rule 62, or such shorter period of not less than fifteen days as may be fixed by the State Election Commission in this behalf.

Provided that the State Election Commission may, by notification in the Official Gazette, extend the period in respect of the constituency as a whole or in respect of any part thereof.

64. Form for claims and objections.—

(1) Every claim shall be—

(i) in *Form 18*; and

(ii) signed by the person desiring his name to be included in the roll;

(2) Every objection to the inclusion of a name in the roll shall be—

(i) in *Form 19*; and

(ii) preferred only by a person whose name is already included in that roll;

(3) Every objection to a particular or particulars in an entry in the roll shall be—

(i) in *Form 20*, and

(ii) preferred only by the person to whom that entry relates;

(4) Every application for transposition of an entry from one part to another part of the roll shall be in *Form 21*.

65. Manner of lodging claims and objections.—

Every claim or objection shall—

(i) either be presented to the registration officer or to such other officer as may be designated by him in this behalf or to the booth level officer (Panchayat); or

(ii) be sent by post to the registration officer.

66. Procedure of designated officer or booth level officer

(Panchayat).—

(1) Every officer designated under rule 14 or the booth level officer (Panchayat) shall—

(i) maintain in duplicate a list of claims in *Form 23*, a list of objections to the inclusion of names in *Form 24* and a list of objections to particulars in *Form 25*; and

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

(2) Where a claim or objection is presented to him, he shall, after complying with the requirements of sub-rule (1), forward it with such remarks, if any, as he considers proper to the registration officer.

67. Procedure of registration officer.—

The registration officer also shall—

(1) maintain in duplicate the three lists in *Forms 23, 24 and 25*, entering thereon the particulars of every claim or objection as and when it is received by him whether directly under rule 65 or on being forwarded under rule 66; and

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

68. Rejection of certain claims and objections.—

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.

69. Acceptance of claims and objections without inquiry.—

If the registration officer is satisfied as to the validity of any claim or objection, he may allow it without further inquiry after the expiry of one week from the date on which it is entered in the list exhibited by him under sub rule (2) of rule 67:

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.

70. Notice of hearing claims and objections:

(1) Where a claim or objection is not disposed of under rule 68 or rule 6, the registration officer shall—

(i) specify in the list exhibited by him under clause (b) of rule 75, the date, time and place of hearing of the claim or objection; and

(ii) give notice of the hearing—

(a) in the case of a claim to the claimant in

Form 26;

(b) in the case of an objection to the inclusion of a name, to the objector in *Form 27* and to the person objected to in *Form 28*; and

(c) in the case of an objection to a particular or particulars in an entry, to the objector in *Form 29*.

(2) A notice under this rule may be given either personally or by registered post or by affixing it to the person's residence or last known residence within the constituency.

71. Inquiry into claims and objections.—

(1) The registration officer shall hold a summary inquiry into every claim or objection in respect of which notice has been given under rule 70 and shall record his decision thereon.

(2) At the hearing, the claimant or, as the case may be, the objector and the person objected to and any other person who, in 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—

(i) require any claimant, objector or person objected to, to appear in person before him.

(ii) require that the evidence tendered by any person shall be given on oath and administer an oath for the purpose.

72. Inclusion of names inadvertently omitted:

(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—

(i) prepare a list of the names and other details of such electors;

(ii) 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 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

(iii) 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 59 are received after the publication of the roll in draft under rule 62, the registration officer shall direct the inclusion of the names of the electors covered by the statements in the appropriate parts of the roll.

73. *Deletion of names.*—

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 residents in the constituency or of persons who are otherwise not entitled to be registered in that roll, have been included in the roll and that remedial action should be taken under this rule, the registration officer, shall—

(i) prepare a list of the names and other details of such electors;

(ii) 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

(iii) 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.

74. Final publication of roll.—

(1) The registration officer shall thereafter—

(i) prepare a list of amendments to carry out his decisions under rules 66,68,69 and 70 and to correct any clerical or printing errors or other inaccuracies subsequently discovered in the roll;

(ii) publish the roll, together with the list of amendments, by making a complete copy thereof available for inspection and displaying a notice in *Form 30* at his office; and

(iii) subject to such general or special directions as may be given by the State Election Commission supply, free of cost, two copies of the roll, as finally published, with the list of amendments, if any, to every Panchayat.

(2) On such publication, the roll together with the list of amendments shall be the electoral roll of the constituency or the village Panchayat.

(3) Where the roll (hereafter 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 State Election Commission in this behalf, the list into the basic roll by incorporating inclusion of names, amendment, transposition or deletion of entries in the relevant parts of the basic roll itself 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.

75. Appeals from orders deciding claims and objections.—

(1) An appeal shall lie from any decision of the registration officer under rule 68,69 or rule 70 to District Election Officer (Panchayat) or to such officer of Government as the State Election Commission may designate in this behalf but not below the rank of an Additional District Magistrate (hereinafter referred to as the appellate officer).

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 representations to, the registration officer on the matter which is the subject of appeal.

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

(i) in the form of a memorandum signed by the appellant; and

(ii) presented to the appellate officer within a period of fifteen days from the date of announcement of the decision or sent to that officer by registered post so as to reach him 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 71.

(4) Every decision of the appellate officer 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 appellate officer under this rule.

76. Special provision for preparation of rolls on redelimitation of constituencies:

(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 State Election Commission may direct that it shall be prepared—

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

(ii) by making appropriate alterations in the arrangement, serial numbering and headings of the rolls so compiled.

(2) The roll so prepared shall be published in the manner specified in rule 74 and shall, on such publication, be the electoral roll for the new constituency.

77. *Revision of rolls.*—

(1) The roll for every constituency shall be revised under sub-section (2) of section 71 either intensively or summarily or partly intensively and partly summarily, as the State Election 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 53 to 74 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 58 to 74 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 74, any names have been directed to be included in the roll for the time being in force under section 73 of the Act, 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.

78. Correction of entries and inclusion of names in electoral rolls:

(1) Every application under section 72 or sub-section (1) of section 73 shall be made in duplicate in such one of the *Forms 18, 19, 20, 21 and 22* as may be appropriate.

Provided that the statements in Forms 13,14 and 15 from persons having service qualifications, received after the final publication of the electoral roll shall be deemed to be the applications under sections 72 and 73.

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

(3) 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.

(4) The registration officer shall, as soon as may be after the expiry of the period specified in sub rule (3) consider the application and objections thereto, if any, received by him and shall, if satisfied, direct the inclusion, deletion, correction or transposition 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 rejections.

79. Appeals from under rule 86:

(1) Every appeal under section 74 shall be—

(i) in the form of a memorandum signed by the appellant;

(ii) accompanied by a copy of the order appealed from and a fee of ten rupees to be—

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

(b) deposited in a Government treasury or the Reserve Bank of India in favour of the District Election Officer (Panchayat);

(c) paid in such other manner as may be directed by the State Election Commission; and

(iii) presented to the District Election Officer (Panchayat) within a period of fifteen days from the date of the order appealed from or sent by registered post so as to reach him within that period.

Provided that the District Election Officer (Panchayat) may condone the delay in the presentation of the appeal to him, if he is satisfied that the appellant had sufficient cause for not presenting it within the time prescribed.

(2) where the fee is deposited under clause (b) (ii) of sub-rule (1), the appellant shall enclose with the memorandum of

appeal a Government treasury receipt in proof of the fee having been deposited.

(3) For the purposes of sub-rule (1), an appeal shall be deemed to have been presented to the District Election Officer (Panchayat), when the memorandum of appeal is delivered by, or on behalf of, the appellant to the District Election Officer (Panchayat) himself or to any other officer appointed by him in this behalf.

80. Identity cards for elector:

(1) The State Election Commission may, with a view to 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 the identity card made by the Election Commission of India may be used in any such constituency or part thereof as may be specified in the notification.

(2) The registration officer for such notified constituency shall, as soon as may be, after the issue of the notification under

sub-rule (1), arrange for getting information regarding details of such identity cards issued by the Election Commission of India to every elector in accordance with the provisions of the Registration of Electors Rule 1960.

(3) The State Election Commission may by notification allow some alternative photo identity documents to be presented before the presiding officer at the time of polling for identification for such electors who have not been issued photo identity card by the Election Commission of India till that date.

PART-V

CHAPTER-II

Electoral rolls for other panchayat constituencies (like intermediate or district panchayat)

81. Rolls for other panchayat constituencies:

(1) The roll for other panchayat constituencies like intermediate Panchayat or district Panchayat shall be prepared on the basis of the roll prepared under rule 56 and 57 for the respective village Panchayat and maintained in such form, manner and language or languages as the State Election Commission may direct.

(2) The provisions of rule 77 except sub-rules (3) and (4) thereof and rule 78 shall apply in relation to other panchayat constituencies as they apply in relation to village Panchayat constituencies.

PART-V

CHAPTER-III

Preservation and disposal of

Electoral Rolls

82. Custody and preservation of rolls and connected papers:

(1) After the roll for a constituency has been finally published, the following papers shall be kept in the office of the registration officer or at such other place as the District Election Officer (Panchayat) may by order specify until the expiration of one year after the completion of the next revision of that roll:—

(i) one complete copy of the roll;

(ii) statements submitted to the District Election Officer (Panchayat) under rule 59;

(iii) statements submitted to the registration officer under rule 60;

(iv) register of enumeration forms;

(v) applications in regard to the preparation of the roll;

(vi) manuscript parts prepared by enumerating agencies and used for compiling the roll;

(vii) papers relating to claims and objections;

(viii) papers relating to appeals under rule 79; and

(ix) applications under sections 72 and 73.

(2) One complete copy of the roll for each constituency duly authenticated by the registration officer shall also be kept in such place as the State Election Commission may specify.

83. Inspection of electoral rolls and connected papers:

Every person shall have the right to inspect the election papers referred to in rule 82 and to get attested copies thereof on payment of such fee as may be fixed by the State Election Commission.

84. Disposal of electoral rolls and connected papers.—

(1) The papers referred to in rule 82 shall, on the expiry of the period specified therein, and subject to such general or special directions, if any, as may be given by the State Election Commission in this behalf, be disposed of in such manner as the State Election Commission may direct.

(2) Copies of the electoral roll for any constituency in excess of the number required for deposit under rule 82 and for any other public purpose shall be disposed of at such time and in such manner as the State Election Commission may direct and until such disposal shall be made available for sale to the public.

PART-VI

CONDUCT OF ELECTIONS

CHAPTER-I

General provisions

85. Public notice of intended election.—

The public notice of an intended election referred to in section 94 shall be in *Form 31* and shall, subject to any directions of the State Election Commission, be published in such manner as the returning officer thinks fit.

86. Nomination paper.—

Every nomination paper presented under sub-section (1) of section 96 shall be in *Forms 32*.

Provided that the nomination paper shall be complete in all respect and no column of the nomination paper shall remain unfilled.

Provided further that the nomination paper must accompany with requisite certificates, documents and declarations.

Provided further that a grammatical or a clerical mistake or a failure to complete or defect in completing, the declaration as to symbols in a nomination paper in *Form 32* shall not be deemed to be a defect of a substantial character within the meaning of sub-section (4) of section 100.

87. Form of affidavit and other documents or certificates to be filed at the time of delivering nomination paper:

(1)The candidate or his proposer, as the case may be, shall, at the time of delivering to the returning officer the nomination paper under sub-section (1) of section 96 of the Act, also deliver to him an affidavit sworn by the candidate before a Magistrate of the first class or a Notary in *Form 33*.

(2)Nomination paper shall also accompany the following documents:

(i)Caste certificate, if in case reservation is claimed;

(ii) Affidavit before a First class Magistrate or before a public Notary regarding having qualification of a candidate and declaration regarding not being disqualified from contesting the election under the Act and any other law for the time being in force;

(iii) A certificate issued by the State Election Commission under clause (b) of sub-section (2) of section 83 or under sub-section (1) (c) of section 96;

(iv) Money Receipt in token of deposit of the Security Money.

88. Symbols for elections to Panchayat constituencies.—

(1) The State Election Commission shall, by notification in the Official Gazette of the State, specify the symbols that may be chosen by candidates at elections to Panchayat constituencies and the restrictions to which their choice shall be subject.

(2) Subject to any general or special direction issued by the State Election Commission either under sub rule (4) or sub-rule (5) of rule 94, where at any such election, more nomination

papers than one are delivered by or on behalf of a candidate, the declaration as to symbols made in the nomination paper first delivered, and no other declaration as to symbols, shall be taken into consideration under rule 94 even if that nomination paper has been rejected.

89. Authentication of certificates issued by the Election

Commission:

A certificate issued by the State Election Commission under clause (b) of sub-section (2) of section 83 or under sub-section (1)(c) of section 96 shall be signed by the Secretary to the State Election Commission and shall bear its official seal.

90. Scrutiny of Nomination papers:

The Returning Officer shall undertake scrutiny of the nomination papers as envisaged under section 100, on the date, time, and place, as appointed under section 93 of the Act.

91 . Notice of nominations:

The notice of nominations under section 99 shall be in *Form 34* .

92. List of validly nominated candidates:

(1) The list of validly nominated candidates referred to in sub-section (8) of section 100 shall be in *Form 35*.

(2) The name of every such candidate shall be shown in 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 his nomination paper or is different from the name entered in the electoral roll in force, he may, at any time before the list of contesting 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 as to the genuineness of the request, make the necessary correction or alteration in the list in *Form 35* and adopt that form and spelling in the list of contesting candidates.

93. Notice of withdrawal of candidature:

(1) A notice of withdrawal of candidature under sub-section (1) of section 101 shall be in *Form 36* and shall contain the particulars set out therein and on receipt of such notice, the returning officer shall note thereon the date and time at which it was delivered;

(2) The notice under sub-section (3) of section 101 shall be in *Form 37*.

94). Preparation of list of contesting candidates.—

(1) The list of contesting candidates referred to in sub-section (1) of section 102 shall be in *Form 38* and shall contain the particulars set out therein and shall be prepared in such language or languages as the Election Commission may direct.

(2) If the list is prepared in more languages than one, the names of candidates therein shall be arranged alphabetically according to the script of such one of those languages as the State Election Commission may direct.

(3) At an election in a Panchayat constituency, where a poll becomes necessary, the returning officer shall consider the choice of symbols expressed by the contesting candidates in their nomination papers and shall, subject to any general or special direction issued in this behalf by the State Election Commission,

(i) allot a different symbol to each contesting candidate in conformity, as far as practicable, with his choice; and

(ii) if more contesting candidates than one have indicated their preference for the same symbol decide the allotment as may be directed by the State Election Commission in this behalf, to which of such candidates the symbol will be allotted.

(4) The allotment of any symbol by the returning officer to a candidate shall be final except where it is inconsistent with any directions issued by the State Election Commission in this behalf in which case the State Election Commission may revise

the allotment in such manner as it thinks fit and the decision of the State Election Commission shall be final.

(5) Every candidate or his election agent shall forthwith be informed of the symbol allotted to the candidate and be supplied with a specimen thereof by the returning officer.

95. Publication of list of contesting candidates and declaration of result in uncontested election:

(1) The returning officer shall, immediately after its preparation, cause a copy of the list of contesting candidates to be affixed in some conspicuous place in his office.

(2) where the number of contesting candidates is equal to, or less than, the number of seats to be filled, he shall, immediately after such affixation under sub-rule (1), declare under sub-section (2) or as the case may be, sub-section (3) of section 114 the result of the election in such one of the *Forms 53* or *53B* as may be appropriate and send signed copies of the declaration to the appropriate authority, the State Election Commission and the District Election officer (Panchayat).

(3) If a poll becomes necessary under sub-section (1) of section 114, the returning officer shall supply a copy of the list of contesting candidates to each such candidate or his election agent, and then shall also publish the list in the District Gazette through the District Election Officer (Panchayat).

96. Appointment of election agent:

(1) Any appointment of an election agent under section 103 shall be made in *Form 40* 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 signature in token of his approval of the appointment.

(2) The revocation of the appointment of an election agent under sub-section (1) of section 105 shall be made in *Form 41*.

97. Appointment of polling agents:

(1) The number of polling agents that may be appointed under section 107 shall be one agent and two relief agents.

(2) Every such appointment shall be made in *Form 42* and shall be made over to the polling agent for production at the polling station or the place fixed for the poll, as the case may be.

(3) No polling agent shall be admitted into the polling station or the place fixed for the poll 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.

98. Revocation of the appointment of a polling agent.—

(1) The revocation of the appointment of a polling agent under sub-section (1) of section 109 shall be made in *Form 43* and lodged with the presiding officer.

(2) In the event of any such revocation the candidate or his election agent may, at any time before the poll is closed, make a fresh appointment in the manner specified in rule 104 and the provisions of that rule shall apply to every such agent.

99. Voting normally to be in person:

Save as hereinafter provided, all electors voting at an election shall do so in person at the polling station provided for them under section 64 or, as the case may be, at the place of polling fixed under section 143 of the Act.

PART-VI

CHAPTER-II

REQUISITION OF PROPERTY FOR

ELECTION PURPOSES

100. Requisition of premises, vehicles, etc:

(1) The Deputy Commissioner or the District Magistrate-cum-District Election Officer (Panchayat) may requisition, under section 84 of the Act, any premises, equipments, vehicle, vessel or animal, as may be required for the purpose of election, by requisition in writing.

(2) When any premises etc. requisitioned under sub rule (1) are to be released from requisition, the possession thereof shall be delivered by the District Election Officer (Panchayat) to the person from whom the possession was taken or to any other person as provided under section 89 of the Act.

(3) If any person contravenes any order made under sub rule (1), shall be punished with imprisonment for a term which may extend to one year or with a fine upto rupees five thousand, or with both.

(4) An order of requisition under section 84 shall be served—

(i) where the person to whom such order is addressed is a corporation or firm in the manner provided for the service of summons in rule 2 of Order XXIX or rule 3 of Order XXX, as the case may be, in the First Schedule to the Code of Civil Procedure, 1908 (Act V of 1908); and

(ii) where the person to whom such order is addressed is an individual—

(a) personally by delivering or tendering the order, or

(b) by registered post, or

(c) if the person cannot be found, by leaving an authentic copy of the order with any adult member of his family or by affixing such copy to some conspicuous part of the

premises in which he is known to have last resided or carried on business or personally worked for gain.

101. Time for application for reference to arbitration under section 85:

The time within which any person interested who is aggrieved by the amount of compensation determined under sub-section (1) of section 85 or within which the owner of a vehicle, vessel or animal who is aggrieved by the amount of compensation determined under sub-section (2) of that section may make an application for referring the matter to arbitration shall be fourteen days from the date of determination of the amount of such compensation or where the amount of such compensation has been determined in the absence of the person interested or, as the case may be, the owner, fourteen days from the date on which the intimation of such determination is sent to that person or owner.

PART-VI

CHAPTER-III

Postal ballot

102. Definitions

In this Part,—

(1) “*service voter*” means any person specified in clause (a) or clause (b) of section 122, but does not include “classified service voter” defined in rule 125(1).

(2) “*special voter*” means any person holding an office to which the provisions of sub-section (4) of section 20 of the Representation of the People Act, 1950 (43 of 1950) are declared to apply or the wife of such person, if he or she has been registered as an elector by virtue of a statement made under subsection (5) of the said section.

(3) "*voter on election duty*" means any polling agent, any polling officer, presiding officer or other public servant, who is an elector in the constituency and is by reason of his being on election duty unable to vote at the polling station where he is entitled to vote.

103. *Persons entitled to vote by post.*—

The following persons shall, subject to their fulfilling the requirements hereinafter specified, be entitled to vote by post, namely:—

(1) at an election in a panchayat constituency,

(i) special voters;

(ii) service voters;

(iii) voters on election duty; and

(iv) electors subjected to preventive detention;

(2) at an election by Panchayat members--

(i) electors subjected to preventive detention; and

(ii) any elector if directed by the State Election

Commission in this behalf.

104. Intimation by special voters:

A special voter who wishes to vote by post at an election shall send intimation in *Form 44* to the returning officer so as to reach him at least fifteen days before the date of poll; and, on receipt of the intimation the returning officer shall issue a postal ballot paper to him.

105. Intimation by voters on election duty:

(1) A voter on election duty who wishes to vote by post at an election shall send an application in *Form 44A* to the returning officer so as to reach him at least seven days or such shorter period as the returning officer may allow before the date of poll.

And, if the returning officer is satisfied that the applicant is a voter on election duty, he shall issue a postal ballot paper to him.

(2) Where such voter, being a polling officer, presiding officer or other public servant on election duty in the

constituency of which he is an elector, wishes to vote in person at an election of Panchayat and not by post, he shall send an application in *Form 44A* to the returning officer so as to reach him at least four days, or such shorter period as the returning officer may allow, before the date of poll,

and if the returning officer is satisfied that the applicant is such public servant and voter on election duty in the constituency, he shall—

(i) issue to the applicant an election duty certificate in *Form 44B*,

(ii) mark 'EDC' against his name in the marked copy of the electoral roll to indicate that an election duty certificate has been issued to him, and

(iii) ensure that he is not allowed to vote at the polling station where he would otherwise have been entitled to vote.

106. Electors under preventive detention:

(1) The appropriate Government shall, within fifteen days of the calling of an election, ascertain and intimate to the

returning officer the names of the electors, if any, subjected to preventive detention together with their addresses and electoral roll numbers and the particulars about their places of detention.

(2) Any elector subjected to preventive detention may, within fifteen days of the calling of an election, send an intimation to the returning officer that he wishes to vote by post, specifying his name, address, electoral roll number and place of detention.

(3) The returning officer shall issue a postal ballot paper to every elector subjected to preventive detention whose name has been intimated to him under sub-rule (1) or under sub-rule (2).

107. Form of postal ballot paper:

(1) Every postal 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 State Election Commission may direct.

(2) The names of the candidates shall be arranged on the postal ballot paper in the 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 as the State Election Commission may direct.

108. Issue of postal ballot paper.—

(1) A postal ballot paper shall be sent by post under certificate of posting to the elector together with—

(i) a declaration in *Form 45A*;

(ii) a cover in *Form 45B*;

(iii) a large cover addressed to the returning officer in *Form 45C*; and

(iv) instructions for the guidance of the elector in *Form 45D*.

Provided that the returning officer may, in the case of a special voter or a voter on election duty, deliver the ballot paper

and Forms, or cause them to be delivered, to such voter personally.

(2) The returning officer shall at the same time—

(i) record on the counterfoil of the ballot paper the electoral roll number of the elector as entered in the marked copy of the electoral roll;

(ii) mark the name of the elector in the marked copy of the electoral roll to indicate that a ballot paper has been issued to him, without, however, recording therein the serial number of the ballot paper issued to that elector; and

(iii) ensure that that elector is not allowed to vote at a polling station.

(3) Before any ballot paper is issued to an elector at an election for office of a Panchayat by Panchayat members, the serial number of the ballot paper shall be effectively concealed in such manner as the State Election Commission may direct.

(4) Every officer under whose care or through whom a postal ballot paper is sent shall ensure its delivery to the addressee without delay.

(5) After ballot papers have been issued to all the electors entitled to vote by post, the returning officer shall—

(i) at an election in a Panchayat constituency, subject to the provisions of rule 136, seal up in a packet that part of the marked copy of the electoral roll which relates to service voters and record on the packet a brief description of its contents and the date on which it was sealed and send the other relevant parts of the marked copy to the several presiding officers or marking the names of electors to whom ballot papers are issued at the polling stations without however recording therein the serial numbers of the ballot papers issued to the electors; and

(ii) at any election for office of a Panchayat, seal up in a packet the marked copy of the electoral roll and record on the packet a brief description of its contents and the date on which it is sealed.

(6) The returning officer shall also seal up in a separate packet the counterfoils of the ballot papers issued to electors entitled to vote by post and record on the packet a brief description of its contents and the date on which it was sealed.

109. Recording of Vote:

(1) An elector who has received a postal ballot paper and desires to vote shall record his vote on the ballot paper in accordance with the directions contained in *Part I of Form 45D* and then enclose it in the cover in Form 45B.

(2) The elector shall sign the declaration in Form 45A in the presence of, and have the signature attested by, a stipendiary magistrate or such other officer specified below, as may be appropriate, to whom he is personally known or to whose satisfaction he has been identified—

(i) in the case of a service voter, such officer as may be appointed in this behalf by the Commanding Officer of the unit, ship or establishment in which the voter or her husband, as the case may be, is employed or such officer as may be appointed in this behalf by the diplomatic or consular representative of India in the country in which such voter is resident.

(ii) in the case of a special voter, an officer not below the rank of a Deputy Secretary to Government.

(iii) in the case of a voter on election duty, any gazetted officer or the presiding officer of the polling station at which he is on election duty.

(iv) in the case of an elector under preventive detention, the Superintendent of the Jail or the Commandant of the detention camp in which the elector is under detention; and

(v) in any other case, such officer as may be notified in this behalf by the State Election Commission.

110. Assistance to illiterate or infirm voters.—

(1) If an elector is unable through illiteracy, blindness or other physical infirmity to record his vote on a postal ballot and sign the declaration, he shall take the ballot paper, together with declaration and the covers received by him to an officer competent to attest his signature under sub-rule (2) of rule 109 and request the officer to record his vote and sign his declaration on his behalf.

(2) Such officer shall thereupon mark the ballot paper in accordance with the wishes of the elector in his presence, sign the declaration on his behalf and complete the appropriate certificate contained in *Form 45A*.

111. Re-issue of ballot paper.—

(1) When a postal ballot paper and other papers sent under rule 108 are for any reason returned undelivered, the returning officer may re-issue them by post under certificate of posting or deliver them or cause them to be delivered to the elector personally on a request³ being made by him on proper identification.

(2) If any elector has inadvertently dealt with the ballot paper or any of the other papers sent to him under rule 117 in such a manner that they cannot conveniently be used, a second set of the papers shall be issued to him after he has returned the spoiled papers and satisfied the returning officer of the inadvertence.

(3) The returning officer shall cancel the spoiled papers so returned and keep them in a separate packet after noting thereon the particulars of the election and the serial numbers of the cancelled ballot papers.

112. Return of ballot paper:

(1) After an elector has recorded his vote and made his declaration under rule 109 or rule 110, he shall return the ballot paper and declaration to the returning officer in accordance with the instructions communicated to him in *Part II of Form 45D* so as to reach the returning officer before the hour fixed for the commencement of counting of votes.

(2) If any cover containing a postal ballot paper is received by the returning officer after the expiry of the time fixed in sub-rule (1), he shall note thereon the date and time of its receipt and shall keep all such covers together in a separate packet.

(3) The returning officer shall keep in safe custody until the commencement of the counting of votes all covers containing postal ballot papers received by him.

PART-VI

CHAPTER-IV

Procedure for voting by the notified class of electors

113. Definitions:

In this Part, unless the context otherwise requires:

(1) "Assistant Returning Officer",

for the notified class of electors, means the Assistant Returning Officer notified by the State Election Commission for the purposes of this Part.

(2) "notified elector"

means an elector who belongs to a class of persons notified by the State Election Commission under clause (c) of section 122 of the Act.

114. Special provisions for voting by the notified class of electors:

Notwithstanding anything contained in Part III, the provisions of this Part shall apply to a notified elector who wishes to vote by post at an election.

115. Intimation by a notified elector:

A notified elector, who wishes to vote by post at an election, shall send an application in *Form 44C* to the Assistant Returning Officer for the notified class of electors so as to reach him at least ten days before the date of the poll and on receipt of the intimation such Assistant Returning Officer shall issue a postal ballot paper to him.

Provided that an application which does not furnish complete particulars as required in *Form 44C* may be rejected if such Assistant Returning Officer, despite making reasonable efforts, is not in a position to ascertain the requisite information.

Provided further that an application in Form 44C without a certificate from the authorised officer as required under Part II of *Form 44C* shall be rejected.

116. Form of ballot paper:

(1) Every postal 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 State Election Commission may direct.

(2) The names of the candidates shall be arranged on the postal ballot paper in the 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 as the State Election Commission may direct.

117. Issue of ballot paper:

(1) A postal ballot paper shall be sent by post under certificate of posting to the notified elector together with—

(i) a declaration in *Form 45A*;

(ii) a cover in *Form 45B*;

(iii) a large cover addressed to the Returning Officer in *Form 45C*; and

(iv) instructions for the guidance of the elector in *Form 45E*.

Provided that the Assistant Returning Officer of the notified class of electors may deliver, or cause to be delivered, the ballot paper and the Forms to the notified elector personally.

(2) The Assistant Returning Officer for the notified class of electors shall at the same time—

(i) record on the counterfoil of the ballot paper the electoral roll number of the elector as entered in the marked copy of the electoral roll;

(ii) mark the name of the elector in the marked copy of the electoral roll to indicate that a ballot paper has been

issued to him without, however, recording therein the serial number of the ballot paper issued to that elector;

(iii) ensure that the elector is not allowed to vote at a polling station.

(3) Every officer under whose care or through whom a postal ballot paper is sent shall ensure its delivery to the addressee without delay.

(4) The Assistant Returning Officer for the notified class of electors shall ensure that ballot papers are issued to all such electors whose intimation has been received in accordance with rule 115 and who are entitled to vote by post before eight days from the date of poll in the constituency and shall on expiry of the said period of eight days keep the marked copies of the electoral rolls in sealed envelopes and record on the envelopes a brief description of its contents and the date on which it was sealed and send the sealed envelopes to the Returning Officer concerned.

(5) The Assistant Returning Officer for the notified class of electors shall also seal in a separate packet the counterfoils of

the ballot papers issued to electors entitled to vote by post and record on the packet a brief description of its contents and the date on which it was sealed and send the sealed packet to the Returning Officer concerned.

118. Recording of vote:

(1) A notified elector who has received a postal ballot paper and desires to vote shall record his vote on the ballot paper in accordance with the instructions contained in *Form 45E* and then enclose it in the cover in *Form 45B*.

(2) The notified elector shall sign the declaration in Form 45A in the presence of, and have the signature attested by, an officer authorised under sub-rule (2) of rule 122.

119. Assistance to illiterate or infirm electors:

(1) If a notified elector is unable through illiteracy, blindness or other physical infirmity to record his vote on a postal ballot paper and sign the declaration, he shall take the ballot paper together with the declaration and the covers

received by him to an officer authorised under sub-rule (2) of rule 122 and request the officer to record his vote and sign his declaration on his behalf.

(2) Such officer shall thereupon mark the ballot paper in accordance with the wishes of the elector in his presence, sign the declaration on his behalf and complete all the requirements to be made in this behalf.

120. Re-issue of ballot paper.—

(1) When a postal ballot paper and other papers sent under rule 117 are for any reason returned undelivered, the Assistant Returning Officer for the notified class of electors may re-issue them by post under certificate of posting or deliver them or cause them to be delivered to the elector personally either on a request being made by him or of his own.

(2) If any notified elector has inadvertently dealt with the ballot paper or any of the other papers sent to him under rule 117 in such a manner that they cannot conveniently be used, a second set of the papers shall be issued to him after he has

returned the spoiled papers and satisfied the Assistant Returning Officer for the notified class of electors of the inadvertence.

(3) The Assistant Returning Officer for the notified class of electors shall cancel the spoiled papers so returned and keep them in a separate packet after noting thereon the particulars of the election and the serial numbers of the cancelled ballot papers.

121. Return of ballot paper.—

(1) After a notified elector has recorded his vote and made his declaration under rule 118 or rule 119, he shall return the ballot paper and the declaration to the Returning Officer concerned before the hour fixed for the commencement of counting of votes.

(2) If any cover containing a postal ballot paper is received by the Returning Officer after the expiry of the time fixed in sub-rule (1), he shall note thereon the date and time of its receipt and shall keep all such covers together in a separate packet.

(3) The Returning Officer shall keep in safe custody until the commencement of the counting of votes all covers containing postal ballot papers received by him.

122. Officers authorised to perform certain functions under this Part:

(1) The officers mentioned in sub-rule (2) shall be the authorised officers for the purpose of—

(i) sub-rule (2) of rule 119;

(ii) issuing certificate in Part II of Form 44C.

(2) Any of the following officers shall be the authorised officers for the purpose of sub-rule (1) —

(i) an officer incharge of a migrant camp/area;

(ii) an officer incharge of an office from where the migrant elector draws his salary as a migrant employee;

(iii) an officer incharge of a treasury/bank from where the migrant elector draws his pension as a pensioner;

(iv) any gazetted officer.

123. Marked copy of the electoral roll:

The Returning Officer shall ensure that the marked copy of the electoral roll received by him from the Assistant Returning Officer for the notified class of electors is used during the poll in the constituency so that such electors who have been supplied with a postal ballot paper do not cast the vote again.

124. Mixing of postal ballot papers with ordinary ballot papers:

Notwithstanding anything contained in rule 182, the State Election Commission may direct, by notification in the Official Gazette, that the postal ballot papers may be mixed with the ordinary ballot papers at the time of mixing of ordinary ballot papers under rule 187 and, in that case, the Election Commission may also prescribe, by directions to the Returning Officers, the manner in which the mixing of postal ballot papers shall be done with the ordinary ballot papers in the constituency.

PART-VI

CHAPTER-V

Voting by classified service voters through proxy

125. Definitions:

In this Part, unless the context otherwise requires:

(1) “*classified service voter*” means any person specified in clause (a) of section 122, who opts to give his vote by proxy.

(2) “*proxy*” means the person appointed by a classified service voter as his proxy under rule 126 to give vote on his behalf and in his name;

(3) “*service voter*” means any person specified in clause (a) of section 122 and registered as an elector in the last part of the electoral roll for the constituency.

126. Appointment of proxy by a classified service voter.—

(1) A service voter may opt to give his vote by proxy appointed in the manner provided in sub-rules (2) to (4).

(2) Any service voter opting to vote by proxy may appoint any person as his proxy to give vote on his behalf and in his name at an election in a Panchayat.

Provided that such proxy shall be an ordinary resident in the constituency concerned and of not less than 18 years of age and shall not be disqualified for registration as an elector in an electoral roll under section 63 of the Act.

(3) The appointment of proxy under sub-rule (2) shall be made by the classified service voter in *Form 45F*;

(4) Any appointment of proxy made under sub-rule (3) shall be deemed to be valid so long as the person making it

continues to be a service voter or till the date he revokes such appointment, or dies, whichever is earlier.

Provided that any revocation of appointment shall be made in *Form 45G* and shall be effective from the date on which it is received by the returning officer.

Provided further that where he revokes such appointment, or the proxy appointed by him dies, while he remains a service voter, he may appoint another person as proxy under these rules, as a substitute proxy in *Form 45G* and the substitute proxy so appointed shall be the proxy appointed by such classified service voter under sub-rule (3) from the date of receipt of the *Form 45G* by the returning officer.

127. Intimation of name of proxy by the classified service voter:

(1) The name of the proxy appointed by a classified service voter under sub-rule (3), or, as the case may be, under the second proviso to sub-rule (4), of rule 126 shall be intimated by him to the returning office as soon as may be after such

appointment is made, and such intimation must reach the returning officer not later than the last date for making nominations for the earliest election in the constituency after such appointment.

(2) Notwithstanding anything contained in sub-rule (1), if any intimation under that sub-rule reaches the returning officer after the last date for making nominations in the constituency, such intimation shall not be valid for the election then in progress, but shall, subject to the provisions of sub-rule (4) of rule 126, be valid for any future election in the constituency.

128. Action by returning officer on intimation of name of proxy:

(1) On receipt of intimation under rule 127 from a classified service voter in regard to his proxy, the returning officer shall mark “CSV” against the name of such voter in the last part of the electoral roll containing the names of all service voters so as to indicate that the said voter has appointed his proxy, and the returning officer shall—

(i) If it is an intimation received the last date for making nominations in the constituency, ensure that no postal ballot paper is issued to such classified service voter; and

(ii) if it is an intimation received after the said last date, ensure that a postal ballot paper is issued to such classified service voter for the election then in progress, in accordance with the provisions contained in Part III of these rules.

(2) The returning officer shall also prepare, and maintain up-to date, a separate list of all classified service voters who have given intimation of their proxies under rule 127, and also of all such proxies with their complete addresses, in such form and such manner as the State Election Commission may specify from time to time.

(3) As soon as may be after the last date for making nominations in the constituency, the returning officer shall, on the basis of the list maintained under sub-rule (2) and subject to such further direction as the State Election Commission may give in this behalf, prepare or cause to be prepared polling station-wise sub-lists of all classified service voters and their

proxies having regard to the residential address of each such classified service voter as given in the electoral roll.

(4) Each sub-list prepared under sub-rule (3) shall thereafter be caused to be added by the returning officer at the end to the relevant part of the electoral roll pertaining to each polling station concerned, and such relevant part of the electoral roll together with the said sub-list shall be deemed to be the copy of the electoral roll to be used as the marked copy of the electoral roll under rule 136 or, as the case may be, under rule 158 during the poll at the polling station concerned.

129. Recording of votes of proxy.—

(1) A person voting as proxy for a classified service voter shall do so in person at the polling station concerned in the electoral roll of which the name of such classified service voter is added under sub-rule (4) of rule 128.

(2) The person voting as proxy shall record the vote on behalf of the classified service voter at the said polling station, in the same manner as any other elector assigned to that polling

station and the provisions of rules 137,138 and 139 to 147 or, as the case may be, rules 159,160,162 to 170 shall apply in relation to the recording of vote by such proxy as they apply to any other elector at the polling station.

Provided that any reference to left forefinger of elector in rule 141 or, as the case may be, rule 163 shall be construed as reference to left middle finger of the person voting as a proxy under this rule.

PART-VI

CHAPTER-VI

Voting in Panchayat Constituencies

SUB-CHAPTER I

VOTING BY BALLOT

130. Definitions:

In this Sub-Chapter and Sub-Chapter II, unless the context otherwise requires:

(1) "*candidate*" means a contesting candidate;

(2) "*constituency*" means a Panchayat territorial constituency;

and

(3) "*polling agent*", in relation to a polling station, means a polling agent of a candidate duly appointed under section 107

for the polling station and includes a candidate and the election agent of a candidate when present at the polling station.

131. Design of ballot boxes:

(1) Every ballot box shall be of such design as may be approved by the State Election Commission.

(2) Subject to the order of the State Election Commission, every ballot box shall be of such design in which the ballot paper may be dropped but cannot be taken out without tampering with the paper seal used and without opening the box.

132. Form of ballot papers:

(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 State Election 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 as the State Election Commission may direct.

133. Arrangements at polling stations:

(1) Outside each polling station there shall be displayed prominently:

(i) a notice specifying the polling area the electors of which are entitled to vote at the polling station and, when the polling area has more than one polling station, the particulars of the electors so entitled; and

(ii) a copy of the list of contesting candidates.

(2) At each polling station, there shall be set up one or more voting compartments in which electors can record their votes screened from observation.

(3) The returning officer shall provide at each polling station sufficient number of ballot boxes, copies of the relevant part of the electoral roll, ballot papers, paper seals, indelible ink,

instruments for stamping the distinguishing mark on ballot papers and articles necessary for electors to mark the ballot papers and such other articles, materials, stationeries as may be necessary for smooth conduct of the poll.

(4) Indelible ink, paper seals and other materials necessary for conduct of the poll shall be of such specification as may be directed by the State Election Commission.

134. Admission to polling stations:

The presiding officer shall regulate the number of electors to be admitted at any one time inside the polling station and shall exclude there from all persons other than—

(1) polling officers;

(2) public servants on duty in connection with the election;

(3) persons authorised by the State Election Commission;

(4) candidates, their election agents and subject to the provisions of rule 97, one polling agent of each candidate;

(5) a child in arms accompanying an elector;

(6) a person accompanying a blind or infirm elector who cannot move without help; and

(7) such other persons as the returning officer or the presiding officer may employ under sub-rule (2) of rule 137 or sub-rule (1) of rule 138.

135. Preparation of ballot boxes for poll:

(1) Where a 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 of the polling agents present as are desirous of affixing the same.

(2) The presiding officer shall thereafter fix the paper seal so signed in the space meant therefor in the ballot box and shall then secure and seal the box in such manner that the slit for the insertion of ballot paper thereinto remains open.

(3) The seals used for securing a ballot box shall be affixed in such manner that after the box has been closed it is not possible to open it without breaking the seals.

(4) Where it is not necessary to use paper seals for securing the ballot boxes, the presiding officer shall secure and seal the ballot box in such manner that the slit for the insertion of ballot papers remains open and shall allow the polling agents present to affix, if they so desire, their seals.

(5) Every ballot box used at a polling station shall bear labels, both inside and outside, marked with—

(i) the serial number, if any, and name of the constituency;

(ii) the serial number and name of the polling station;

(iii) the serial number of the ballot box (to be filled in at the end of the poll on the label outside the ballot box only);
and

(iv) the date of poll.

(6) Immediately before the commencement of the poll, the presiding officer shall demonstrate to the polling agents and other persons present that the ballot box is empty and bears the labels referred to in sub-rule (5).

(7) The ballot box shall then be closed, sealed and secured and placed in full view of the presiding officer and the polling agents.

136. Marked copy of electoral roll:

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—

(1) any entry other than those made in pursuance of clause (b) of sub-rule (2) of rule 105 or clause (b) of sub-rule (2) of rule 117 and

(2) any mark other than the mark made in pursuance of clause (b) of sub-rule (2) of rule 108 or clause (b) of sub-rule (2) of rule 117.

137. Facilities for women electors:

(1) Where a polling station is for men and women electors both, the presiding officer may direct that they shall be admitted into the polling station alternately in separate batches;

(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 women elector in case it becomes necessary.

138. Identification of electors:

(1) The presiding officer may employ at the polling station such persons as he thinks fit to help in the identification of the electors or to assist him otherwise in taking the poll.

(2) As each elector enters the polling station, the presiding officer or the polling officer authorised by him in this behalf shall check the elector's name and other particulars with the

relevant entry in the electoral roll and then call out the serial number, name and other particulars of the elector.

(3) Before delivery of the ballot paper to an elector, the presiding officer shall ask the elector to produce his photo identity document, as specified by the State Election Commission. Where the electors have been supplied with identity cards under the provisions of the Registration of Electors Rules, 1960, the elector shall produce his Elector Photo Identity Card, and if Elector Photo Identity Card has not been issued to an elector, he shall be asked to produce other alternative photo identity document as notified by the State Election Commission, before the presiding officer or the polling officer authorised by him in this behalf.

(4) In deciding the right of a person to obtain a ballot paper, the presiding officer or the polling officer, as the case may be, shall overlook merely clerical or printing errors in an entry in the electoral roll, if he is satisfied that such person is identical with the elector to whom such entry relates.

139. Facilities for public servants on election duty:

(1) The provisions of rule 134 shall not apply to any person who produces at the polling station an election duty certificate in *Form 45B* and asks for the issue of a ballot paper to him although the polling station is different from the one where he is entitled to vote.

(2) On production of such certificate the presiding officer shall—

(i) obtain thereon the signature of the person producing it;

(ii) have the person's name and electoral roll number as mentioned in the certificate entered at the end of the marked copy of the electoral roll; and

(iii) issue to him a ballot paper, and permit him to vote, in the same manner as for an elector entitled to vote at that polling station.

140. Challenging of identity:

(1) Any polling agent may challenge the identity of a person claiming to be a particular elector by first depositing a sum of five rupees in cash with the presiding officer for each such challenge.

(2) On such deposit being made, the presiding officer shall—

(i) warn the person challenged of the penalty for personation;

(ii) read the relevant entry in the electoral roll in full and ask him whether he is the person referred to in that entry;

(iii) enter his name and address in the list of challenged votes in *Form 46*; and

(iv) require him to affix his signature in the said list.

(3) The presiding officer shall thereafter hold a summary inquiry into the challenge and may for that purpose--

(i) require the challenger to adduce evidence in proof of the challenge and the person challenged to adduce evidence in proof of his identity;

(ii) put to the person challenged any questions necessary for the purpose of establishing his identity and require him to answer them on oath; and

(iii) administer an oath to the person challenged and any other person offering to give evidence.

(4) If, after the inquiry, the presiding officer considers 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 the person challenged from voting.

(5) If the presiding officer is of the opinion that the challenge is frivolous or has not been made in good faith, he shall direct that the deposit made under sub-rule (1) be forfeited to Government, and in any other case, he shall return to the challenger at the conclusion of the inquiry.

141. Safeguards against personation:

(1) Every elector about whose identity the presiding officer or the polling officer, as the case may be, is satisfied,

shall allow his left forefinger to be inspected by the presiding officer or polling officer and an indelible ink mark to be put on it;

(2) If any elector—

(i) refuses to allow his left forefinger to be inspected or marked in accordance with sub-rule (1) or has already such a mark on his left forefinger or does any act with a view to removing the ink mark, or

(ii) fails or refuses to produce his identity card as required by sub-rule (3) of rule 138, he shall not be supplied with any ballot paper or allowed to vote.

(3) Where a poll is taken simultaneously for different levels of a Panchayat, an elector whose left forefinger has been marked with indelible ink or who has produced his identity card at one such election shall, notwithstanding anything contained in sub-rules (1) and (2), be supplied with ballot papers for such other elections.

(4) Any reference in this rule to the left forefinger of an elector shall, in the case where the elector has his left forefinger

missing, be construed as a reference to any other finger of his left hand, and shall, in the case where all the fingers of his left hand are missing, be construed as a reference to the forefinger or any other finger of his right hand, and shall in the case where all his fingers of both the hands are missing be construed as a reference to such extremity of his left or right arm as he possesses.

142. Issue of ballot papers to electors:

(1) Every ballot paper before it is issued to an elector, and the counterfoil attached thereto shall be stamped on the back with such distinguishing mark as the State Election Commission may direct, and every ballot paper, before it is issued, shall be signed in full on its back by the presiding officer.

(2) At the time of issuing a ballot paper to an elector, the polling officer shall—

(i) record on its counterfoil the electoral roll number of the elector as entered in the marked copy of the electoral roll.

(ii) obtain the signature or thumb impression of that elector on the said counterfoil; and

(iii) mark the name of the elector in the marked copy of the electoral roll to indicate that a ballot paper has been issued to him, without however recording therein the serial number of the ballot paper issued to that elector.

Provided that no ballot paper shall be delivered to an elector unless he has put his signature or thumb impression on the counterfoil of that ballot paper.

(3) Notwithstanding anything contained in sub-rule (2) of rule 2, it shall not be necessary for any presiding officer or polling officer or any other officer to attest the thumb impression of the elector on the counterfoil.

(4) No person in the polling station shall note down the serial numbers of the ballot papers issued to particular electors.

143. Maintenance of secrecy of voting by electors within polling station and voting procedure:

(1) Every elector to whom a ballot paper has been issued under rule 142 or under any other provision of these rules shall maintain secrecy of voting within the polling station and for that purpose observe the voting procedure hereinafter laid down.

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

(i) proceed to one of the voting compartments.

(ii) 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.

(iii) fold the ballot paper so as to conceal his vote.

(iv) if required, show to the presiding officer the distinguishing mark on the ballot paper.

(v) insert the folded ballot paper into the ballot box and

(vi) 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 those 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 papers: voting procedure violated*".

(8) Without prejudice to any other 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.

144. Recording of votes of blind or infirm electors:

(1) If the presiding officer is satisfied that owing to blindness or other physical infirmity an elector is unable to recognise the symbols on the ballot paper or to make a mark thereon without assistance, 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 recording the vote on the ballot paper on his behalf and in accordance with his wishes, and, if necessary, for folding the ballot paper so as to conceal the vote and inserting it into the ballot box.

Provided that no person shall be permitted to act as the companion of more than one elector at any polling station on the same day.

Provided further that before any person is permitted to act as the companion of an elector on any day under this rule, the person shall be required to declare that he will keep secret the

vote recorded by him on behalf of the elector and that he has not already acted as the companion of any other elector at any polling station on that day.

(2) The presiding officer shall keep a record in *Form 46A* of all cases under this rule.

145. Spoilt and returned ballot papers:

(1) An elector who has inadvertently dealt with his ballot paper in such manner that it cannot be conveniently used as a ballot paper may, on returning it to the presiding officer and on satisfying him of the inadvertence, be given another ballot paper, and the ballot paper so returned and the counterfoil of such ballot paper shall be marked ``*Spoilt: cancelled*'' by the presiding officer.

(2) If an elector after obtaining a ballot paper decides not to use it, he shall return it to the presiding officer, and the ballot paper so returned and the counterfoil of such ballot paper shall be marked as ``*Returned cancelled*'' by the presiding officer.

(3) All ballot papers cancelled under sub-rule (1) or sub-rule (2) shall be kept in a separate packet.

146. *Tendered votes:*

(1) If a person representing himself to be a particular elector applies for a ballot paper after another person has already voted as such elector, he shall, on satisfactorily answering such questions relating to his identity as the presiding officer may ask, be entitled, subject to the following provisions of this rule, to mark a ballot paper (hereinafter in these rules referred to as a "*tendered ballot paper*") in the same manner as any other elector.

(2) Every such person shall, before being supplied with a tendered ballot paper, sign his name against the entry relating to him in a list in *Form 47*.

(3) A tendered ballot paper shall be the same as the other ballot papers used at the polling except that—

(i) such tendered ballot paper shall be serially the last in the bundle of ballot papers issued for use at the polling station; and

(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.

(4) The elector, after marking a tendered ballot paper in the voting compartment and folding it, shall, instead of putting it into the ballot box, give it to the presiding officer, who shall place it in a cover specially kept for the purpose.

147. Closing of poll:

(1) The presiding officer shall close a polling station at the hour fixed in that behalf under section 116 and shall not thereafter admit any elector into the polling station.

Provided that all electors present at the polling station before it is closed shall be allowed to cast their votes.

(2) If any question arises whether an elector was present at the polling station before it was closed, it shall be decided by the presiding officer and his decision shall be final.

148. Sealing of ballot boxes after poll:

{1) As soon as practicable after the closing of the poll, the presiding officer shall close the slit of the ballot box, and where the box does not contain any mechanical device for closing the slit, he shall seal up the slit and also allow any polling agent present to affix his signature or seal.

(2) The ballot box shall thereafter be sealed and secured.

(3) Where it becomes necessary to use a second ballot box by reason of the first ballot box getting full, the first box shall be closed, sealed and secured as provided in sub-rules (1) and (2) before another ballot box is put into use.

(4) The foregoing provisions of this rule shall not apply at a polling station to the presiding officer of which the State Election Commission has issued a direction asking him to proceed in accordance with sub-rule (5).

(5) At any such polling station, as soon as practicable after the close of poll, the presiding officer shall--

(i) transfer all the ballot papers contained in the ballot box or boxes used at that polling station, without examining or counting them and with due regard to the secrecy of the ballot, into a cloth bag or cloth-lined cover after demonstrating to the polling agents present that the bag or cover is empty.

(ii) allow the polling agents present to inspect each ballot box and demonstrate to them that it has been emptied.

(iii) record on the bag or cover the name of the constituency, the name of the polling station and the date of the poll; and

(iv) seal the bag or cover and allow any polling agent present to affix his signature or seal thereon.

149. Account of ballot papers:

(1) The presiding officer shall at the close of the poll prepare a ballot paper account in *Form 48* and enclose it in a

separate cover with the words “*Ballot Paper Account*” super scribed thereon.

(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 therefor and shall also attest it as a true copy.

150. Sealing of other packets:

(1) The presiding officer shall then make into separate packets:

(i) the marked copy of the electoral roll;

(ii) the counterfoils of the used ballot paper;

(iii) the ballot papers signed in full by the presiding officer under sub-rule (1) of rule 142 but not issued to the voters;

(iv) any other ballot papers not issued to the voters;

(v) the ballot papers cancelled for violation of voting procedure under rule 143;

(vi) any other cancelled ballot papers;
(vii) the cover containing the tendered ballot papers
and the list in Form 47;
(viii) the list of challenged votes (Form 46); and
(ix) any other papers directed by the State Election
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 signature or seal
thereon.

***151. Transmission of ballot boxes, etc., to the returning
officer:***

(1) The presiding officer shall then deliver or cause to be
delivered to the returning officer at such place as the returning
officer may direct—

(i) the ballot boxes or, as the case may be, the bags or
covers referred to in rule 148;

- (ii) the ballot paper account (*Form 48*);
- (iii) the sealed packets referred to in rule 150; and
- (iv) all other papers used at the poll.

(2) The returning officer shall make adequate arrangements for the safe transport of all ballot boxes, packets and other papers and for their safe custody until the commencement of the counting of votes.

152. Procedure on adjournment of poll:

(1) If the poll at any polling station is adjourned under subsection (1) of section 117, the provisions of rules 148 to 151 shall, as far as practicable, apply as if the poll was closed at the hour fixed in that behalf under section 116.

(2) When an adjourned poll is recommenced under subsection (2) of section 117, the electors who have already voted at the poll so adjourned shall not be allowed to vote again.

(3) The returning officer shall provide the presiding officer of the polling station at which such adjourned poll is held, with

the sealed packet containing the marked copy of the electoral roll and a new ballot box.

(4) The presiding officer shall open the sealed packet in the presence of the polling agents present and use the marked copy of the electoral roll for marking the names of the electors to whom the ballot papers are issued at the adjourned poll, without however recording therein the serial number thereof.

(5) The provisions of rules 130 to 151 shall apply in relation to the conduct of an adjourned poll as they apply in relation to the poll before it was so adjourned.

PART-VI

CHAPTER-VI

SUB-CHAPTER II

VOTING BY ELECTRONIC

VOTING MACHINES

153. Design of Electronic Voting Machines.—

Every electronic voting machine (hereinafter referred to as the voting machine) shall have a control unit and one or more balloting units and shall be of such designs as may be approved by the State Election Commission.

154. Preparation of voting machine by the returning Officer

(Panchayat):

(1) The balloting unit of the voting machine shall contain such particulars and in such language or languages as the State Election Commission may specify;

(2) The names of the candidates shall be arranged on the balloting unit in the same order in which they appear in the list of the 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 as the State Election Commission may direct;

(4) Subject to the foregoing provisions of this rule, the returning officer shall—

(i) fix the label containing the names and symbol of the contesting candidates in the balloting unit and secure that unit with his seal and the seals or signatures of such of the contesting candidates or their election agents present as are desirous of affixing the same;

(ii) set the number of contesting candidates and close the *candidate set* section in the control unit and secure it with his seal and the seals or signatures of such of the contesting candidates or their election agents present as are desirous of affixing the same.

155 . Arrangements at the polling stations:

(1) Outside each polling station there shall be displayed prominently—

(i) a notice specifying the polling area, the electors of which are entitled to vote at the polling station and, when the polling area has more than one polling station, the particulars of the electors so entitled; and

(ii) a copy of the list of contesting candidates.

(2) At each polling station there shall be set up one or more voting compartments in which the electors can record their votes free from observation;

(3) The returning officer shall provide at each polling station one voting machine and copies of relevant part of the

electoral roll, paper seals, indelible ink and such other election material as may be necessary for taking the poll;

(4) Indelible ink, paper seals and other materials necessary for conduct of the poll shall be of such specification as may be directed by the State Election Commission.

(5) Without prejudice to the provisions of sub-rule (3), the returning officer (Panchayat) may, with the previous approval of the State Election Commission, provide one common voting machine for two or more polling stations located in the same premises.

156. Admission to polling stations.—

The presiding officer shall regulate the number of electors, to be admitted at any one time inside the polling station and shall exclude there from all persons other than—

(i) polling officers;

(ii) public servants on duty in connection with the election;

(iii) persons authorised by the State Election

Commission;

(iv) candidates, their election agents and subject to the provisions of rule 97, one polling agent of each candidate;

(v) a child in arms accompanying an elector;

(vi) a person accompanying a blind or infirm elector who cannot move without help; and

(vii) such other person as the returning officer or the presiding officer may employ under sub-rule (2) of rule 159 or sub-rule (1) of rule 160;

157. Preparation of voting machine for poll.—

(1) The control unit and balloting unit of every voting machine used at polling station shall bear a label marked with—

(i) the serial number, if any, and the name of the constituency;

(ii) the serial number and name of the polling station or stations as the case may be;

(iii) the serial number of the unit; and

(iv) the date of poll.

(2) Immediately before the commencement of the poll, the presiding officer shall demonstrate to the polling agents and other persons present that no vote has already been recorded in the voting machine and it bears the label referred to in sub-rule (4).

(3) A paper seal shall be used for securing the control unit of the voting machine, and the presiding officer shall affix his own signature on the paper seal and obtain thereon the signature of such of the polling agents present as the desirous of affixing the same.

(4) The presiding officer shall thereafter fix the paper seal so signed in the space meant there for in the control unit of the voting machine and shall secure and seal the same.

(5) The seal used for securing the control unit shall be fixed in such manner that after the unit has been sealed, it is not possible to press the "*result button*" without breaking the seal.

(6) The control unit shall be closed and secured and placed in full view of the presiding officer and the polling agents and the balloting unit placed in the voting compartment.

158. Marked copy of electoral roll.—

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—

(i) any entry other than that made in pursuance of clause (b) of sub-rule (2) of rule 105; and

(ii) any mark other than the mark made in pursuance of clause (ii) of sub-rule (2) of rule 108;

159. Facilities for women electors.—

(1) Where a polling station is for men and women electors both, the presiding officer may direct that they shall be admitted into the polling station alternately in separate batches;

(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 frisking any woman elector in case it becomes necessary;

160. Identification of electors.—

(1) The presiding officer may employ at the polling station such persons as he thinks fit to help in the identification of the electors or to assist him otherwise in taking the poll;

(2) As each elector enters the polling station, the presiding officer or the polling officer authorised by him in this behalf shall check the elector's name and other particulars with the relevant entry in the electoral roll and then call out the serial number, name and other particulars of the elector;

(3) Where the polling station is situated in a constituency electors of which have been supplied with identity cards under the provisions of the Registration of Electors Rules, 1960, the

elector shall produce his identity card or other alternative photo identity document, as specified by public notification by the State Election Commission, before the presiding officer or the polling officer authorised by him in this behalf;

(4) In deciding the right of a person to cast his vote, the presiding officer or the polling officer, as the case may be, shall over-look the clerical or printing errors in an entry in the electoral roll if he is satisfied that such person is identical with the elector to whom such entry relates;

161. Facilities for public servants on election duty.—

(1) The provisions of rule 160 shall not apply to any person who produces at the polling station an election duty certificate in *Form 44B* and seeks permission to cast his vote at that polling station although it is different from the one where he is entitled to vote.

(2) On production of such certificate, the presiding officer shall—

- (i) obtain thereon, the signature of the person producing it;
- (ii) have the person's name and electoral roll number as mentioned in the certificate entered at the end of the marked copy of the electoral roll; and
- (iii) permit him to cast his vote in the same manner as for an elector entitled to vote at that polling station.

162. Challenging of identity.—

(1) Any polling agent may challenge the identity of a person claiming to be a particular elector by first depositing a sum of five rupees in cash with the presiding officer for each such challenge.

(2) On such deposit being made, the presiding officer shall—

- (i) warn the person challenged of the penalty for personation;

- (ii) read the relevant entry in the electoral roll in full and ask him whether he is the person referred to in that entry;

(iv) enter his name and address in the list of challenged votes in *Form 46*; and

(v) require him to affix his signature in the said list.

(3) The presiding officer shall thereafter hold a summary inquiry into the challenge and may for that purpose—

(i) require the challenger to adduce evidence in proof of the challenge and the person challenged to adduce evidence of proof of his identity;

(ii) put to the person challenged any questions necessary for the purpose of establishing his identity and require him to answer them on oath; and

(iii) administer an oath to the person challenged and any other person offering to give evidence.

(4) If, after the inquiry, the presiding officer considers 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 the person challenged from voting.

(5) If the presiding officer is of the opinion that the challenge is frivolous or has not been made in good faith, he shall direct that the deposit made under sub-rule (1) be forfeited to Government and in any other case, returned to the challenger at the conclusion of the inquiry.

163. Safeguards against personation.—

(1) Every elector about whose identity the presiding officer or the polling officer, as the case may be, is satisfied, shall allow his left forefinger to be inspected by the presiding officer or polling officer and an indelible ink mark to be put on it.

(2) If any elector—

(i) refuse to allow his left forefinger to be inspected or marked in accordance with sub-rule (1) or has already such a mark on his left forefinger or does any act with a view to removing the ink mark, or

(ii) fails or refuses to produce his identity card as required by sub-rule (3) of rule 160 he shall not be allowed to vote.

(3) Where a poll is taken simultaneously for different levels of a Panchayat, an elector whose left forefinger has been marked with indelible ink or who has produced his identity card at one such election, shall notwithstanding anything contained in sub-rules (1) and (2) be permitted to cast his vote for the other election.

(4) Any reference in this rule to the left forefinger of an elector shall, in the case where the elector has his left forefinger missing, be construed as a reference to any other finger to his left hand, and shall, in the case where all the fingers of his left hand are missing, be construed as a reference to the forefinger or any other finger of his right hand, and shall in the case where all his fingers of both the hands are missing be construed as a reference to such extremity of his left or right arm as he possesses.

164. Procedure for voting by voting machines.—

(1) Before permitting an elector to vote, the polling officer shall—

(i) record the electoral roll number of the elector as entered in the marked copy of the electoral roll in a register of voters in *Form 49A*;

(ii) obtain the signature or the thumb impression of the elector on the said register of votes; and

(iii) mark the name of the elector in the marked copy of the electoral roll to indicate that he has been allowed to vote:

Provided that no elector shall be allowed to vote unless he has his signature or thumb impression on the register of voters.

(2) Notwithstanding anything contained in sub-rule (2) of rule 2, it shall be necessary for any presiding officer or polling officer or any other officer to attest the thumb impression of the elector on the register of voters.

165. Maintenance of secrecy of voting by electors within the polling station and voting procedures.—

(1) Every elector who has been permitted to vote under rule 164 shall maintain secrecy of voting within the polling station and for that purpose observe the voting procedure hereinafter laid down.

(2) Immediately on being permitted to vote the elector shall proceed to the presiding officer or the polling officer in charge of the control unit of the voting machine who shall, by pressing the appropriate button on the control unit, activate the balloting unit; for recording of elector's vote.

(3) The elector shall thereafter forthwith—

(i) proceed to the voting compartment;

(ii) record his vote by pressing the button on the balloting unit against the name and symbol of the candidate for whom he intends to vote; and

(iii) come out of the voting compartment and leave the polling station.

(4) Every elector shall vote without undue delay.

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

(6) If an elector who has been permitted to vote under rule 164 or rule 168 refuses after warning given by the presiding officer to observe the procedure laid down in sub-rule (3) of the said rules, the presiding officer or a polling officer under the direction of the presiding officer shall not allow such elector to vote.

(7) Where an elector is not allowed to vote under sub-rule (6), a remark to the effect that voting procedure has been violated shall be made against the elector's name in the register of voters in *Form 49A* by the presiding officer under his signature;

166. Recording of votes of blind or infirm electors.—

(1) If the presiding officer is satisfied that owing to blindness or other physical infirmities an elector is unable to recognise the symbol on the balloting unit of the voting machine or unable to record his vote by pressing the appropriate button

thereon without assistance 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 recording the vote on his behalf and in accordance with his wishes;

Provided that no person shall be permitted to act as the companion of more than one elector at any polling station on the same day:

Provided further that before any person is permitted to act as the companion of an elector on any day under this rule that person shall be required to declare that he will keep secret the vote recorded by him on behalf of the elector and that he has not already acted as the companion of any other elector at any other polling station on that day.

(2) The presiding officer shall keep a record in Form 46A of all cases under this rule.

167. Elector deciding not to vote.—

If an elector, after his electoral roll number has been duly entered in the register of voters in *Form 49A* and has put his

signature or thumb impression thereon as required under sub-rule (1) of rule 164, decided not to record his vote, a remark to this effect shall be made against the said entry in *Form 49A* by the presiding officer and the signature or thumb impression of the elector shall be obtained against such remark;

168. Tendered votes:

(1) If a person representing himself to be a particular elector seeks to vote after another person has already voted as such elector, he shall, on satisfactorily answering such questions relating to his identity as the presiding officer may ask, be, instead of being allowed to vote through the balloting unit, supplied with a tendered ballot paper which shall be of such design, and the particulars of which shall be in such language or languages as the State Election Commission may specify.

(2) Every such elector shall before being supplied with tendered ballot paper write his name against the entry relating to him in *Form 49B*;

(3) On receiving the ballot paper he shall forthwith—

(i) proceed to the voting compartment;

(ii) record there his vote on the ballot paper by placing a cross mark `X' with the instrument or article supplied for the purpose on or near the symbol of the candidate for whom he intends to vote;

(iii) fold the ballot paper so as to conceal his vote;

(iv) show to the presiding officer, if required, the distinguishing mark on the ballot paper;

(v) give it to the presiding officer who shall place it in a cover specially kept for the purpose; and

(vi) leave the polling station.

(4) If owing to blindness or physical infirmities, such elector is unable to record his vote without assistance; the presiding officer shall permit him to take with him a companion, subject to the same conditions and after following the same procedure as laid down in rule 166 for recording the vote in accordance with his wishes.

169. Presiding Officer's entry in the voting compartment during poll:

(1) The presiding officer may whenever he considers it necessary so to do, enter the voting compartment during poll and take such steps as may be necessary to ensure that the balloting unit is not tampered or interfered with in any way.

(2) If the presiding officer has reason to suspect that an elector who has entered the voting compartment is tampering or otherwise interfering with the balloting unit or has remained inside the voting compartment for unduly long period, he shall enter the voting compartment and take such steps as may be necessary to ensure the smooth and orderly progress of the poll.

(3) Whenever the presiding officer enters the voting compartment under this rule, he shall permit the polling agents present to accompany him if they so desire.

170. Closing of poll:

(1) The presiding officer shall close a polling station at the hour fixed in that behalf under section 116 and shall not thereafter admit any elector into the polling station;

Provided that all electors present at the polling station before it is closed shall be allowed to cast their votes.

(2) If any question arises whether an elector was present at the polling station before it was closed it shall be decided by the presiding officer and his decision shall be final.

171. Account of votes recorded:

(1) The presiding officer shall at the close of the poll prepare an account of votes recorded in *Form 49C* and enclose it in a separate cover with the words 'Account of Votes Recorded' super scribed thereon.

(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 *Form 49C* after obtaining a receipt from the said polling agent there for and shall attest it as a true copy;

172. Sealing of voting machine after poll.—

(1) As soon as practicable after the closing of the poll, the presiding officer shall close the control unit to ensure that no further votes can be recorded and shall detach the balloting unit from the control unit;

(2) The control unit and the balloting unit shall thereafter be sealed, and secured separately in such manner as the State Election Commission may direct and the seal used for securing them shall be so affixed that it will not be possible to open the units without breaking the seals.

(3) The polling agents present at the polling station, who desire to affix their seals or signatures, shall also be permitted to do so.

173. Sealing of other packets.—

(1) The presiding officer shall then make into separate packet,—

(i) the marked copy of the electoral roll;

(ii) the register of voters in *Form 49A*;

(iii) the cover containing the tendered ballot papers and the list in *Form 49B*;

(iv) the list of challenged votes; and

(v) any other papers directed by the State Election Commission to be kept in a sealed packet.

(2) Each packet shall be sealed with the seal of the presiding officer and with the seal or signature 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 or signature thereon.

174. Transmission of voting machines, etc., to the returning officer.—

(1) The presiding officer shall then deliver or cause to be delivered to the returning officer at such place as the returning officer may direct,

- (i) the voting machine;
- (ii) the account of votes recorded in *Form 49C*;

(iii) the sealed packets referred to in rule 173; and

(iv) all other papers used at the poll.

(2) The returning officer shall make adequate arrangements for the safe transport of the voting machine, packets and other papers for their safe custody until the commencement of the counting of votes.

175. Procedure on adjournment of poll:

(1) If the poll at any polling station is adjourned under subsection (1) of section 117, the provision of rules 171 to 174 shall, as far as practicable, apply as if the poll was closed at the hour fixed in that behalf under section 116;

(2) When an adjourned poll is recommended under subsection (2) of section 117, the electors who have already voted at the poll so adjourned shall not be allowed to vote again.

(3) The returning officer shall provide the presiding officer of the polling station at which such adjourned poll is held, with the sealed packet containing the marked copy of the electoral roll, register of voters in *Form 49A* and a new voting machine.

(4) The presiding officer shall open the sealed packet in the presence of the polling agents present and use the marked copy of the electoral roll for marking the names of the electors who are allowed to vote at the adjourned poll.

(5) The provisions of rule 130 and rules 153 to 175 shall apply in relation to the conduct of an adjourned poll before it was so adjourned.

176. Closing of voting machine in case of booth capturing:

Where the presiding officer is of opinion that booth capturing is taking place at a polling station or at a place fixed for the poll, he shall immediately close the control unit of the voting machine to ensure that no further votes can be recorded and shall detach the balloting that from the control unit.

PART-VI

CHAPTER-VII

Counting of votes in Panchayat

Constituencies

177. Definitions:

In this Part, unless the context otherwise requires,

(i) "*candidate*" means a contesting candidate;

(ii) "*constituency*" means a Panchayat constituency;

(iii) "*counting agent*" means a counting agent duly appointed under section 108 and includes a candidate and the election agent of a candidate when present at the counting;

(iv) "*polling station*" means a polling station provided under section 64;

178. Time and place for counting of votes:

The returning officer, in accordance with the direction of the State Election Commission, shall, at least one week before the date, or the first of the dates, fixed for the poll, appoint the place or places where the counting of votes will be done and the date and time at which the counting will commence and shall give notice of the same in writing to each candidate or his election agent:

Provided that if for any reason the returning officer finds it necessary so to do, he may, with prior written approval of the State Election Commission, alter the date, time and place or places so fixed, or any of them, after giving notice of the same in writing to each candidate or his election agent.

179. Appointment of counting agents and revocation of such appointments:

(1) The number of counting agents that a candidate may appoint under section 108 shall, subject to such general or

special direction as the State Election Commission may issue in this behalf, not exceed the limit as may be prescribed by the State Election Commission at the place or each of the places, fixed for counting under rule 178;

(2) Every such appointment shall be made in *Form 50* in duplicate, one copy of which shall be forwarded to the returning officer while the other copy shall be made over to the counting agent for production before the returning officer not later than one hour before the time fixed for counting under rule 178;

(3) No counting agent shall be admitted into the place fixed for counting unless he has delivered to the returning officer the second copy of his appointment under sub-rule (2) 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 revocation of appointment of a counting agent under sub-section (2) of section 109 shall be made in *Form 51* and lodged with the returning officer;

(5) In the event of any such revocation before the commencement of the counting of votes, the candidate or his election agent may make a fresh appointment in accordance with sub-rule (2).

180. Admission to the place fixed for counting:

(1) The returning officer shall exclude from the place fixed for counting of votes all persons except—

(i) such persons (to be known as counting supervisors and counting assistants) as he may appoint to assist him in the counting;

(ii) persons authorised by the State Election Commission;

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

(iv) 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 (i) 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.

181. Maintenance of secrecy of voting:

The returning officer shall, before he commences the counting, read out the provisions of section 155 to such persons as may be present.

182. Counting of votes received by post:

(1) The returning officer shall first deal with the postal ballot papers in the manner hereinafter provided;

(2) No cover in *Form 45C* received by the returning officer after the expiry of the time fixed in that behalf shall be opened and no vote contained in any such cover shall be counted;

(3) The other covers shall be opened one after another and as each cover is opened, the returning officer shall first scrutinise the declaration in *Form 45A* contained therein;

(4) If the said declaration is not found, or has not been duly signed and attested, or is otherwise substantially defective, or if the serial number of the ballot paper as entered in it differs from the serial number endorsed on the cover in *Form 45B*, that cover shall not be opened, and after making an appropriate endorsement thereon, the returning officer shall reject the ballot paper therein contained;

(5) Each cover so endorsed and the declaration received with it shall be replaced in the cover in *Form 45C* and all such

covers in *Form 45C* shall be kept in a separate packet which shall be sealed and on which shall be recorded the name of the constituency, the date of counting and a brief description of its content;

(6) The returning officer shall then place all the declarations in *Form 45A* which he has found to be in order in a separate packet which shall be sealed before any cover in *Form 45B* is opened and on which shall be recorded the particulars referred to in sub-rule (5);

(7) The covers in *Form 45B* not already dealt with under the foregoing provisions of this rule shall then be opened one after another and the returning officer shall scrutinise each ballot paper and decide the validity of the vote recorded thereon;

(8) A postal ballot paper shall be rejected—

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

(ii) if no vote is recorded thereon; or

(iii) if notes are given on it in favour of more candidates than one; or

(iv) if it is a spurious ballot paper; or

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

or

(vi) if it is not returned in the cover sent along with it to the elector by the returning officer.

(9) 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.

(10) 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 paper is marked.

(11) 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 52* and announce the same.

(12) Thereafter, all the valid ballot papers and all the rejected ballot papers shall be separately bundled and kept together in a packet which shall be sealed with the seals of the returning officer and of such of the candidates, their election agent or counting agents as may desire to affix their seals thereon and on the packet so sealed shall be recorded the name of the constituency, the date of counting and a brief description of its contents.

183. Scrutiny and opening of ballot boxes:

(1) The returning officer may have the ballot box or boxes used at more than one polling station opened and the ballot papers found in such box or boxes counted simultaneously;

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

(3) The returning officer shall satisfy himself that none of the ballot boxes has in fact 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 in section 118 in respect of that polling station.

184. Counting of Votes:

(1) The ballot papers taken out of each ballot box shall be arranged in convenient bundles and scrutinized;

(2) The returning officer shall reject a ballot paper—

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

(ii) if it bears no mark at all or, to indicate the vote, it bears a mark elsewhere than on or near the symbol of one of the candidates on the face of the ballot paper or, it bears a mark made otherwise than with the instrument supplied for the purpose, or

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

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

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

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

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

(viii) if it does not bear both the mark and the signature which it should have borne under the provisions of sub-rule (1) of rule 142;

Provided that where the returning officer is satisfied that any such defect as is mentioned above 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 merely 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 made more than once, if the intention that the vote shall be for a particular candidate clearly appears from the way the 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 bundled together separately;

(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 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,—

(i) the counting supervisor shall fill in and sign Part II—Result of Counting, in *Form 48*, which shall also be signed by the returning officer; and

(ii) the returning officer shall make the entries in a result sheet in *Form 50* and announce the particulars;

185. Sealing of used ballot papers:

The valid ballot papers of each candidate and the rejected ballot papers shall thereafter be bundled separately and the several bundles made up into a separate packet 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 shall be recorded the following particulars, namely:

(1) the name of the constituency;

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

(3) the date of counting.

186. Counting of ballot papers transferred to bags or covers under rule 148:

The provisions of rules 183,184 and 185 shall apply so far as may be in relation to counting of ballot papers and votes, if any, which have been transferred from ballot boxes to cloth bags or cloth-lined covers under sub-rule (5) of rule 148;

Provided that every reference in the said rules to a ballot box shall be construed as a reference to a bag or cover to which the contents of a ballot box have been transferred;

187. Counting of votes in specified constituencies:

Where the Election Commission apprehends intimidation and victimisation of electors in any constituency and it is of the opinion that it is absolutely necessary that the ballot papers taken out of all boxes used in that constituency should be mixed before counting, it may, by notification in the Official Gazette, specify such constituency and for counting of such ballot papers,

in lieu of rules 183, 184, 185 and 187, the following rules shall apply, namely:—

“183A. *Scrutiny and opening of ballot boxes.*—

(1) The returning officer shall open, or cause to be opened, simultaneously the ballot box or boxes used at more than one polling station and shall have the total number of ballot papers found in such box or boxes counted and recorded in *Part II of Form 48*:

Provided that discrepancy, if any, between the total number of such ballot papers recorded as aforesaid and the total number of ballot papers shown against item No. 5 of Part I shall also be recorded in *Part II of Form 48*;

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

(3) The returning officer shall satisfy himself that none of the ballot boxes has in fact 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 in section 118 in respect of that polling station;

184A. *Counting of votes:*

(1) Subject to such general or special directions, if any, as may be given by the State Election Commission in this behalf, the ballot papers taken out of all boxes used at more than one polling station in a constituency shall be mixed together and then arranged in convenient bundles and scrutinised;

(2) The returning officer shall reject a ballot paper—

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

(ii) if it bears no mark at all or, to indicate the vote, it bears a mark elsewhere than on or near the symbol of one of the candidates on the face of the ballot paper or, it bears a mark made otherwise than with the instrument supplied for the purpose, or

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

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

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

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

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

(viii) if it does not bear both the mark and the signature which it should have borne under the provisions of sub-rule (1) of rule 142;

Provided that where the returning officer is satisfied that any such defect as is mentioned above 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 merely 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 made more than once, if the intention that the vote shall be for a particular candidate clearly appears from the way the 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 bundled 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 shall be opened and no such paper shall be counted;

(7) After the counting of all ballot papers contained in all the ballot boxes used in a constituency has been completed, the returning officer shall make the entries in a result sheet in Form 52A and announce the particulars;

Explanation. —For the purpose of this rule, the expression "constituency" shall, in relation to an election from a Panchayat constituency, mean the village Panchayat constituency comprised therein;

185A. Sealing of used ballot papers:

The valid ballot papers of each candidate and the rejected ballot papers shall thereafter be bundled separately and the several bundles made up into a separate packet 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 shall be recorded the following particulars, namely:

- (1) the name of the constituency; and
- (2) the date of counting.”

188. Counting of votes where electronic voting machines have been used:

In relation to the counting of votes at a polling station, where voting machine has been used:

- (1) the provisions of rules 177 to 181 and in lieu of rules 183,184 and 185, the following rules shall respectively apply, namely:

“183B. Scrutiny and inspection of voting machines.—

(1) The returning officer may have the control units of the voting machines used at more than one polling station taken up for scrutiny and inspection and votes recorded in such units counted simultaneously;

(2) Before the votes recorded in any control unit of voting machine are counted under sub rule (1), the candidate or his election agent or his counting agent present at the counting table

shall be allowed to inspect the paper seal and such other vital seals as might have been affixed on the unit and to satisfy themselves that the seals are intact;

(3) The returning officer shall satisfy himself that none of the voting machines has in fact been tampered with;

(4) If the returning officer is satisfied that any voting machine has in fact been tampered with, he shall not count the votes recorded in that machine and shall follow the procedure laid down in section 118, or section 119 or section 126, as may be applicable in respect of the polling station or stations where that machine was used.

184B. Counting of votes:

(1) After the returning officer is satisfied that a voting machine has in fact not been tampered with, he shall have the votes recorded therein counted by pressing the appropriate button marked "*Result*" provided in the control unit whereby the total votes polled and votes polled by each candidate shall be

displayed in respect of each such candidate on the display panel provided for the purpose in the unit;

(2) As the votes polled by each candidate are displayed on the control unit, the returning officer shall have:

(i) the number of such votes recorded separately in respect of each candidate in *Part II of Form 49C*;

(ii) *Part II of Form 49C* completed in other respects and signed by the counting supervisor and also by the candidates or their election agents or their counting agents present; and

(iii) corresponding entries made in a result sheet in *Form 52* and the particulars so entered in the result sheet announced.

185B. Sealing of voting machines:

(1) After the result of voting recorded in a control unit has been ascertained candidate-wise and entered in *Part II of Form 49C* and *Form 50* under rule 184B, the returning officer shall reseal the unit with his seal and the seals of such of the candidates or their election agents present who may desire to affix the seals thereon so however that the result of voting

recorded in the unit is not obliterated and the unit retains the memory of such result;

(2) The control unit so sealed shall be kept in specially prepared boxes on which the returning officer shall record the following particulars, namely:

(i) the name of the constituency;

(ii) the particulars of polling station or stations where the control unit has been used;

(iii) serial number of the control unit;

(iv) date of poll; and

(v) date of counting.”

(2) the provisions of rules 189 to 194 shall, so far as may be, apply in relation to voting by voting machines and any reference in those rules to,

(i) ballot paper shall be construed as including a reference to such voting machine;

(ii) any rule shall be construed as a reference to the corresponding rule in Sub-Chapter II of Chapter V of Part VI or, as the case may be, to rule 183B or 184B or 185B;”

189. Counting to be continuous:

The returning officer shall, as far as practicable, proceed continuously with the counting of votes. However, the returning officer shall, during any intervals, when the counting has to be suspended in view of unforeseen conditions, keep the ballot papers, packets and all other papers relating to the election sealed with his own seal and the seals of such candidates or election agents as may desire to affix their seals and take sufficient precaution for their safe custody during such intervals;

190. Recommencement of counting after fresh poll:

(1) If a fresh poll is held under section 118, the returning officer shall, after completion of that poll, recommence the counting of votes on the date and at the time and place which have been fixed by him in that behalf and of which notice has been previously given to the candidates and their election agents;

(2) The provisions of rules 183 and 184 shall apply so far as may be to such further counting;

191. Re-count of votes:

(1) After the completion of the counting, the returning officer shall record in the result sheet in *Form 52* the total number of votes polled by each candidate and announce the same;

(2) After such announcement has been made, a candidate or, in his absence, his election agent or any of his counting agents may apply in writing to the returning officer to re-count the votes either wholly or in part stating the grounds on which the demands such re-count;

(3) 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;

(4) Every decision of the returning officer under sub-rule (3) shall be in writing and contain the reasons therefor;

(5) If the returning officer decides under sub-rule (3) to allow a re-count of the votes either wholly or in part, he shall:

(i) cause the re-counting to be done in accordance with rule 182, rule 184 or rule 187, as the case may be;

(ii) amend the result sheet in Form 52 to the extent necessary after such re-count; and

(iii) announce the amendments so made by him.

(6) After the total number of votes polled by each candidate has been announced under sub-rule (1) or sub-rule (5), the returning officer shall complete and sign the result sheet in Form 50 and no application for a re-count 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 (2).

192. Declaration of result of election and return of election:

The returning officer shall, subject to the provisions of section 127 if and so far as they apply to any particular case, then—

(1) declare in *Form 53,53A* or *Form 53B,53C*, as may be appropriate, the candidate to whom the largest number of valid votes have been given, to be elected under section 128 and send signed copies thereof to the appropriate authority, the State Election Commission and the District Election Officer (Panchayat); and

(2) complete and certify the return of election in *Form 53D*, and send signed copies thereof to the State Election Commission and the District Election Officer (Panchayat);

193. Counting at two or more places:

If ballot papers are counted at more places than one, the provisions of rules 180, 181, 183 to 187 and 191 shall apply to the counting at each such place, but the provisions of rules

182,191 and 192 shall apply only to the counting at the last of such places.

194. Grant of certificate of election to returned candidate:

As soon as may be after a candidate has been declared by the returning officer under the provisions of section 114, or section 128, to be elected, the returning officer shall grant to such candidate a certificate of election immediately in *Form 54* and obtain from the candidate an acknowledgment of its receipt duly signed by him and immediately send the acknowledgment by registered post to the Secretary of the State Election Commission and copy to the District Election Officer (Panchayat).

195. Publication of results and due constitution of the Panchayat:

Subject to section 133 of the Act, the list of elected candidates shall, after declaration of results under rule 192, be duly published in the official gazette of the District by the District Election Officer (Panchayat) with prior approval of the State Election Commission.

PART VII

ELECTION OF CHAIRPERSONS & DEPUTY CHAIRPERSONS

196. Notified list of elected members to be the electoral roll for election of the Chairpersons and Deputy Chairpersons:

*(1)*The list of elected members of the Panchayat concerned as notified under rule 195 shall be the electoral roll for the election of Chairpersons and Deputy Chairpersons of the district and intermediate Panchayats and for Deputy Chairpersons of the village Panchayats;

Provided that the elected candidates shall have subscribed to the oath or affirmation as prescribed under the Act;

Provided further that no elected candidate who has not subscribed to the oath or affirmation shall be admitted

for the voting for election of Chairperson or Deputy Chairperson of such Panchayat;

197. Meeting for the election:

Subject to the superintendence, direction and control of the State Election Commission,

(1) the election of Chairpersons of intermediate and district Panchayat and the Deputy Chairpersons of a village Panchayat, intermediate Panchayat and the district Panchayat shall be held in the office of the concerned Panchayat on the date as appointed in this behalf by the District Election Officer (Panchayat) with the approval of the State Election Commission, at a meeting of the members specially convened for the purpose and the said meeting shall be the first meeting of the respective Panchayat as referred to in section 143 of the Act;

Provided that the District Election Officer (Panchayat) may direct that the meeting for the election of the Chairperson and Deputy Chairperson shall be held at such place as may be specified by him, other than the office of the concerned

Panchayat, if it is not convenient to hold the meeting in the office of the Panchayat only with the prior approval of the State Election Commission;

Provided further that if for any reason the election of the Chairperson and, or the Deputy Chairperson is not held on the date aforesaid, the special meeting for the election of Chairperson and, or Deputy Chairperson, shall be held on the subsequent date, time and venue, as may be specified by the District Election Officer (Panchayat), with the approval of the State Election Commission subject to the provisions of section 143 of the Act.

Provided also that the State Election Commission may from time to time, for the reasons to be recorded in writing, direct or permit the holding of the election of the Chairperson and, or Deputy Chairperson on different dates.

(2) The meeting referred to in sub-rule (1) shall be presided over by the Returning Officer appointed in this behalf by the District Election Officer (Panchayat) with the prior approval of the State Election Commission;

(3) Notice of the meeting shall be given to all the members in *Form – 55*;

Provided that, if more than twenty five percent seats of total number of territorial constituencies constituted in village Panchayat intermediate Panchayat or district Panchayat, as the case may be, are vacant, the meeting for the election of chairperson and deputy chairperson shall be fixed only after the completion of election for the vacant posts under the provisions of the Act;

(4) In the meeting called under sub-rule (1), first of all, the elected members of village Panchayat, intermediate Panchayat and district Panchayat shall subscribe to the oath or affirmation as provided in section 143 of the Act.

198. Meetings of the Panchayats to be presided over by certain officers:

(1) The Block Development Officer or Circle officer, being an officer of the rank of a Deputy Collector shall preside over the meeting of village Panchayat;

(2) The meeting of intermediate Panchayat shall be presided over by the Sub-divisional Magistrate or an officer of the rank of a Senior Deputy Collector and that of district Panchayat by the District Magistrate;

199. Filing of Nomination Paper:

(1) Each candidate shall file his nomination paper in *Form 32*, along with an affidavit in *Form 33* before the Returning officer who shall then act as Presiding Officer;

(2) As the case may be, the proposer and seconder of a candidate should be a member of the respective village Panchayat, intermediate Panchayat or district Panchayat;

(3) A member shall be a proposer or seconder of only one candidate and such member shall not be a candidate for that post in that election.

Provided that a proposer shall not be competent to withdraw his proposal once filed before the returning officer.

200(90). Scrutiny of the nomination paper:

(1) The Returning officer shall scrutinize the nomination paper;

(2) The Returning officer shall read out —

(i) the name of the candidate whose nomination paper has been found to be invalid stating the grounds thereof; and

(ii) the name of the candidate whose nomination paper has been found to be valid.

201. Preparation of the list of valid candidates:

The Returning officer shall prepare in *Form 39* the list of validly nominated candidates in alphabetical order of official script of the state and announce the same.

202. Uncontested election:

If there be only one validly nominated candidate against the post, the Returning officer shall declare such candidate as duly elected in *Form 53* or *53B*, as the case may be.

203. Contested election:

If more than one candidate is validly nominated, the Returning officer shall call on the members present in the meeting to vote by secret ballot and shall determine the procedure with respect to the same as per instructions of the State Election Commission.

204. Ballot-paper:

The ballot paper shall be in *Form-56* and shall be signed by the Returning officer.

205. Procedure of Poll:

(1) Each member shall be given a ballot paper separately on which he shall mark his vote by putting secretly a cross (x) mark against the name of a candidate;

(2) All such ballot-papers shall be collected in accordance with the secret procedure as prescribed by the State Election Commission.

206. Invalid Votes

A ballot paper shall be treated as invalid if

(1) it bears the signature of a member or there is any such visible word which may lead to the identification of the voter; or

(2) the cross (x) mark has been made against the name of more than one candidate ;or

(3) the mark has been made in such a manner that it cannot be ascertained as to which candidate the vote has been cast; or

(4) no cross mark has been made on it; or

(5) it does not bear the signature of the Returning officer.

207. Counting of votes:

(1) The returning officer shall count the ballot papers in presence of the members present at the meeting;

(2) After completion of counting of valid votes, the result shall be prepared by the returning officer in *Form-57*, and the candidate getting maximum number of votes shall be declared as elected.

208. Equality of votes:

If after completion of counting of votes two or more candidates are found to have secured equal number of votes, which are highest, the returning officer shall draw a lot between such candidates, and the candidate in whose favour the lot is drawn shall be deemed to be having secured an additional vote and the returning officer shall declare the result accordingly.

209. Issuance of Certificate:

The returning officer shall grant a Certificate in *Form 58* to the candidate elected.

210. Preparation of the record of the proceedings of the meeting:

The returning officer shall prepare a record of the proceedings of the meeting and obtaining the signatures of the members present therein, sign the same.

211. Publication of the list of elected persons:

The returning officer shall publish the duly signed list of the elected candidates in the offices of village Panchayat, intermediate Panchayat and district Panchayat, as the case may be and forward the list to the District Election Officer (Panchayat) for notification in the district Gazette. The District Election Officer (Panchayat) shall also send the said notification to the State Election Commission.

Provided that the notification for the elected candidates for Chairpersons of district Panchayat shall be published by the State Election Commission in the official gazette of the State.

212. Packets of valid and invalid votes:

The returning officer shall make separate packets of valid and invalid votes, seal each packet and put a note on it stating the particulars of the content of the packet, the election concerned and date of such election.

213. Submission and inspection of the election related records:

The submission and inspection of election records kept in safe custody shall be made only by the order of a competent Court prescribed in the Act.

214. Custody and destruction of election records:

(1) The District Election Officer (Panchayat) shall keep the packets referred to in Rule 213 in his safe custody;

(2) The election records shall be kept in custody for a period of one year or till the pendency of any legal proceeding and thereafter to be destroyed, subject to any contrary direction of the Commission or any competent Court.

PART VIII

ELECTION EXPENSES

215. Candidates to maintain accounts of election expenses:

(1) A candidate or on his behalf his election agent shall keep an account of expenditure incurred or authorised by him or by his election agent on his behalf in an election to a Panchayat as provided in section 135 of the Act;

(2) The account of election expenses to be kept by a candidate or his election agent under section 135 shall contain the following particulars in respect of each item of expenditure from day to day, namely: —

(i) the date on which the expenditure was incurred or authorised;

(ii) the nature of the expenditure (as for example, travelling, postage or printing and the like);

(iii) the amount of the expenditure—

(a) the amount paid;

(b) the amount outstanding;

(iv) the date of payment;

(v) the name and address of the payee;

(vi) the serial number of vouchers, in case of amount paid;

(vii) the serial number of bills, if any, in case of amount outstanding;

(viii) the name and address of the person to whom the amount outstanding is payable.

(3) A voucher shall be obtained for every item of expenditure unless from the nature of the case, such as postage, travel by rail and the like, it is not practicable to obtain a voucher.

(4) All vouchers shall be lodged along with the account of election expenses, arranged according to the date of payment and serially numbered by the candidate or his election agent and such serial numbers shall be entered in the account under item (f) of sub-rule (1).

(5) It shall not be necessary to give the particulars mentioned in item (e) of sub-rule (1) in regard to items of expenditure for which vouchers have not been obtained under sub-rule (2).

(6) Every candidate shall lodge his accounts of election expenses with the returning officer within the time specified for the purpose in section 136 of the Act. The account shall be lodged in *Form 59* along with an affidavit in *Form 60*.

216. Maximum election expenses:

The maximum limit of expenditure to be incurred by a candidate or his election agent in an election to a Panchayat shall be as prescribed by the State Election Commission by notification in the official gazette of the State.

217. Notice by District Election Officer (Panchayat) for inspection of accounts:

The District Election Officer (Panchayat) shall, within two days from the date on which the account of election

expenses has been lodged by a candidate under section 136, cause a notice to be affixed to his notice board, specifying—

(1) the date on which the account has been lodged;

(2) the name of the candidate; and

(3) the time and place at which such account can be inspected.

218. Inspection of account and the obtaining of copies thereof.—

Any person shall on payment of a fee of one rupee be entitled to inspect any such account and on payment of such fee as may be prescribed by the State Election Commission in this behalf be entitled to obtain attested copies of such account or of any part thereof.

219. Report by the District Election Officer (Panchayat) as to the lodging of the account of election expenses and the decision of the State Election Commission thereon:.

(1) As soon as may be after the expiration of the time specified in section 136 for the lodging of the accounts of election expenses at any election, the District Election Officer shall report to the State Election Commission—

(i) the name of each contesting candidate;

(ii) whether such candidate has lodged his account of election expenses and if so, the date on which such account has been lodged; and

(iii) whether in his opinion such account has been lodged within the time and in the manner required by the Act and these rules;

(2) Where the District Election Officer (Panchayat) is of the opinion that the account of election expenses of any candidate has not been lodged in the manner required by the Act and these rules, he shall with every such report forward to the

State Election Commission the account of election expenses of that candidate and the vouchers lodged along with it;

(3) Immediately after the submission of the report referred to in sub-rule (1) the District Election Officer shall publish a copy thereof affixing the same to his notice board;

(4) As soon as may be after the receipt of the report referred to in sub-rule (1) the State Election Commission shall consider the same and decide whether any contesting candidate has failed to lodge the account of election expenses within the time and in the manner required by the Act and these rules;

(5) Where the State Election Commission decides that a contesting candidate has failed to lodge his account of election expenses within the time and in the manner required by the Act and these rules it shall by notice in writing call upon the candidate to show cause why he should not be disqualified under section 173 of the Act the failure;

(6) Any contesting candidate who has been called upon to show cause under sub-rule (5) may within twenty days of the receipt of such notice submit in respect of the matter a

representation in writing to the State Election Commission, and shall at the same time send to District Election Officer (Panchayat) a copy of his representation together with a complete account of his election expenses if he had not already furnished such an account;

(7) The District Election Officer (Panchayat) shall, within five days of the receipt thereof, forward to the State Election Commission the copy of the representation and the account, if any, with such comments as he wishes to make thereon;

(8) If, after considering the representation submitted by the candidate and the comments made by the District Election Officer (Panchayat) and after such inquiry as it thinks fit, the State Election Commission is satisfied that the candidate has no good reason or justification for the failure to lodge his account, it shall declare him to be disqualified under section 173 for a period of three years from the date of the order, and cause the order to be published in the Official Gazette;

PART IX

DISPUTES RELATING TO ELECTIONS

ELECTION PETITIONS

220. Election petition:

No election shall be called in question except by an election petition presented in accordance with the provisions of the Act and the rules in this Chapter.

221. Court competent to try election petitions. –

(1) The court having jurisdiction to try an election petition shall be,

(i) in the case of a village Panchayat, the Munsif's Court having jurisdiction over the place in which the head quarters of the Panchayat is located; and

(ii) in the case of an intermediate Panchayat, or a district Panchayat, the Sub-Judge court having jurisdiction over

the place in which the headquarters of the Panchayat concerned is located.

(2) The Government shall, in consultation with the High Court notify the appropriate courts in the State Gazette;

222. Presentation of petitions:

(1) An election petition calling in question any election may be presented on one or more of the grounds specified in section 191 and section 192, to the appropriate court as specified in section 180, by any candidate at such election or by any elector within 45 days from, but not earlier than, the date on which the returned candidate was declared elected;

Explanation – In this sub-rule, ‘elector’ means a person who was entitled to vote at the election to which the election petition relates, whether he has voted at such election or not;

(2) The procedure for filing an election petition shall be in accordance with the provisions of the Code of Civil Procedure, 1908 (Central Act 5 of 1908) and every such election petition shall be accompanied by as many copies thereof as there

are respondents mentioned in the petition and every such copy shall be attested by the petitioner under his own signature to be a true copy of the petition;

223. *Parties to the petition:*

A petitioner shall join as respondents to his petition.

(1) where the petitioner, in addition to claiming a declaration that the election of the returned candidate is void, claims a further declaration that he himself or any other candidate has been duly elected, all the contesting candidates other than the petitioner, and where no such further declaration is claimed, the returned candidate; and

(2) any other candidate against whom allegations of any corrupt practice are made in the petition.

224. *Contents of petition.* –

(1) An election petition –

(i) shall contain a concise statement of the material facts on which the petitioner relies;

(ii) shall set forth full particulars of any corrupt practice that the petitioner alleges, including as full statements as possible of the names of the parties alleged to have committed such corrupt practice and the date and place of the commission of each such practice; and

(iii) shall be signed by the petitioner and verified in the manner laid down in the Code Of Civil Procedure, 1908 (Central Act 5 of 1908) for the verification of pleadings;

Provided that where the petitioner alleges any corrupt practice the petition shall also be accompanied by an affidavit in the prescribed form in support of the allegation of such corrupt practice and the particulars thereof;

(2) Any schedule or annexure to the petition shall also be signed by the petitioner and verified in the same manner as the petition;

225. Relief that may be claimed by the petitioner:

A petitioner may, in addition to claiming a declaration that the election of the returned candidate is void, claim a further

declaration that he himself or any other candidate has been duly elected;

226. Trial of election petition:

(1) The Court shall dismiss an election petition which does not comply with the provisions of Rule 222 or 223 or 248.

Explanation. - An order of the court dismissing an election petition under, this sub rule shall be deemed to be an order made under clause (i) of rule 233.

(2) Where more election petitions than one are presented to the court in respect of the same election, the court may, in its discretion, try them separately or in one or more groups.

(3) Any candidate not already a respondent shall, upon application made by him to the Court within fourteen days from the date of commencement of the trial and subject to any order as to security for costs which may be made by the court, be entitled to be joined as a respondent;

Explanation. –(i) For the purposes of this sub-rule and rule 233 the trial of a petition shall be deemed to commence on

the date fixed for the respondents to appear before the court and answer the claim or claims made in the petition;

(ii) The court may upon such terms as to costs and otherwise as it may deem fit, allow the particulars of any corrupt practice alleged in the petition to be amended or amplified in such manner, as may in its opinion be necessary for ensuring a fair and effective trial of the petition, but shall not allow any amendment of the petition which will have the effect of introducing particulars of a corrupt practice not previously alleged in the petition;

(iii) Every election petition shall be tried as expeditiously as possible and shall be disposed of within six months from the date on which the election petition is presented to the Court for trial;

227. Procedure before the court. –

(1) Subject to the provisions of the Act and of any rules made there under, every election petition shall be tried by the court in accordance with the procedure applicable under the

Code of Civil Procedure, 1908 (Central Act 5 of 1908) to the trial of suits:

Provided that the court shall have the discretion to refuse for reasons to be recorded in writing, to examine any witness or witnesses if it is of the opinion that the evidence of such witness or witnesses is not material for the decision of the petition or that the party tendering such witness or witnesses is doing so in frivolous ground or with a view to delay the proceedings;

(2) The provisions of the Indian Evidence Act, 1872 (Central Act 1 of 1872), shall, subject to the provisions of the Act, be deemed to apply in all respects to the trial of any election petition;

(3) Trial or criminal proceeding of offences under Chapter VII and Chapter XIV of the Act shall not be withheld during the pendency of any election petition;

228. Documentary evidence:

Notwithstanding anything in any enactment to the contrary, no document shall be inadmissible in evidence at the trial of an election petition on the ground that it is not duly stamped or registered.

229. Secrecy of voting not to be infringed:

No witness or other person shall be required to state for whom he has voted at an election.

230. Answering of incriminating questions and certificate of indemnity:

(1) No witness shall be excused from answering any question as to any matter relevant to a matter in issue in the trial of an election petition upon the ground him, that the answer to such question may incriminate or may tend to incriminate or that it may expose or may tend to expose him to any penalty or forfeiture:

Provided that –

(i) a witness, who answers truly all questions which he is required to answer shall be entitled to receive a certificate of indemnity from the court;

(ii) an answer given by a witness to a question put by or before the court shall not, except in the case of any criminal proceeding for perjury in respect of the evidence, be admissible in evidence against in any civil or criminal proceeding.

(2) When a certificate of indemnity has been granted to any witness, it may be pleaded by him in any court and shall be a full and complete defence to or upon any charge under Chapter IXA of the Indian Penal Code (Central Act 45 of 1860), or Chapter XI of the Act arising out of the matter to which such certificate relates, but it shall not be deemed to relieve him from any disqualification in connection with an election imposed by the Act or any other law;

231. Expenses of witnesses:

The reasonable expenses incurred by any person in attending to give evidence may be allowed by the court to such person and shall, unless the court otherwise directs, be deemed to be part of the costs;

232. Recrimination when seat claimed:

(1) When in an election petition a declaration that any candidate other than the returned candidate has been duly elected is claimed, the returned candidate or any other party may give evidence to prove that the election of such candidate would have been void if he had been the returned candidate and a petition had been presented calling in question his election;

Provided that the returned candidate or such other party, as aforesaid shall not be entitled to give such evidence unless he has, within fourteen days from the date of commencement of the trial, given notice to the court of his intention to do so and has also given the security and the further security referred to rule 248 and 249 respectively;

(2) Every notice referred to in sub-rule (1) shall be accompanied by the statement and particulars required by rule 224 in the case of an election petition and shall be signed and verified in like manner;

233. Decision of the court. -

At the conclusion of the trial of an election petition the court shall make an order –

(1) dismissing the election petition; or

(2) declaring the election of the returned candidate to be void; or

(3) declaring the election of the returned candidate to be void and the petitioner or any other candidate to have been duly elected;

234. Other orders to be made by the court:

At the time of making an order under rule 233, the court shall also make an order –

(1) where any charge is made in the petition of any corrupt practice having been committed at the election, recording –

(i) a finding whether any corrupt practice has or has not been proved to have committed at the election, and the nature of that corrupt practice; and

(ii) the names of all persons, if any, who have been proved at the trial to have been guilty of any corrupt practice and the nature of that any practice; and

(2) fixing the total amount of costs payable and specifying the persons by and to whom costs shall be paid;

Provided that a person who is not a party to the petition shall not be named in the order under sub-clause (ii) of clause (1) unless –

(i) he has been given notice to appear before the court and to show cause why he should not be so named; and

(ii) if he appears in pursuance of the notice, he has been given an opportunity of cross examining any witness who has already been examined by the court and has given

evidence against him, of calling evidence in his defence and of being heard;

235. Grounds for declaring election to be void:

(1) Subject to the provisions of sub -rule (2) if the court is of opinion –

(i) that on the date of his election a returned candidate was not qualified, or was disqualified, to be chosen to fill the seat under the Act; or

(ii) that any corrupt practice has been committed by a returned candidate or his election agent or by any other person with the consent of a returned candidate or his election agent; or

(iii) that any nomination has been improperly rejected;

or (iv) that the result of the election, in so far as it concerns a returned candidate, has been materially affected

(a) by the improper acceptance of any nomination, or

(b) by any corrupt practice committed in the interests of the returned candidate by an agent other than his election agent; or

(c) by the improper reception, refusal or rejection of any vote or the reception of any vote which is void; or

(d) by any non-compliance with the provisions of this Act or of any rules or orders made there under, the court shall declare that the election of the returned candidate to be void;

(2) if in the opinion of the court a returned candidate has been guilty by an agent, other than his election agent, of any corrupt practice but the court is satisfied. –

(i) that no such corrupt practice was committed at the election by the candidate or his election agent, and every such corrupt practice was committed contrary to the orders, and without the consent, of the candidate or his election agent;

(ii) that the candidate and his election agent took all reasonable means for preventing the commission of corrupt practices at the election; and

(iii) that in all other respects the election was free from any corrupt practice on the part of the candidate or any of his agents, then the court may decide that the election of the returned candidate is not void.

236. Grounds for which a candidate other than the returned candidate may be declared to have been elected:

If any person who has lodged a petition has, in addition to calling in question the election of the returned candidate, claimed a declaration that he himself or any other candidate has been duly elected and the court is of opinion –

(1) that in fact the petitioner or such other candidate received a majority of the valid votes; or

(2) that but for the votes obtained by the returned candidate by corrupt practices the petitioner or such other candidate would have obtained a majority of the valid votes,

the court shall after declaring the election of the returned candidate to be void declare the petitioner or such other candidate, as the case may be, to have been duly elected;

237. Procedure in case of an equality of votes:

If during the trial of an election petition it appears that there is an equality of votes between any candidates at the election and that the addition of one vote would entitle any of those candidates to be declared elected, then-

(1) any decision made by the returning officer under the provisions of the Act shall, in so far as it determines the question between those candidates, be effective also for the purpose of the petition; and

(2) in so far as that question is not determined by such a decision the court shall decide between them by lot and proceed as if the one on whom the lot then falls and received an additional vote;

238. Communication of orders of the court:

The court shall, as soon as may be, after the conclusion of the trial of an election petition, intimate the substance of the order to the State Election Commission and the District Election Officer (Panchayat) concerned and, as soon as may be, thereafter, shall send to the State Election Commission an authenticated copy of the order;

239. Transmission of order to the appropriate authority etc.

and its publication:

As soon as may be after the receipt of any order made by the court under rule 233 or rule 234, the State Election Commission shall forward copies of the order to the District Election Officer (Panchayat) concerned and, shall cause the order to be published in such manner as the State Election Commission may deem fit;

240. Effect of orders of the court:

(1) An order under rule 233 or rule 234 shall take effect as soon as it is pronounced by the court.

(2) where by an order under rule 234 the election of a returned candidate is declared to be void, acts and proceedings in which that returned candidate has, before the date thereof participated as a member of a Panchayat shall not be invalidated by a reason of that order, nor shall such candidate be subjected to any liability or penalty on the ground of such participation;

241. Withdrawal of election petition:

(1) An election petition may be withdrawn only by leave of the court; if an application for it withdrawal is made;

(2) Where an application for withdrawal is made under sub-rule (1), notice thereof fixing a date for the hearing of the application shall be given to all other parties to the petition and shall be published in the office of the panchayat concerned;

242. Procedure for withdrawal of election petition:

(1) if there are more petitioners than one, no application to withdraw an election petition shall be made except with the consent in writing of all the petitioners;

(2) No application for withdrawal shall be granted if, in the opinion of the court and if the court is satisfied that such application has been induced by any bargain or consideration which ought not to be allowed;

(3) If the application is granted –

(i) the petitioner shall be ordered to pay the costs of the respondents thereto for incurred or such portion thereof as the court may think fit;

(ii) the court shall direct that the notice of withdrawal shall be published in the office of the court and also in the office of the panchayat concerned;

(iii) a person who might himself have been a petitioner may, within fourteen days of such publication, apply to be substituted as petitioner in the place of the party withdrawing, and upon compliance with the conditions, if any,

as to security, shall be entitled to be so substituted, and to continue the proceedings upon such terms as the court may deem fit;

243. Report of withdrawal by the court to the State Election

Commission:

When an application for withdrawal is granted by the court and no person has been substituted as petitioner under clause (iii) of sub-rule (3) of rule 242, in the place of the party withdrawing, the court shall report the fact to the State Election Commission;

244 . Abatement of election petition:

(1) An election petition shall abate only on the death of a sole petitioner or of the survivor of several petitioners;

(2) Where an election petition abates under sub-section (1), notice of the abatement shall be published in the Office of the Court, in the Office of the State Election Commission and in the Office of the Panchayat concerned;

(3) Any person who might himself have been a petitioner may, within fourteen days of such publication, apply to be substituted as petitioner and upon compliance with the conditions, if any, as to security, shall be entitled to be so substituted and to continue the proceedings upon such terms as the court may deem fit;

245. Abatement or substitution on death of respondent:

If before the conclusion of the trial of an election petition, the sole respondent dies or gives notice that he does not intend to oppose the petition or any of the respondents dies or gives such notice and there is no other respondent who is opposing the petition, the court shall cause notice of such even to be published in the Office of the Court, in the Office of the State Election Commission and in the office of the Panchayat concerned and thereupon any person who might have been a petitioner may, within fourteen days of such publication apply to be substituted in place of such respondent to oppose the petition,

and shall be entitled to continue the proceedings upon such terms as the court may think fit;

246. Appeals. –

(1) Any person aggrieved, by an order made by the court under rule 233 or rule 234, may prefer an appeal, on any question of law or of fact:

(i) before the District Court on the decision of the Munsif's Court; and

(ii) before the High Court on the decision of the District Court;

(2) the Government shall, in consultation with the High Court notify the appropriate courts in the Gazette;

(3) Every appeal under this section shall be preferred within a period of thirty days from the date of the order of the court under rule 233 or rule 234.

Provided that the Appellate Court may entertain an appeal after the expiry of the said period of thirty days, if it is satisfied

that the appellant had sufficient cause for not preferring the appeal within such period.

247. Procedure in appeal:

(1) Subject to the provisions of this Act and of the rules, if any, made there under the District Court or the High Court may dispose of the appeal in accordance with the procedure laid down in the Code of Civil Procedure, 1908 (Central Act 5 of 1908) for the hearing of appeals and the decision of the Court in the appeal shall be final;

Provided that such appeals shall be disposed of, as far as possible within six months from the date of filing of such appeals;

(2) As soon as an appeal is decided, the Appellate Court shall intimate the substance of the decision to the State Election Commission and the Chairperson of the Panchayat concerned and as soon as may be, thereafter shall send to the State Election Commission an authenticated copy of the decision; and upon its receipt, the State Election Commission shall:

(i) forward copies thereof to the authorities to which copies of the order of the court were forwarded under rule 246; and

(ii) cause the decision to be published in such manner as the State Election Commission may deem fit;

248. Security for costs:

(1) At the time of presenting an election petition, the petitioner shall deposit in the court a sum as security for costs as follow:

(i) for election of members, Chairperson or Deputy Chairperson of a district Panchayat--Rupees Ten Thousand only

(ii) for election of members, Chairperson or Deputy Chairperson of intermediate Panchayat--Rupees Five Thousand only;

(iii) for election of Chairperson or Deputy Chairperson of a village Panchayat -- Rupees Five Thousand only;

(iv) for election of members of a village Panchayat— Rupees Five Hundred only;

and shall enclose with the petition a Government treasury receipt showing that the deposit of the said amount has been made by him in a Government treasury in favour of the Munsif or the Sub- Judge as the case may be, as security for the costs of the petition;

(2) During the course of the trial of an election petition, the court may at any time call upon the petitioner to give such further security for costs as it may direct and if the petitioner fails to do so in spite of allowing sufficient time, dismiss the petition;

249. Security for costs from a respondent:

No person shall be entitled to be joined as a respondent under sub-rule (3) of rule 226 unless he has given such security for costs as the court may direct;

250. Costs. –

Costs shall be in the discretion of the court, provided that where a petition is dismissed under sub-rule (1) of rule 240, the returned candidate shall be entitled to the costs incurred by him

in contesting the petition and accordingly the court shall make an order for costs in favour of the returned candidate;

251. Payment of costs out of security deposits and return of such deposits:

(1) If in any order as to costs under the provisions of this chapter there is a direction for payment of costs by any party to any person, such costs shall, if they have not been already paid, be paid in full, or so far as possible, out of the security deposit and the further security deposit, if any, made by such party under this chapter on an application made in writing in that behalf within a period of one year from the date of such order to the court by the person in whose favour the costs have been awarded;

(2) If there is any balance left out of any of the said security deposits, after payment under sub-rule (1) of the costs referred to in that sub-section, such balance, or where no costs have been awarded or no application as aforesaid has been made within the said period of one year the whole of the said security

deposits may, on an application made in that behalf in writing to the court by the person by whom the deposit have been made, or if such person dies after making such deposits, by the legal representative of such person be returned to the said person or to his legal a representative, as the case may be;

252. Execution of orders as to costs:

Any order as to costs under the provisions of this Chapter may be produced before the principal civil court of original jurisdiction with the local limits of whose jurisdiction any person directed by such order to pay any sum of money has a place of residence or business and such court shall execute the order or cause the same to be executed in the same manner and by the same procedure as if it were a decree for the payment of money made by itself in a suit;

Provided that where any such costs or any portion thereof may be recovered by an application made under sub-rule (1) of rule 248, no application shall lie under this rule within a period of one year from the date of such order unless it is for the

recovery of the balance of any costs which has been left
unrealized after an application has been made under that sub
section owing to the insufficiency of the amount of the security
deposits referred to in that sub section;

PART X

GENERAL

253. Savings:

(1) Provisions of the Registration of Electors Rules, 1960 or the Conduct of Elections Rules, 1961 to prevail in case of inadequacy:

In case any doubt arises or inadequacy is felt in giving effect to any provision of this Rules in respect of preparation of electoral rolls or conduct of elections, the provisions of the Registration of Electors Rules, 1960 or the Conduct of Elections Rules, 1961 and the rules made there under, as the case may be, shall *mutatis mutandis* apply;

(2) Power to rectify printing mistakes, etc.:

The State Election Commission may correct any printing mistake in any order made by it or any error therein arising from an inadvertent slip or omission;

254. Jurisdiction of civil courts barred:

No civil court shall have jurisdiction to question the legality of any action taken or of any decision given by the returning officer or by any other person appointed under these Rules in connection with an election;

ANNEXURE

(English translation will follow)

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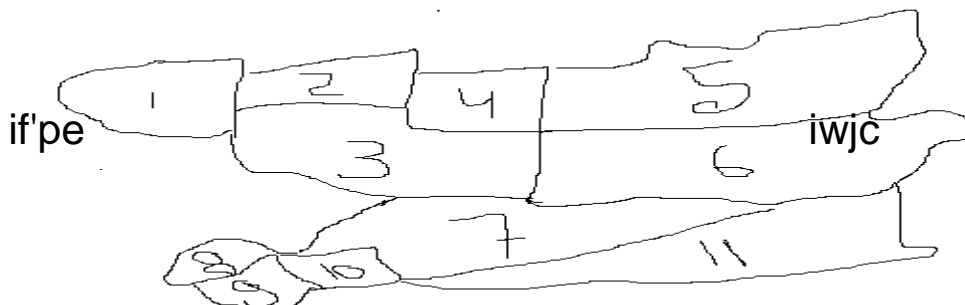
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&&	&&	10	11	1 8	4	3 5 6	2 7 9	f}rh; fuokZpu
&&	&&	11	10	4 1	8	2 7 9	5 6 3	r`rh; fuokZpu
&&	&&	10	11	9 7	1	2 6 3	5 8 4	prqFkZ fuokZpu

10- ;fn vU; fodYi ugha gksa rc iwoZorhZ esa fdlh dksfV fo'ks"k ds fy;s vkoafVr fuokZpu {ks= mlh dksfV ds fy;s i'pkrorhZ fuokZpu esa iqu% vkoafVr fd;k tk ldsxk A

vuqlwph

mnkgj.k & ¼2½

vuqlwfpr {ks=ksa esa izknsf'kd@{ks=h; fuokZpu {ks=ksa ds

xBu ,oa vkj{k.k ds vo/kkj.k dh

izfdz;k

¼fu;e & 15 ,o 17 nsf{k;s½

mnkgj.kLo:i] fdlh xzke iapk;r dh tula;k 5491 gS] iapk;r lfevr dh tula;k 54910 ,oa ftyk ifj"kn dh tula;k 549100 gS] fu;e 8 ds izko/kkukuqlkj ;FkklaHko fudVre dze'k% 500] 5000 ,oa 50]000 dh tula;k ds vk/kkj ij izknsf'kd fuokZpu {ks=@{ks=h; fuokZpu {ks= dh dqy la;k 11 gksxh A fu;ekuqlkj bu X;kjg fuokZpu {ks=ksa dk la;kadu xzke iapk;r vFkok iapk;r lfevr vFkok ftyk ifj"kn ds mRrj&if'pe ls izkjaHk dj nf{k.k iwoZ rd fd;k tk;sxk tSlk uhps n'kkZ;k x;k gS A

¼fu;e ns[ksa½

mRrj



nf{k.k

2- vc xzke ipak;r dh dqy tula;k dks gh mnkgj.k eku dj pysa rc mDr xzke iapk;r ¼dfYir uke czkEcs½ dh dqy tula;k esa ls fu;e

9¼[k½ ds vuqlkj izR;sd dksfV dh tula[;k vkSj dgy tula[;k esa mldk vuqikr
¼izfr'kr½ izklr fd;k tk;sxk] ;Fkk &

¼d½ xzke iapk;r czkEcs dh dgy tula[;k	& 5491
¼[k½ vuqlwfpr tutkfr dh tula[;k	& 1751
¼x½ vuqlwfpr tutkfr dh tula[;k dk izfr'kr izfr'kr	& 31-88
¼?k½ dh tula[;k	vuqlwfpr tkfr & 416
¼M+½ dh tula[;k dk izfr'kr izfr'kr	vuqlwfpr tkfr & 7-57
¼p½ fiNM+k oxZ dh tula[;k	& 1140
¼N½ fiNM+k oxZ dh tula[;k dk izfr'kr izfr'kr	& 20-76
¼t½ vU; tkfr dh tula[;k	& 2184
¼>½ vU; tkfr dh tula[;k dk izfr'kr izfr'kr	& 39-77

3- vc tula[;k ds vuqikr ;Fkk izfr'kr ds vk/kkj ij izR;sd dksfV ds fy,
vuqekU; LFkkuksa] LFkku dh dgy la[;k fu/kkZfjr dh tk;sxh] ;Fkk %&

¼d½ vuqlwfpr tutkfr ds fy, 11 in dk 31-88 izfr'kr = 3-51 in

¼[k½ vuqlwfpr tkfr ds fy, 11 in dk 7-57 izfr'kr = 0-83 in

¼x½ fiNM+k oxZ ds fy, 11 in dk 20-76 izfr'kr = 2-28 in

¼?k½ vU; ds fy, 11 in dk 39-77 izfr'kr =

4-37 in

4- pwjfd vf/kfu;e dh /kkjk 26] 28 ,oa 30 ds izko/kkukuqlkj vuqlwfr {ks= ds LFkkuksa ds vkj{k.k esa vuqlwfr tutkfr;ksa dks 50 izfr'kr ls de ugha fd;k tkuk gS vkSj ;fn vuqlwfr tutkfr;ksa dh tula;k 50 izfr'kr ls vf/kd gksxh rks vuqlwfr tutkfr;ksa dks 80 izfr'kr dh lhek rd tula;k ds vuqikr esa in vkoafVr fd;k tk;sxk A

vuqlwfr tutkfr;ksa dks in vkoafVr dj 80 izfr'kr la;k dh lhek rd vuqlwfr tkfr;ksa ,oa fiNM+k oxZ dks dze'k% tula;k ds vuqikr esa in vkoafVr fd;k tk;sxk A fu;e 18 ds vuqlkj x.kuk ds fufer vk/ks ,oa vk/ks ls de Hkkx dks NksM+ fn;k tk;sxk rFkk vk/ks ls vf/kd Hkkx dks ,d ekuk tk;sxk] blfy, mij dafMdk ¼3½ esa fd;s x;s fu/kkZj.k ds vuqlkj vuqlwfr tutkfr ds fy, 6 in] vuqlwfr tkfr ds fy, 1 in] fiNM+k oxZ ds fy, 1 in ,oa vU; ds fy, 3 in vuqekU; gksaxsA

5- bl izfdz;k ds ckn fu;e 19 ds vurnZr vkj{kr inksa dks izknsf'kd fuokZpu {ks= la;k vkoafVr fd;k tk;sxk A bl ds fy, loZizFke izR;sd izknsf'kd fuokZpu {ks= esa izR;sd dksfV dh tula;k izklr dh tk;sxh vkSj izi= 1 ds dkWye 1 ls 9 ds vuqlkj dksfVokj tula;k dh vojksgh dze esa JW [kyk rS;kj dh tk;sxh] tSlk uhps n'kkZ;k x;k gS %&

mngj.k& ¼2½								
izi=&AAA								
Øekad	vojksgh Øe esa vuqlwfr tutkfr dh tula;k	izkn'kd {ks=h; fuokZpu {ks= dh la;k	vojksgh Øe esa vuqlwfr tkfr dh tula;k	izknsf'kd {ks=h; fuokZpu {ks= dh la;k	vojksgh Øe esa fiNM+k oxZ dh tula;k	izknsf'kd {ks=h; fuokZpu {ks= dh la;k	vojksgh Øe esa vU; dh tula;k	izknsf'kd {ks=h; fuokZpu {ks= dh la;k
1	2	3	4	5	6	7	8	9
1	318	9	103	2	308	3	389	7
2	305	10	96	5	264	6	330	8

3	276	11	88	6	218	2	286	4
4	208	5	32	8	150	1	244	11
5	163	3	25	1	75	4	205	1
6	122	2	22	4	54	5	197	10
7	118	1	18	3	40	8	181	9
8	105	8	16	7	31	7	122	6
9	88	4	16	9			120	5
10	28	6					98	2
11	20	7					12	3
dqy ;ksx	1751		416		1140		2184	

- 6- rRi'pkr fu;e 19 ds v/khu izFke fuokZpu esa vuqlwfpr tutkfr] vuqlwfpr tkfr] fiNM+k oxZ ,oa vU; ds dzekuqlkj mu dksfV;ksa dks vuqekU; esa lss ,d ,d izknsf'kd fuokZpu {ks= vkoafVr fd, tk;saxs rFkk 'ks"k izknsf'kd fuokZpu {ks=ksa dks vkoafVr djus ds fy, blh dze dh iqujko`fr dh tk;sxh A }rh; fuokZpu esa vuqlwfpr tkfr] fiNM+k oxZ] vU; ,oa vuqlwfpr tutkfr dk dze viuk;k tk;sxk A r`Rh; fuokZpu esa fiNM+k oxZ] vU;] vuqlwfpr tutkfr ,oa vuqlwfpr tkfr dk dze viuk;k tk;sxk rFkk prqFkZ fuokZpu esa vU;] vuqlwfpr tutkfr] vuqlwfpr tkfr ,oa fiNM+k oxZ dk dze viuk;k tk;sxk A mnkgj.k vkxs izi= iv esa fn;k x;k gS A
- 7- fdlh dksfV dsk mij fu/kkZfjr dze esa vojksgh dze esa vf/kdre tula[k; okyk izknsf'kd@{ks=h; fuokZpu {ks= vkoafVr fd;k tk;sxk ijUrq ;fn og {ks= nwljs dksfV dks iwoZ esa mlh vk/kkj ij vkoafVr gS rc vojksgh dze esa nwljk] rhlik vkfn vf/kdre tula[k; okyk izknsf'kd@{ks=h; fuokZpu {ks= vkoafVr fd;k tk;sxk A mnkgj.k vkxs izi= iv esa fn;k x;k gS A
- 8- izR;sd dksfV ds fy, LFkkuksa dh la[k; fu/kkZj.k ds vk/kkj ij vojksgh dze esa vf/kdre tula[k; okys fuokZpu {ks= fpfUg~r djus ds ckn

izR;sd dksfV ds fy;s de ls de ipkl izfr'kr {ks= ml dksfV dh efgykvksa ds fy;s vkjf{kr dj vkoafVr fd;s tk;saxsA ftl dksfV ds fy, tula[k vuqikr ds vk/kkj ij LfKku vuqekU; ugha gS] ml dksfV dh efgyk ds fy, ,slk vkoaVu ugha fd;k tk;sxk A ftl dksfV ds fy, 2 LfKku vuqekU; gS ml dksfV dh efgyk ds fy;s ,d LfKku vkoafVr gksxk ijUrq ;fn fdlh dksfV ds fy;s ,d gh LfKku vuqekU; gks rks og LFku izFke pquko esa ml dksfV dh efgyk ds fy;s vkjf{kr jgsxk vkSj i'pkrorhZ nwljs pquko esa efgyk ds fy;s vkjf{kr ugha gksxk A mngj.k vkxs izi= iv esa fn;k x;k gS A

- 9- izR;sd dksfV ds fy;s vkjf{kr fd;s x;s izknsf'kd fuokZpu {ks=ksa esa mij dafMdk 6 esa of.kZr dzeksa esa igys vkus okys izknsf'kd fuokZpu {ks= loZizFke ml dksfV dh efgyk ds fy;s vkoafVr gksxk vkSj rRi'pkr izR;sd nwljk {ks=} vuqekU;rk ds vk/kkj ij] efgyk ds fy;s vkoafVr gksxk A mngj.k izi= iv esa fn;k x;k gSA

mngj.k $\frac{1}{4}2\frac{1}{2}$								
izi=&IV $\frac{1}{4}$ izi= AAA ds vkadM+k ij vk/kkfjr $\frac{1}{2}$								
vuqlwfr tutkfr ds fy;s vkjf{kr fuokZpu {ks= la[k		vuqlwfr tkfr ds fy;s vkjf{kr fuokZpu {ks= la[k		finM+k oxZ ds fy;s vkjf{kr fuokZpu {ks= la[k		vukjf{kr fuokZpu {ks= la[k		fuokZpu
efgyk	vU;	efgyk	vU;	efgyk	vU;	efgyk	vU;	
9 11 1	0	2	&&	3	&&	7 4	8	izFke fuokZpu
10 5 6	1	&&	2	&&	3	8 7	4	f}rh; fuokZpu
11 1 9	0	2	&&	3	&&	4 8	7	r`rh; fuokZpu
5 6	1 9	&&	2	&&	3	7 4	8	prqFkZ fuokZpu

10	11							
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10- ;fn vU; fodYi ugha gksa rc iwoZorhZ esa fdlh dksfV fo'ks"k ds fy;s vkoafVr fuokZpu {ks= mlh dksfV ds fy;s i'pkrorhZ fuokZpu esa iqu% vkoafVr fd;k tk ldsxk A

vuqlwph

mknkj.k & ¼3½ ¼d½

lkekU; {ks=ksa esa eqf[k;k@izeq[k@ftyk ifj"kn v/;{k ds vkj{k.k ds vo/kkj.k dh izfdz;k

¼fu;e & 16 ½

mknkj.kLo:i] fdlh iapk;r lfevr dh tula[;k 55000 gS] ftyk ifj"kn dh tula[;k 5]50]000 ,oa jkT; dh tula[;k 55]00]000 gS] vf/kfu;e dh /kkjk 31] 33 ,oa 35 ds izko/kkukuqlkj] eqf[k;k] iapk;r lfevr ds izeq[k ,oa ftyk ifj"kn ds v/;{k dk vkj{k.k fuEu izdkj fd;k tk;sxk] tSlk uhps n'kkZ;k x;k gS A

¼fu;e ns[ksa½

mRrj



nf{k.k

2- vc iapk;r lfevr dh dqy tula[;k dks gh mknkj.k eku dj pysa rc mDr iapk;r lfevr ¼dfYir uke jkrw½ dh dqy tula[;k esa ls fu;e 14 ds vuqlkj ml iapk;r lfevr ds izR;sd xzke iapk;r dh dksfV dh tula[;k vkSj dqy tula[;k esa mldk vuqikr ¼izfr'kr½ izklr fd;k tk;sxk] ;Fkk&

	¼d½				iapk;r
lfevr		jkrw	dh	dqy	tula[;k
	&55000				

$\frac{1}{4}[k\frac{1}{2}$		iapk;r
lfeFr jkrw esa eqf[k;k ds dqy inksa dh la[;k		& 11
$\frac{1}{4}x\frac{1}{2}$		fu;e 16
ds vuqlkj eqf[k;k ds dqy vkj{kr inksa dh la[;k		& 5
$\frac{1}{4}?k\frac{1}{2}$		fu;e 16
ds vuqlkj eqf[k;k ds dqy vukj{kr inksa dh la[;k		& 6
$\frac{1}{4}M+\frac{1}{2}$		izR;sd
dksfV dh tula[;k vkSj dqy tula[;k esa mldk vuqikr $\frac{1}{4}$ izfr'kr $\frac{1}{2}$		&
$\frac{1}{4}1\frac{1}{2}$ vuqlwfpr tutkfr dh tula[;k	&	2280
$\frac{1}{4}2\frac{1}{2}$ vuqlwfpr tutkfr dh tula[;k dk izfr'kr	&	4-14
izfr'kr		
$\frac{1}{4}3\frac{1}{2}$ vuqlwfpr tkfr dh tula[;k	&	8270
$\frac{1}{4}4\frac{1}{2}$ vuqlwfpr tkfr dh tula[;k dk izfr'kr		15-
03izfr'kr		
$\frac{1}{4}5\frac{1}{2}$ fiNM+k oxZ dh tula[;k		
39500		
$\frac{1}{4}6\frac{1}{2}$ fiNM+k oxZ dh tula[;k vkSj dqy tula[;k dk izfr'kr	&	
71-81 izfr'kr		
$\frac{1}{4}7\frac{1}{2}$ vU; tkfr dh tula[;k	&	
4950		
$\frac{1}{4}8\frac{1}{2}$ vU; tkfr dh tula[;k dk izfr'kr		9-0
izfr'kr		
3- vc tula[;k ds vuqikr ;Fkk izfr'kr ds vk/kkj ij izR;sd dksfV ds fy,		
vuqekU; in dh dqy la[;k fu/kkZfjr dh tk;sxh] ;Fkk %&		
$\frac{1}{4}d\frac{1}{2}$ vuqlwfpr tutkfr ds fy, 11 in dk 4-14 izfr'kr		= 0-45 in
$\frac{1}{4}[k\frac{1}{2}$ vuqlwfpr tkfr ds fy, 11 in dk 15-03 izfr'kr		= 1-65 in
$\frac{1}{4}x\frac{1}{2}$ fiNM+k oxZ ds fy, 11 in dk 71-81 izfr'kr		= 08 in
$\frac{1}{4}?k\frac{1}{2}$ vU; ds fy, 11 in dk 9-0 izfr'kr		= 0-99 in

- 4- pwjfd vf/kfu;e dh /kkjk 31] 33 ,oa 35 ds izko/kkukuqlkj lkekU; {ks= ds LFkkuksa ds vkj{k.k ds vf/klhek 50 izfr'kr gS vkSj vuqlwfpr tutkfr ,oa vuqlwfpr tkfr dh tula;k ds vuqikr esa vkj{k.k ds ckn 50 izfr'kr dk 'ks"k fiNM+k oxZ dks ns; gS rFkk fu;e 18 ds vuqlkj x.kuk ds fufer vk/ks ,oa vk/ks ls de Hkkx dks NksM+ fn;k tk;sxk rFkk vk/ks ls vf/kd Hkkx dks ,d ekuk tk;sxk] blfy, mij dafMdk 3 esa fd, x;s fu/kkZj.k ds vuqlkj vuqlwfpr tutkfr ds fy, 'kwU;] vuqlwfpr tkfr ds fy, 02] fiNM+k oxZ ds fy, 50 izfr'kr in ¼05½ dk 'ks"k ;kfu 03 ,oa vU; ds fy, 06 LFkku vuqekU; gksaxs A
- 5- bl izfdz;k ds ckn fu;e 19 ds vUrxZr vkj{k.kr inksa dh la;k vkoafVr fd;k tk;sxk A blds fy, loZizFke izR;sd dksfv dh tula;k izklr dh tk;sxh vkSj izi= 1 ds dkWye 1 ls 9 ds vuqlkj dksfvokj tula;k dh vojksgh dze esa J`Wa[kyk rS;kj dh tks;xh tSlk uhps n'kkZ;k x;k gS %&

izi=&A

Øekad	vojksgh Øe esa vuqlwfpr tutkfr dh tula;k	xzke iapk;r dh la;k	vojksgh Øe esa vuqlwfpr tkfr dh tula;k	xzke ipak;r dh la;k	vojksgh Øe esa fiNM+k oxZ dh tula;k	xzke iapk;r dh la;k	vojksgh Øe esa vU; dh tula;k	xzke iapk;r dh la;k
1	2	3	4	5	6	7	8	9
1	550	1	2120	11	4070	8	1200	8
2	400	3	2050	10	3990	9	1050	9
3	380	2	930	7	3970	1	530	3
4	350	5	850	6	3950	4	420	4
5	280	6	680	5	3820	7	370	11
6	240	4	520	2	3780	3	330	2
7	80	7	450	4	3700	6	320	1
8			370	3	3650	5	270	5
9			300	1	3550	2	190	7
10					2720	10	150	6
11					2300	11	120	10

dqy ;ksx	2280		8270		39500		4950	
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6- rRi'pkr fu;e 19 ds v/khu izFke fuokZpu esa vuqlwfpr tutkfr] vuqlwfpr tkfr] fiNM+k oxZ ,oa vU; ds dzekuqlkj mu dksfV;ksa dks vuqekU; esa lss ,d ,d iapk;r {ks= vkoafVr fd, tk;saxs rFkk 'ks"k iapk;r {ks=ksa dks vkoafVr djus ds fy, blh dze dh iqujko`fr dh tk;sxA f}rh; fuokZpu esa vuqlwfpr tkfr] fiNM+k oxZ] vU; ,oa vuqlwfpr tutkfr dk dze viuk;k tk;sxA r`Rkh; fuokZpu esa fiNM+k oxZ] vU;] vuqlwfpr tutkfr ,oa vuqlwfpr tkfr dk dze viuk tk;sxA rFkk prqFkZ fuokZpu esa vU;] vuqlwfpr tutkfr] vuqlwfpr tkfr ,oa fiNM+k oxZ dk dze viuk;k tk;sxA mnkgj.k vkxs izi=&AA esa fn;k x;k gS A

7- fdlh dksfV dsk mij fu/kkZfjr dze esa vojksgh dze esa vf/kdre tula[;k okyk iapk;r vkoafVr fd;k tk;sxA ijUrq ;fn og iapk;r {ks= nwlls dksfV dks iwoZ esa mlh vk/kkj ij vkoafVr gS rc vojksgh dze esa nwllj] rhjk vkfn vf/kdre tula[;k okyk iapk;r {ks= vkoafVr fd;k tk;sxA A mnkgj.k vkxs izi=&AA esa fn;k x;k gS A

8- izR;sd dksfV ds fy, LFkkuksa dh la[;k fu/kkZ].k ds vk/kkj ij vojksgh dze esa vf/kdre tula[;k okys iapk;r {ks= fpfUg~r djus ds ckn izR;sd dksfV ds fy;s ipkl izfr'kr {ks= ml dksfV dh efgykvksa ds fy;s vkjf{kr dj vkoafVr fd;s tk;saxs A ftls dksfV ds fy, tula[;k vuqikr ds vk/kkj ij LFkku vuqekU; ugha gS] ml dksfV dh efgyk ds fy, ,slk vkoaVu ugha fd;k tk;sxA A ftl dksfV ds fy, 2 LFkku vuqekU; gS ml dksfV dh efgyk ds fy;s ,d LFkku vkoafVr gksxk ijUrq ;fn fdlh dksfV ds fy;s ,d gh LFkku vuqekU; gks rks og LFku izFke pquko esa ml dksfV dh efgyk ds fy;s vkjf{kr jgsxk vkSj i'pkrorhZ nwlls pquko esa efgyk ds fy;s vkjf{kr ugha gksxk A mnkgj.k vkxs izi=&AA esa fn;k x;k gS A

9- izR;sd dksfV ds fy;s vkjf{kr fd;s x;s iapk;r esa mij dafMdk 6
 esa of.kZr dzeksa esa igys vkus okys iapk;r loZizFke ml dksfV dh efgyk
 ds fy;s vkoafVr gksxk vkSj rRi'pkr izR;sd nwljk {ks=} vuqekU;rk ds vk/kkj
 ij] efgyk ds fy;s vkoafVr gksxk A mngkj.k izi=&AA esa fn;k x;k gSA

mngkj.k & 3¼d½

izi=&AA ¼izi= A ds vkadM+k ij vk/kkfjr½

vuqlwfpr tutkfr ds fy;s vkjf{kr iapk;r {ks= la[;k		vuqlwfpr tkfr ds fy;s vkjf{kr iapk;r {ks= la[;k		fiNM+k oxZ ds fy;s vkjf{kr iapk;r {ks= la[;k		vukjf{kr iapk;r {ks= la[;k		fuokZpu
efgyk	vU;	efgyk	vU;	efgyk	vU;	efgyk	vU;	
&&	&&	11	10	8 4	1	9 2 7	3 5 6	izFke fuokZpu
&&	&&	10	11	1 8	4	3 5 6	2 7 9	f}rh; fuokZpu
&&	&&	11	10	4 1	8	2 7 9	5 6 3	r`rh; fuokZpu
&&	\&&	10	11	9 7	1	2 6 3	5 8 4	prqFkZ fuokZpu

10- ;fn vU; fodYi ugha gksa rc iwoZorhZ esa fdlh dksfV fo'ks"k
 ds fy;s vkoafVr iapk;r mlh dksfV ds fy;s i'pkrorhZ fuokZpu esa iqu%
 vkoafVr fd;k tk ldsxkA

mnkgj.k& $\frac{1}{4}3^{\frac{1}{2}} \frac{1}{4}[k^{\frac{1}{2}}$

vuqlwfpr {ks=ksa esa iapk;rksa ds inksa dk efgykvkssa ds fy,

vkj{k.k dh izfdz;k

$\frac{1}{4}fu;e&17 nsf[k;s^{\frac{1}{2}}$

mnkgj.kLo#i fdlh iz[k.M esa 14 iapk;r] fdlh ftyk esa 17 iapk;r lfevr gSa ,oa jkT; esa 24 ftyk ifj"kn gSA vf/kfu;e ds izko/kkukuqlkj 14 eqf[k;k] 17 izeq[k rFkk 24 v/;{k ds in gksaxsA

2- fu;e 7¼1½ ds rgr jkT; fuokZpu vk;ksx }kjk ftyk ds fy;s jkseu vad esa rFkk iapk;r lfevr ds fy, vjch vad esa fu/kkZfjr dksM rFkk fu;e 12¼4½ ds rgr ftyk n.Mkf/kdkjh }kjk iapk;rksa ds fy, fu/kkZfjr dksM ds dzekuqlkj dqy 09 dkWye esa ,d rkfydk rS;kj dh tk;sxh tSlk fd uhps n'kkZ;k x;k gS&

dze la[;k	ftyk n.Mkf/kdkjh }kjk vkoafVr dksM	lkapk;r ds in dk uke	dze la[;k	jkT; }kjk vkoafVr dksM	iapk;r lfevr ds in dk uke	dze la[;k	vk;ksx }kjk vkoafVr dksM	ftyk ifj"kn ds in dk uke
1	2	3	4	5	6	7	8	
1	1	eqf[k;k]	1	1	izeq[k]	1	I	v/;{k
2	2	eqf[k;k]	2	2	izeq[k]	2	II	v/;{k
3	3	eqf[k;k]	3	3	izeq[k]	3	III	v/;{k
4	4	eqf[k;k]	4	4	izeq[k]	4	IV	v/;{k
5	5	eqf[k;k]	5	5	izeq[k]	5	V	v/;{k
6	6	eqf[k;k]	6	6	izeq[k]	6	VI	v/;{k
7	7	eqf[k;k]	7	7	izeq[k]	7	VII	v/;{k
8	8	eqf[k;k]	8	8	eq[k]	8	VIII	v/;{k
9	9	eqf[k;k]	9	9	izeq[k]	9	IX	v/;{k
10	10	eqf[k;k]	10	10	izeq[k]	10	X	v/;{k
11	11	eqf[k;k]	11	11	izeq[k]	11	XI	v/;{k
12	12	eqf[k;k]	12	12	izeq[k]	12	XII	v/;{k
13	13	eqf[k;k]	13	13	izeq[k]	13	XIII	v/;{k
14	14	eqf[k;k]	14	14	izeq[k]	14	XIV	v/;{k
			15	15	izeq[k]	15	XV	v/;{k
			16	16	izeq[k]	16	XVI	v/;{k
			17	17	izeq[k]	17	XVII	v/;{k
						18	XVIII	v/;{k
						19	XIX	v/;{k

						20	XX	v/;{k
						21	XXI	v/;{k
						22	XXII	v/;{k
						23	XXIII	v/;{k
						24	XXIV	v/;{k

1- izFke fuokZpu esa mi;qZDr rhuksa gh Lrj ds inksa dh x.kuk ds fufeŸk iapk;r fuokZpu fu;ekoyh] 2001 ds fu;e 17¼4½ ds izko/kkukuqlkj izFke fuokZpu esa dze 1]3]5]7]9]11]13]15]17]19 vkfn rFkk f}rh; fuokZpu esa dze 2]4]6]8]10]12]14]16]18]20]22]24] vkfn ds vuqlkj x.kuk dh tk;sxhA

2- izFke fuokZpu esa dkWye 3 dk igyk in] dkWye 6 dk igyk in ,oa dkWye 9 dk igyk in efgyk ds fy, vkoafVr fd;k tk;sxkA blds ckn dkWye 3 dk rhijk in] dkWye 6 dk rhijk in ,oa dkWye 9 dk rhijk in efgyk ds fy, vkoafVr fd;k tk;sxkA 'ks"k ds fy, blh dze dh iqujko`fŸk dh tk;sxhA

f}rh; fuokZpu esa dkWye 3 dk nwljk in] dkWye 6 dk nwljk in ,oa dkWye 9 dk nwljk in blds ckn dkWye 3 dk pkSFkk in] dkWye 6 dk pkSFkk in ,oa dkWye 9 dk pkSFkk in efgyk ds fy, vkoafVr fd;k tk;sxk ,oa 'ks"k ds fy, blh dze dh iqujko`fŸk dh tk;sxhA

FORMS