S.O(Hius)

FIUS)

MANIPUR HILL AREAS DISTRICT COUNCILS ACT, 1971

Legal Officer
TA & Hills Dept.
TA & Of Manipur

RULES, 2009

Legal Officer TA & Hills Dept TA & Hills Dept

GOVERNMENT OF MANIPUR
PLANNING & DEVELOPMENT DEPARTMENT

Imphal, the 9th March, 1972

GOVERNMENT OF MANIPUR

PLANNING & DEVELOPMENT DEPARTMENT Implied, the 9th March, 1972

THE MANIPUR (HILL AREAS) DISTRICT COUNCILS

ACT 19/1

to provide for the establishment of District Councils in the Hill Areas in the Union territory of Manipur.

Be it enacted by Parliament in the Twenty -second Year of the Republic of India as follows: -

CHAPTERI

Preliminary

1. (1) This Act may be called the Manipur (Hill Areas) District Councils ACT, 1971.

Short Title and extend

(2) It extends to the whole of the Union territory of Manipur.

2. In this Act, unless the context otherwise requires, -

- (a) "Administrator" means the administrator of the Union Definitions. Territory of Manipur appointed under article 239 of the Constitution;
- (b) "autonomous district" means an autonomous district referred to in sub-section (1) of section 3;
- (c) "building" includes a house, out-house, stable, latrine, urinal, shed, but, wall (other than boundary wall) and any structure (whether masonry, bricks, wood, mud or other material) but does not include any portable or temporary shelter;

(d) "constituency means a District Council constituency provided by other made under section 5 for the purpose of elections to the District Council;

(e) "Deputy Commissioner", in retaliation to any District Council means the officer appointed as such by the Administrator, by notification in the Official Gazette, to perform the functions of the Deputy Commissioner under this Act in the autonomous district for which such District Council has been constituted;

(f) "Hill Areas" means the Hill Areas determined by the President by any notification issued under sub-section 20 of 1963 (2) of section 52 of the Government of Union Territories Act, 1963 and in force immediately before the commencement of this Act;

(g) "Hill Areas Committee" means the Standing Committee referred to in section 52 of Union Terrorist Act, 1963,

20 of 1963

(h) "market metades any place where persons assemble for the sale of, or for the purpose of exposing for sale of, food or any other acticles of human food whatsoever with or without the consent of the honom owner of such place not withstanding that there may be no common regulation for the concourse of buyers and settlers and whether or not any control is exercised over the business of, or the persons frequenting, the market by the owner of the place or by any other persons;

 (i) "member" means a member of the District Council constituted under this Act;

(j) "Official Gazette" means the Gazette of the Union territory of Manipur;

(k) "person" does not include a body of person;

- "prescribe" means prescribed by rules made under this Act;
- (m)"Scheduled Tribe" has the same meaning assigned to it in clause (25) of Article 366 of the Constitution;
- (n) "vehicle" includes a carriage, cart, handcart, bicyclo, tricycle and every wheeled conveyance, which is used or is capable of being used on the street but does not include a mechanically propelled vehicle.

CHAPTER II

CONSTITUTION OF DISTRICT COUNCILS

Division of Hill Areas into autonomous districts.

06660000000000000

P 16 8

 (1) As soon as may be after the commencement of this Act, the Administrator shall cause all the Hill Areas to be divided into not more than six autonomous districts.

(2) The Administrator may, by order notified in the Official Gazette.

(a) declare that any area in any autonomous district which is, or is intended to be, included within the limits of any municipality, cantonment or town committee shall cease to be a part of such autonomous district;

(b) increase the area of any autonomous district;

(c)diminish the area of any autonomous district;(d) unite two or more autonomous districts or part thereof so as to form one autonomous district;

(e) define the boundaries of any autonomous district;

(f) after the name of any autonomous district .

- (3) No order under sub-section (2) shall be made by the Administrator except after under consultation with the Hill Areas Committee.
- (4) Any order made by the Administrator under sub-section (2) may contain such incidental and consequential provisions as appear to the Administrator to be necessary for giving effect to the provision of the order.
 - (1) For each autonomous district there shall be a District Council as from such date as the Administrator may, be notification in the Official Gazette, appoint in this behalf.

Constitution of District Council and their composition.

(2) The total number of seats in the District Council to be filled by persons chosen by direct election on the basis of adult suffrage from territorial constituencies shall be not more than eighteen.

(3) The Administrator may againsts not more than two persons, not being persons in the service of Government, to be members of any District Council

5. The Administrator shall, by order determine-

(a) the constituencies (which shall be single member constituencies) into which an autonomous district shall be divided for the purpose of election of members to the District Council of the district; and

Delimitation of Constituturencies

(b) the extend of which constituency.

6. The Administrator may, from time to time, by order, alter or amend any order made under section 5.

Power to alter anread delimitation orders

7. A person shall not be qualified to be chosen as a member of a District Council of any autonomous district unless he is an elector for any District Council constituency in that autonomous district

Qualifications for membership

8. (1) A person shall be qualified for being chosen as a member of a District Council if he is for the time being disqualified for being chosen as a member of either House of Parliament or holds any office of profit under any District Council.

Disqualifications for membership.

(2) For the purposes of this section, a person shall not be deemed to hold an office of profit under a District Council by reason only that he is a member thereof

9. (1) The persons entitled to vote at elections of members of a District Council shall be the persons entitled by virtue of the provisions of the Electors on Constitution and the Representation of the People Act, 1950, to be electoral rolls. registered as voters at elections to the House of the People

(2) So much of the electoral roll for any parliamentary constituency for the time being is force as relates to the areas comprised within a constituency formed under section 5 shall be deemed to be the electoral roll for that constituency for the purposes of this Act.

10. (1) Every person whose name is, for the time being, entered in the electoral roll of the constituency shall be entitled to vote at the election of a member of the District Council from that constituency

(2) Every person shall give one vote and no more to any one candidate at the election

Right to vote.

Election of members

43 of 1950.

Seleinetaubin

H. Election of members of a District Council shall be held n accordance with the rules made under section 21 on such date or dates as the Administrator usey, by notification in the Official Gazette,

Provided that the casual vacancy shall be filled as soon as may be after the occurrence of the vacancy:

Provided further that no election shall be held to fill up a casual vacancy occurring within four months prior to the holding of general election under this section

Notification of results of elections

12. The names of the persons elected or noninated to be members of a District Council shall be published by the Administrator in the Official Ciazette.

Term of office of members.

13: (1) Save as otherwise provided in this section, the term of office of a member shall be five years and shall commence from the date of notification of this election or nomination under section 12 or from the date on which the vacancy in which he is elected or nominated has occurred, whichever date is later.

Provided that the Administrator may, when satisfied that It is necessary in order to avoid administrative difficulty, extend the term of office of all members by such period not exceeding one year as he thinks lit

(2) The term of office of the member elected to fill a casual vacancy shall commence from the date of notification of his election and shall continue so long as the member in whose place he is elected would have been entitled to hold office if the vacancy had not occurred.

Disputes as to elections.

- 14. (1) No election of a member shall be called in question except by an election petition presented to the court of the District Judge having jurisdiction in the area in which the constituency concerned is altuated, within thirty days from the date of the notification of the result of the election under section 12.
- (2) An election petition calling in question any such election into be presented on one or more of the grounds specified in section 16 by any candidate at such election or by any elector of the constituency.

(3)A petitioner shall join as respondents to his petition all the candidates at the election.

(4) An election petition-

- (a) shall contain a concise statement of material facts on which the petitioner relies;
- (b) shall, with sufficient particulars, set forth the ground of grounds on which the election is called in question; and
- (c) shall be signed by the petitioner and verified in the manner laid down in the Code of Civil Procedure, 1908 for the verification of pleadings.

15. A petitioner may, in addition to claiming a declaration that the election of all or any of the returned candidates is void, claim a further declaration that he himself or any other candidate has been duly elected.

of 1908

Relief that may

- 16. The election of a returned candidate may be called in question on any one or more of the following grounds, namely:-
 - (a) that on the date of his election the returned candidate was not qualified to be elected, or he was disqualified for being elected, as a member under this Act; or

(b) that the nomination paper of any candidate at the election has been improperly rejected for

(c) that the result of the election has been materially affected by the improper acceptance or refusal of a vote or by any other cause.

17. The procedure provided in the Code of Civil Procedure, 1908 in regard to suits shall be followed by the court of the District Judge, as far as it can be made applicable, in the trial and disposal of an election petition under this Act.

18. (1) At the conclusion of the trial of an election petition, the court of the District Judge shall make an order-

(a) dismissing the election petition; or

(b) declaring the election of all or any of the returned candidate to be void, or

Orounds on which an election may be called in question.

5 of 1908

Procedure to be

followed by the District Judge.

Decision of the

(c) declaring the election of all or any of the returned candidates to be void and the petitioner or any other candidate to have been duly elected.

(2) If any person who has filled an election 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 of the District Judge is of opinion-

 (a) that in fact the petitioner or such other candidate received a majority of the valid votes; or

- (b) that but for the votes obtained by the returned candidate, the petitioner or such other candidate would have obtained a majority of the valid votes, the court of the District Judge 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.
- 19. If during the trial of an election petition it appears that there is equality of votes between any candidates at the election and that the addition of vote would entitle any of those candidates to be declared elected, then the court of the District Judge shall decide between them by lot and proceed as if the one on whom the lot falls had received an additional vote.

Procedure in case of equality of votes.

20. (1) in order of the court of the District Judge on an election petition shall be final and conclusive.

Finality of decisions.

CFC

 (2) An election of a member not called in question in accordance with the foregoing provisions shall be deemed to be a good and valid election.

Power to make 1.1 - rules regulating the election of members.

11 41 4

21. The Administrator may make rules to regulate all or any of the following matters for the purpose of the holding of elections of members under this Act, namely:-

(a) the manner of the splitting up of the electoral rolls for parliamentary constituencies into parts for the purpose of constituting one or more of such parts into electoral roll for a constituency; and the officer or authority by whom such splitting up is to be carried out;

(b) the drawing up of the programme of election;

(c) the appointment of returning officers, presiding and polling officers for election;

(d) the nomination of candidates and the scrutiny of such nomination;

- (e) the deposits to be made by candidates and the time and manner of making such deposits;
- (f) the withdrawal of candidatures;
- (g) the appointment of agents of candidates;
- (h) the time and manner of holding elections;
- (i) the general procedure of the elections including the time, place and hours of poll and the method by which votes shall be cast;

(j) the fee to be paid on an election petition;

(k) any other matter relating to elections or election disputes in respect of which the Administrator deems it necessary to make rules under this section or in respect of which this Act makes no provision or makes insufficient provision and provision is, in the opinion of the Administrator, necessary. Incorporation of District Council. 22. Each District Council shall be a body corporate by the name respectively of "the District Council of (name of autonomous district)" and shall have perpetual succession and a common seal with power to acquire, hold and dispose of property and to contract and may by the said name sue and be sued.

Chairman and Vice chairman.

23. (1) A District Council shall, as soon as may be, choose two members to be respectively Chairman and Vice-Chairman thereof and, so often as the office of Chairman and Vice-Chairman becomes vacant, the Council shall choose another member to be Chairman or Vice-Chairman, as the case may be;

Provided that the Administrator may nominate the first Chairman who shall hold office for a period not exceeding one year.

- (2) If a resolution for the removal of an elected Chairman is passed by not less than two-thirds of the total membership of the Council at a meeting convened in accordance with the provisions of sub-section (3), such resolution shall have the effect of removing the Chairman from his office as from the date on which the resolution is so passed and if such resolution is passed by less than two-thirds but not less than one-half of the total membership of the Council, the Administrator may, by order in writing, remove, for reasons to be recorded, the Chairman from his office as from such date as may be specified in the order:
- (3) A notice in writing of the intention to move a resolution referred to in sub-section (2) signed by not less than one-third of the total membership of the Council together with a copy of the proposed resolution shall be delivered to the Deputy Commissioner in accordance with the rules and the Deputy Commissioner shall, after giving not less than fifteen days' notice thereon, convene for consideration of the resolution a meeting of the Council to be held in the office of the Council on a date not later than thirty days from the date on which the notice was delivered; to him and he shall preside over the meeting.
- (4) The Chairman of the Council shall be a whole-time functionary and shall be entitled to such salary or allowances as may be fixed by the Administrator.
- 24. Every member shall, before taking his seat, make and subscribe at a meeting of the District Council, an oath or affirmation in the prescribe form.

Oath or affirmation by members.

25. (1) No person shall be a member both of the Legislative Assembly of the Union Territory of Manipur and of a District Council and if a person is chosen a member both of the Legislative Assembly and of a District Council, then at the expiration of fourteen days from the date of publication of the Official Council that he has been so chosen, that person's seat in the District Council shall become vacant unless he has previously resigned his seat in the Legislative Assembly.

(2) If a member-

- (a) becomes subject to any of the disqualifications mentioned in section 8; or
- (b) resigned his seat by writing under his hand addressed to the Chairman of the District Council his seat shall thereupon become vacant.
- (3) If during the six successive months a member is, without the permission of the District Council, absent from all meetings thereof,

Vacation of scats.

the Council may declare his seat vacant

(4) If any question arises as twenther a member has become subject to any of the disqualifications mentioned in section 8, it shall be referred to the District Judge having jurisdiction in the area in which the constituency concerned is situated and his decision shall be final.

Allowances of members.

26. Subject to the provisions of sub-section (4) of section 23, every member shall be entitled to receive such allowances as may be determined by the Administrator.

Liability of members.

27. Every person shall be liable for the loss, waste or misappropriation of the money or other property belonging to a District Council, if such loss, waste or misappropriation is a direct consequence of his neglect or misconduct while a member of the District Council and a suit for compensation may be instituted against him by the Council with the previous sanction of the Deputy Commissioner or by the Deputy Commissioner with the previous sanction of the Administrator.

Members to be deemed to be public servants.

28. Every member shall be deemed to be a public servant within the meeting of section 21 of the Indian Penal Code.

45 of 1860

CHAPTER III

FUNCTIONS OF DISTRICT COUNCILS

Functions of District Councils. 29. (1) Subject to such exceptions and conditions as the Administrator may make and impose the following matters shall be under the control and administration of a District Council, namely:-

 (i) the maintenance and management of such property, moveable and immoveable, and institutions as may be transferred to the Council by the Administrator;

(ii) the construction, repair and maintenance of such of the roads, bridges, channels and buildings as may be transferred to that Council by the Administrator;

(iii) the establishment, maintenance and management primary schools and the construction and repair of all buildings connected with these institutions and institution of scholarship;

(iv) the establishment, maintenance and management of dispensaries;

(v) the establishment, maintenance of cattle pounds including such functions under the Cattle-trespass Act 1871 as may be transferred to that Council by the Administrator

l of 1871

(vi) the establishment, maintenance and management of markets and fairs and the construction, repair and maintenance of all buildings connected therewith;

(vii) the supply, storage and prevention from pollution of water for drinking, coking and bathing purposes;

(viii) the construction, repair and maintenance of embankments and the supply, storage and control of water for agriculture purposes;

(ix) the prevention and reclaimation of soil;

(x) the preservation, protection And improvements of livestock and prevention of animal diseases;

(xi) public health and sanitation;

(xii) the management of such ferries as may be entrusted to the change of that Council by the Administrator;

(xiii) the initiation, inspection and control of relief works;

(xiv) the allotment, occupation or use, or the setting apart of land, other than land acquired for any public purpose or land which is a reserved forest, for the purpose or agriculture or gazing or for residential or other non-agriculture purposes for any other purposes likely to promote the interests of the inhabitants of any village or town situated within the autonomous district for which that council is constituted:

(xv) the management of any forest not being a reserved forest;

(xvi) the regulation of the practice of .//www or other form of

shifting cultivation; and

(xvii) any other matter which the Administrator may, in consultation with the Hill Areas Committee, entrust to the District Council in the field of agriculture, animal husbandry, community development, social and tribal welfare, village planning or any other matter referred to in section 52 of the Government of Union Territories Act, 1963.

(2) It shall be competent for District Council to recommend to the Government of Union Territory of Manipur Legislation relating to the following matters in so far as they concern members of the Scheduled

Tribes, namely:-

(a) appointment or succession of Chiefs;

(b) inheritance of property;

(c) marriage and divorce; and

(d) social customs.

CHAPTER IV

PROCEDURE AND STAFF OF DISTRICT COUNCIL

30. A District Council shall conduct its business in such manner and tin accordance with such procedure as may be prescribed.

Conduct of business

31. A District Council may, from time to time, appoint out of its own body such and so many committees for the efficient discharge of its duties as may be necessary.

Committees.

32. (1) For every District Council there shall be a Chief Executive Officer, who shall be appointed by the Administrator.

Chief Executive Officer is by majority of not less than

(2) If a resolution for removal of the Chief Executive Officer is passed at a meeting of the District Council by majority of not less than two-thirds of the total membership of the Council, the Administrator shall remove him forthwith.

(3)The District Council shall appoint such officers and staff as may be necessary for the proper and efficient execution of its duties and make regulations for their conditions of service.

(4) The power of appointing officers and staff (whether temporary or permanent) shall be exercised in accordance with rules framed for the purpose by the Administrator.

5

20 of 1963.

(5) The conditions of service applicable to a person immediately before his appointment to a post under a District Council shall not be varied to his disadvantage except with the previous approval of the Administrator

(6)Every officer or member of staff of as District Council shall be deemed to be public servant within the meaning of section 21 of the Indian Penal Code.

CHAPTER V

FINANCE OF DISTRICT COUNCILS AND VESTING OF PROPERTY.

Powers of Taxation.

- 33. Notwithstanding anything to the contrary contained in any other law for the time being in force, a District Council shall have the power to levy all or any of the following taxes within the autonomous district for which the Council is situated, that is to say-
 - (a) taxes on professions, trades, callings and employments;
 - (b) taxes on animals , vehicles (other than mechanically; propelled vehicles) and boats;
 - (c) taxes on entry of goods into market for sale therein and tolls on passengers and goods carried in ferries;
 - (d) taxes on the maintenance of schools, dispensaries or roads; and
 - (e) any other tax falling under List II of the Seventh Schedule to the Constitution which the Legislature of the Union Territory of Manipur, may, by law, empower the District Council to Levy.

Levy of fees.

- 34. A District Council may fix and levy-
 - (a) school fees; and
 - (b) fees for the use of , or benefits derived from , any of the works done or services rendered under section 29.

Procedure for imposing taxes.

- 35. (1) A District Council may resolve at a meeting specially convened for the purpose to propose the imposition of any of the taxes mentioned in section 33
- (2) When a resolution has been passed, the Council shall publish a notice in the Official Gazette and also in the prescribe manner, defining the class of persons or description of property proposed to be taxed, the amount or rate of tax to be imposed and the system of assessment to be adopted.
- (3) Any person, directly or indirectly affected by the proposed tax and objecting to it, may, within, thirty days from the publication of the notice, send his objections in writing to the Council and the Council shall, at a specially convened meeting, take all such objections into consideration.
- (4) If no objection is sent within the said period of thirty days or if the objections received are deemed insufficient, the Council may submit its proposals to the Administrator with the objections, if any, and its decision thereon.

(5) The Administrator may then sanction the proposals or refuse to sanction them or return them to the Council for further consideration.

(6)When the proposal in respect of a tax has been sanctioned, the Administrator shall notify its imposition in the Official Gazette and specify a date not later than three months from the date of notification on which the tax shall come into force.

36. The Administrator may, by notification in the Official Gazette, and a District Council may with the previous approval of the Administrator by resolution passed at meeting specially convened for the purpose, abolish or reduce any tax imposed under section 33.

Abolition or reduction of taxes.

37. All arrears of taxes and fees levied under this Act may be recovered under the law for the time being in force for the recovery of public dues as if such arrears were public dues.

Recovery of taxes and fees,

38. A District Council may, by notification in the Official Gazette, determine the person by whom any tax or fee shall be assessed and collected and make rules for the assessment or collection of such tax or fee and direct in what manner persons employed in the assessment. or collection shall be remunerated.

Assessment and collection of taxes and fees.

39. (1) In matters connected with the assessment and collection of any tax or fee levied under this Act, an appeal shall be lie from the order of any person authorised to make assessment or collections to such person as the Administrator may appoint or designate for the purpose.

Appeals.

(2) An appeal under sub-section (1) shall be presented within thirty days from the date of order

(3) The order passed on the appeal shall be final.

40. A District Council may, by notification in the Official Gazette and with the previous approval of the Deputy Commissioner, prescribe by what instalments and at what times any tax or fee shall be payable.

Instalments exempt from taxation.

41. A District Council may, with the previous approval of the Administrator, by notification in the Official Gazette, remit or reduce any tax or fee or exempt any persons or class of persons or any description of property, wholly or in part, from liability to any tax or fee and cancel any such remission, reduction or exemption.

Power to exempt from taxation.

42. (1) Save as provided by section 37, all moneys claimable by a District Council may be recovered on an application to a Magistrate having jurisdiction in the area where the person from whom the money is claimable may, for the time being, be resident, by the distress ands the sale of any moveable property within the limits of the jurisdiction belonging to such person and the cost of such proceedings shall be recoverable in the same manner as the said moneys.

Recoveries of moneys claimable by the Council

(2) An application for recovery of money shall be in writing and shall be signed by an officer authorised in this behalf by orders of the Chairman of the Council.

43. (1) All moneys received by or on behalf of a District Council under the provisions of this Act or any other law for the time being in force shall be credited to a fund which shall be called the "Council Fund" and it shall be held by the District Council in trust for the purpose of this Act.

Council Fund.

A STATE OF THE PARTY OF THE PAR

- (2) All expenditures of the Council shall be deflayed out of the Council Fund.
- (3) The Administrator may make rules for the management of the Council Fund and for the procedure to be followed in respect of payment of money into the said Fund, the withdrawal of moneys therefrom, the custody of moneys therein and any other matter connected with or ancillary to the matters aforesaid.

(4) The accounts of a District Council shall be kept in such form as may be prescribed.

(5) The accounts of a District Council shall be audited in such manner as may be prescribed.

Property vested in District Council.

- 44. Subject to any order of the Administrator, all property of the nature specified below and situated in the autonomous district shall vest in and belong to the District Council for which it is constituted and shall, with all other property which may become vested in the Council, be under its direction, management and control and shall be held and applied for the purpose of this Act-
 - (a) all public buildings, constructed or maintained out of the Council Fund;
 - (b) all public roads which have been constructed or are maintained out of the Council Fund and the stones and other materials thereof and also all trees, erections, materials, implements and things provided for such roads;

(c) all land or other property transferred to the District Council by the Administrator or by gift, sale or otherwise for public purposes.

Hudget,

- 45. (1) A District Council shall, on or before a prescribed day in each year submit to the Atlantistrator an estimate of the income and expenditure of the Council for the next financial year in such form as may be prescribed.
- (2) The Administrator may, on or before a prescribed day, return the estimate of the Council with or without modifications.
- (3) When a budget is returned with modifications under subsection (2), the Council shall consider the proposed modifications, take a decision thereon and report the same to the Administrator.
- (4) The budget estimate finally adopted by the Council shall be the budget of the District Council.
- (5) Any subsequent alteration in the budget or reappropriation or transfer of provision within the estimate shall be made with the approval of the Administrator.

CHAPTER VI

Control

46. (1) It shall be the duty of the Chairman of a District Council to furnish to the Deputy Commissioner a copy of the proceedings of the meetings of the Council and such other information as the Deputy Commissioner may require

Control

- (2) The Deputy Commissioner shall have the power to give to any District Council all such directions as the may consider necessary in respect of subjects, curricula, text books and standards of teaching in schools vested wholly or partly in the Council and in schools wholly or partly maintained by grants payable from the Council Fund and the Council shall comply with such directions.
- (3) The Deputy Commissioner may, by order, and for reasons to be recorded, suspend the execution of any resolution or order of any District Council or prohibit the doing of any act which is about to be done, or is being done, in pursuance of or under cover of any provision of the law relating to the constitution or functions of the District Council, if, in his opinion, the resolution, order or act is in excess of the powers conferred by law or the execution of the resolution or order or the doing of the act is likely to lead to a breach of the peace or to cause annoyance or injury to the public or to any class or body of persons;

Provided that the Council may, within fifteen days of the date of the order of the Deputy Commissioner offer such explanation as it deems fit in relation to the execution of the resolution or order which has been suspended or the doing of the act has been prohibited.

- \$\times(4)\$ When the Deputy Commissioner makes any order as aforesaid, he shall forthwith send a copy of it to the Administrator with a statement of the reasons for making it and forward in due course to the Administrator the explanation, if any, offered by the Council and the Administrator may, thereupon, confirm, modify or rescind the order of the Deputy Commissioner.
- 47. (1) If, on receipt of a report from the Deputy Commissioner or otherwise, the Administrator is of opinion that-

Supersession of District Council

- (a) any District Council is not competent to perform, or persistently makes default in the performance of, the duties imposed on it by or under this Act or any other law; or
- (b) any District Council exceeds or abuses its powers; or
- (c) the financial position and credit position of any District Council is seriously threatened; or
- (d) a situation has arisen in which the administration of any District Council cannot be carried on in accordance with the provisions of this Act, the Administrator may, by an order published, together with a statement of reasons therefore, in the Official Gazette, supersede such Council for such period, not exceeding one year, as may be specified in the order:

Provided that before making an order of supersession as aforesaid under clause (a) or clause (b)or clause (c), reasonable opportunity shall be given to such Council to show cause why such order of supersession should not be made; Provided further that the period of supersession may be extended for any further period or periods not exceeding six months at a time in consultation with the Hill Areas Committee.

- (2) When any District Council is superseded by an order under sub-section (1)
 - (a) all the members of the Council (including the Chairman and Vice-Chairman thereof) shall, on such date as may be specified in the order, vacate their offices as such members without prejudice to their eligibility for election or nomination under clause (d);
 - (b) during the period of supersession of the Council, all powers and duties conferred and imposed upon the Council by or under this Act or any other law shall be exercised and performed by such officers or authority as the Administrator may appoint in this behalf;
 - (c) all property vested in the Council shall, until it is reconstituted, vest in the Central Government;
 - (d) before the expiry of the period or supersession, election or nomination, as the case may be, or members to the Council shall be held or made for the purpose of reconstituting the Council.

Effect of certain provisions during the period when the Hill Areas Committee is not functioning.

- 48. Where at any time, consequent on the dissolution of the Legislative Assembly of the Union Territory of Manipur, the Hill Areas Committee. 15 not functioning, then, during the period when such Committee is not functioning,-
 - section 3 shall have effect as if sub-section (3) thereof had been omitted;
 - (ii) clause (xvii) of section 29 and the second provision to subsection (1) of section 47 have effect as if the words "in consultation with the Hill Areas Committee" had been omitted therefrom

CHAPTER VII

Penalty for obstruction. 49. If any person wilfully obstructs a District Council or any officer or servant or a District Council or any person authorised by the District Council in the exercise of its powers, he shall be punishable with fine which may extend to fifty rupees.

Penalty for entering into any contract with the Council.

50. If any member, officer or other employee of a District Council enters into contract with the Council, he shall be deemed to have committed an offence under section 168 of the Indian Penal Code.

45 of 1860

CHAPTER VII

RULES AND DYE LAWS

51. (1) Without prejudice to the power to make rules under any other provision of this Act, the Administrator may, after previous publication, make, by modification in the Official Gazette, rules for the purpose of carrying out the provisions of this Act.

Power of Administrator to make rules.

- (2) In particular and without prejudice to the generality of forgoing power, such rules may-
 - (i) regulate the conduct of business of a District Council,
 - (ii) prescribe the forms in which the budget estimate is to be prepared and the dates for the various stages of its completion.
 - (iii) determine the language in which the business of a District Council will be transacted;
 - (iv) regulate the powers of a District Council to transfer property;
 - (v) regulate the powers of a District Council to contract and do other things necessary for the purposes of its constitution and the mode of executing contract;
 - (vi) regulate the employment, payment, suspension and removal of officers and staff of a District Council;
 - (vii) protect the terms and conditions of service of the Government servants transferred to a District Council;
 - (viii) prescribe the forms for statements, registers, estimates and accounts of a District Council and regulate the keeping, checking and publication of such accounts:
 - (ix) prescribe the authority by whom and the manner in which the accounts of a District Council shall be audited; and
 - (x) provide for any other matter for which rules have to be made under this Act.
- 52. (1) Subject to the provisions of this Act and of the rules made thereunder, a District Council may make bye-laws to provide for all or any of the following matters in the autonomous district for which it is a constituted or in any part thereof, namely:-

 (a) the maintenance and management of schools and grants of stipends ands scholarships;

- (b) control and administration of dispensaries, their construction and repairs, the supply of medicines ands the measures to be taken during the prevalence of diseases;
- (c) the protection from pollution of such tanks, springs wells or parts of rivers, streams, channels or water courses as are set apart for drinking or culinary purposes;
- (d) any other matter which is necessary for carrying out all or part of the provisions of this Act and the rules made thereunder.
- (2) A bye-law made under sub-section (1) shall not have effect until it has been confirmed by the Administrator and published in such manner as he may direct.
- (3) The Administrator, in confirming the bye-law, may make any change therein which appears to him to be necessary.

Power to make bye-laws. Penalty for infringement or rules or bye-laws

- 53. (1) In making any rule, the Administrator, and in making any bye-law, a District Council, may direct that the breach of the same shall be punishable with fine which may extend to one hundred supecs and in the case of a continuing breach with a further fine which may extend to ten supecs every day during which the breach is continued after the offender has been convicted of such breach
- (2) In default of payment of any fine, the defaulter shall be punishable with imprisonment for a term which may extend to fifteen days.

By order and in the name of Governor,

S.L. CHOPRA,

Secretary to the Government of Manipur



EXTRAORDINARY PUBLISHED BY AUTHORITY

No. 34(A)

Imphal, Tuesday, June 3, 1975

(Jyaistha 13, 1897)

GOVERNMENT OF MANIPUR

SECRETARIAT-LAW DEPARTMENT

Imphal, the 3rd June, 1975

Nim 2/12/75-Act/Leg.—The following Act of the Legislature of Manipur received assent of the Governor on 2-6-75 is hereby published in the Manipur Gazette.

S. SARAT SINGH,
Under Secretary (Law) to the Govt.
of Manipur.

THE MANIPUR (HILL AREAS) DISTRICT COUNCILS (FIRST AMENDMENT) ACT, 1975

(Manipur Act No. 12 of 1975)

AN ACT

76 of 1971. to amend the Manipur (Hill Areas) District Councils Act, 1971.

BE it enacted by the Legislature of Manipur in the Twenty-sixth Year of the Republic of India, as follows:—

(1) This Act may be called the Manipur (Hill Areas)
 District Councils (First Amendment) Act, 1975.

.Short title & commencement.

- (2) It shall come into force at once.
- 76 of 1971.
- In section 23 of the Manipur (Hill Areas) District Councils Act, 1971,—

Amendment of section 23.

- (i) For the existing sub-section (2), the following shall be substituted, namely,—
 - "(2) The Chairman of the District Council upon a resolution passed by a simple majority of the total membership of the Council may be removed by the Government for reasons to be recorded in writing".

(ii) The First and the Second provisor to sub-section (2) shall be deleted.

(iii) In sub-section (3), the words, "in accordance with the Eules made by Deputy Commissioners in this behalf" occurring in the fifth and sixth lines shall be deleted.

(iv) In sub-section (4), the words, "and the Vice-Chairman" shall be inserted between the words, "The Chairman" and "of the Council" occurring in the first line.

No. 2/18/ assent of Gazette:

furth

Rep

1.

Are

not

2.

(H

[0]

3.

n

Imphal-Printed & published by the Supdt., Ptg. & Sty., Manipur/500-C/3-6-75.

10 10

SECRETARIAT: LAW & LEGISLATIVE AFFAIRS DEPARTMENT

NOTIFICATION Imphal, the 18th April 2006

No. 2/18/2006-Leg/L: The following Act of the Legislature of Manipur which received assent of the Governor of Manipur on 10-4-2006 is hereby published in the Alliest Gazette:

THE MANIPUR (HILL AREAS) DISTRICT COUNCILS
(SECOND AMENDMENT) Act, 2006
(Manipur Act No. 10 of 2006)

Act

further to amend the Manipur (Hill Areas) District Councils Act, 1971

Be it enacted by the Legislature of Manipur in the Fifty-seventh year of the Republic of India as follows:

- 1. Short title and commencement.- (1) This Act may be called the Manipur (Hill Areas) District Councils (Second Amendment) Act, 2006.
- (2) It shall come into force on such date as the State Government may, by notification in the official Gazette, appoint,
- 2. Amendment of section 29.- After sub-section (1) of section 29 of the Man. Fu. (Hill Areas) District Councils Act. 1971 (hereinafter referred to as the Act the following new sub-section (1A) shall be inserted namely,-
 - "(1A) The District Council shall have the powers to notify any part of the area of the Autonomous district as urban area for the purpose of formulation of development plan and to execute the works."
- 3. Insertion of a new section 44-A. After section 44 of the Act, the following new section shall be inserted, namely,-

"44-A Allotment/ transfer/ lease of land situated in an Autonomous district. - No Deputy Commissioner of the Hill Areas shall have powers to allot/transfer/lease the land situated in an Autonomous district other than for public purposes except in pursuance of a resolution passed by a District Council at a meeting thereof by a majority of not less than two-third of its Council Members."

iterial.

40

4. Addition of a new section 54. - After section 53 of the Act, the following new section shall be added, namely,-

"54 Repeal.— The Manipur (Hill Areas) District Council Act, 2000) (Manipur Act No.11 of 2000) is hereby repealed."

(A. Sukumar Singh)
Secretary (Law), Government of Manipur

Copy to:-

U. The Secretary, Manipur Legislative Assembly, Imphal.

2. The Under Secretary (Hills), Government of Manipur.

 The Director, Printing & Stationary, Manipur for favour of publication in the Manipur Gazette Extra-Ordinary dated 18-4-2006. He is requested kindly to send 5(five) copies of the publication to the Law & Legislative Affairs Department



EXTRAORDINARY PUBLISHED BY AUTHORITY

No. 20

Imphal,

Friday,

April 25, 2008

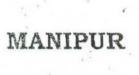
(Vaisakha 5, 1930)

GOVERNMENT OF MANIPUR SECRETARIAT: HILLS DEPARTMENT

NOTIFICATION
' Impbal, the 21st April, 2008

No. 19/21/2001-CHA.—In exercise of the power conferred by sub-section (2) of section 1 of the Manipur (Hi'l Areas) District Councils (Second Amendment) Act, 2006 (Manipur Act Ng. 10 of 2006), the State Government hereby appoints 21st April, 2008 as the date from which the provisions of the Act shall come into force.

P.C. LAWMKUNGA, Principal Secretary to the Go vernment of Manipur.



1.



GAZETTE

EXTRAORDINARY PUBLISHED BY AUTHORITY

No. 276(A) Imphal, Monday, October 27, 2008 (Kartika 5, 1930)

GOVERNMENT OF MANIPUR SECRETARIAT: LAW & LEGISLATIVE AFFAIRS DEPARTMENT

NOTIFICATION Imphal, the 27th October, 2008

No.2/56/2008-Leg/L: The following Act of the Legislature, Manipur which received assent of the Governor of Manipur on 27-10-2008 is hereby published in the official Gazette:

THE MANIPUR (HILL AREAS) DISTRICT COUNCILS (THIRD AMENDMENT)
ACT, 2008

(Manipur Act No. 7 of 2008)

An

further to amend the Manipur (Hill Areas) District Councils Act, 1971 (Act No.76 of 1971).

WHEREAS, the Parliament enacted the Manipur (Hill Areas) District Councils Act, 1971 for the establishment of District Councils in the Hill Areas in the then Union Territory of Manipur;

AND WHEREAS, the Manipur (Hill Areas) District Councils Act, 1971 has continued to be in force in the State of Manipur with necessary adaptations under the Manipur (Adaptation of Laws) Order, 1972;

AND WHEREAS, the Manipur Legislative Assembly enacted the Manipur (Hill Areas) District Councils (First Amendment) Act, 1975 to amend section 23 of the Manipur (Hill Areas) District Councils Act, 1971;

AND WHEREAS, the Manipur Legislative Assembly enacted the Manipur Hill Areas Autonomous District Councils Act, 2000 (Manipur Act No.11 of 2000) which provided for repeal of the Manipur (Hill Areas) District Councils Act, 1971;

AND WHEREAS, the Manipur Hill Areas Autonomous District Council Act, 2000, however, was not brought into force;

(Hill Areas) District Councils (Second Amendment) Act, 2006 which repealed the Manipur Hill Areas Autonomous District Council Act, 2000;

AND WHEREAS, the Manipur Hill Areas Autonomous District Councils Bill, 2008 was introduced in the Manipur Legislative Assembly during the Third Session of the Ninth Legislative Assembly of Manipur but was withdrawn;

AND WHEREAS, it is expedient to continue the enforcement of the Manipur (Hill Areas) District Councils Act, 1971 with necessary amendments;

AND WHEREAS, it is expedient to consolidate/rationalise the law for establishment of the District Councils in the Hill Areas in the State of Manipur;

Be it enacted by the Legislature of Manipur in the Fifty-ninth Year of the Republic of India as follows:

- 1. Short title and commencement.— (1) This Act may be called the Manipur (Hill Areas) District Councils (Third Amendment) Act, 2008.
- (2) The Manipur (Hill Areas) District Councils Act, 1971 shall continue to be in force with the amendments.
 - (3) It shall be deemed to have come into force with effect from 11th May, 2008.
- 2. General Amendments.- In the Manipur (Hill Areas) District Councils Act, 1971 (hereinafter to as the principal Act), after the words, "Deputy Commissioner", wherever they occur, the following words, "or Additional Deputy Commissioner, Kangpokpi in the case of Sadar Hill Areas" shall be inserted.
- 3. Amendment of section 2 .- In section 2 of the principal Act :
 - for clause (f), the following new clause (f) shall be substituted, namely, '(f)"Hill Areas" means the areas specified in the First Schedule to the
 Manipur Legislative Assembly (Hill Areas Committee) Order,
 1972;"
 - (2) for clause (g), the following new clause (g) shall be substituted, namely:
 - '(g) "Hill Areas Committee" means the Hill Areas Committee constituted under the Manipur Legislative Assembly (Hill Areas Committee) Order, 1972;'.
- 4. Amendment of section 4.— In sub-section (2) of section 4 of the principal Act, for the words "eighteen", the words "twenty four" shall be substituted.
- 5. Amendment of section 11.- For section 11 of the principal Act, the following new section 11 shall be substituted, namely:
 - "11 Election of Members of District Council:- (1) The superintendence, direction and control of the preparation of electoral rolls for and the conduct of all elections to the District Councils under this Act and the rules made thereunder shall be vested in a State Election Commission consisting of a State Flection Commissioner to be appointed by the Governor:

Provided that a casual vacancy shall be filled up as soon as after the occurrence of the vacancy:

Provided further that no election shall be held to fill up a casual vacancy occurring within six months prior to the holding of a general election to the District Councils under this section.

(2) Subject to the provisions of any law made by the Legislature of Manipur, the conditions of service and tenure of office of the State Election Commissioner shall be such as the Governor may by rule determine:

Provided that the State Election Commissioner shall not be removed from his office except in like manner and on the ground as a Judge of a High-Court and the conditions of service of the State Election Commissioner shall not be varied to his disadvantage after his appointment.

- (3) The Governor shall, when so requested by the State election Commission, make available to the State Election Commission such staff as may be necessary for the discharge of the functions conferred on the State Election Commission by sub-section (1) above."
- 6. Amendment of section 23.- In section 23(2) of the principal Act, the following words, "or Vice-Chairman" shall be inserted between the words, "The Chairman" and "of the District Council":
- 7. Insertion of new sections 27 A and 27 B.- After section 27 of the principal Act, the following new sections 27A and 27B shall be inserted; namely:
 - "27A. Constitution of Executive Committee. (1) There shall be constituted an Executive Committee in a District Council consisting of a Chairman, Vice-Chairman and five other Members.
 - (2) The Chairman and the Vice-Chairman of the District Council shall be the ex-Officio Chairman and Vice-Chairman respectively of the Executive Committee and five other Executive Members shall be nominated by the Chairman from amongst the Members of the District Council.
 - (3) All administrative functions of the District Council as may be specified shall vest in the Executive Committee.
 - (4) Upon removal or resignation of the Chairman, or in the event the Chairman ceases to be the Chairman of the District Council for any reason, the nominated Executive Members shall cease to be members of the Executive Committee.
 - 27B. Salaries and Allowances of Chairman, Vice-Chairman and Members. The Chairman, the Vice-Chairman, the Executive Members and the Members of
 District Council shall be entitled to such salaries and allowances as may be
 determined by the Government.".

8. Amendment of section 29. - In sub-section (1) of section 29 of the principal Act, entries (i) to (xvii) shall be substituted by the following entries (i) to (xxvi), namely :

- the maintenance and management of such property, moveable and immovable, and institutions as may be transferred to the Council by the Governor;
- (ii) the construction, repair and maintenance of such of the roads, bridges, channels and buildings as may be transferred to that Council by the 0.12
- (iii) the establishment, maintenance and management of schools upto Class VIII:
- (iv) the establishment, maintenance and management of medical dispensaries and Primary Health Sub-Centres;
- (v) the establishment and maintenance of cattle pounds including such functions under the Cattle-trespass Act, 1871 as may be transferred to that Council by the Governor;
- (vi) the establishment, maintenance and management of markets and fairs and the construction, repair and maintenance of all buildings connected therewith;
- (vii) water supply and sanitation schemes;
- A chery 12 (viii) the construction, repair and maintenance of embankments and the supply, storage and control of water for agricultural purposes including minor irrigation schemes;
- (ix) the preservation, reclamation and conservation of soil;
- (x) animal husbandry and veterinary dispensaries:
- (xi) management of such ferries as may be entrusted to the charge of that Council by the Governor:
- (xii) the initiation, inspection and control of relief works;
- (xiii) the allotment, occupation or use, or the setting apart of land, other than land acquired for any public purpose or land which is a reserved forest, for the purpose of agricultural or grazing or for residential or other non-agricultural purposes or for any other purposes likely to promote the interests of the inhabitants of any village or town situated within the autonomous district for which that Council is constituted;
- (xiv) the management of any forest not being a reserved forest, minor forest produce including fuel and fodder;
- the regulation of the practice of Jhum or other form of shifting cultivation;

- (xvi) fisheries;
 (xvii) co-operatives;
 (xviii) 'sports and youth affairs;

- (xix) adult and non-formal education;
 (xx) horticulture and floriculture; (xxi) rural housing and schemes under rural development including tribal development;
- (xxii) khadi & village industries and cottage industries;
- (xxiii) small scale industries;

- (xxiv) non-conventional energy sources;
- (xxv) library and culture activities;

- (xxvi) any other matter which the Governor may, in consultation with the Hill Areas Committee, entrust to the District Council in the field of agriculture, animal husbandry, community development, social and tribal welfare, village planning or any other matter."
- Addition of new section 29A. After section 29 of the principal Act, the following new section 29A shall be added, namely:
 - " 29A. Recommendation for recognition of village The District Council may recommend a village for recognition to the State Government subject to a resolution passed by a simple majority of the total members of the District Council on fulfillment of the conditions as may be prescribed."
- 10. Amendment of section 42.— In section 42 of the principal Act, the word, "Magistrate", shall be substituted by the words "competent court or authority established under a law for the time being in force".
- 11. Repeal and savings.- (1) The Manipur (Hill Areas) District Councils (Third Amendment) Ordinance, 2008 is hereby repealed.
- (2) Notwithstanding the repeal of this Ordinance, anything done and any action taken under the said Ordinance shall be deemed to have been done and acted under the corresponding provisions of this Act and shall continue to be in force until superseded.

 A. SUKUMAR SINGH, Secretary (Law), Govt. of Manipur.

GOVERNMENT OF MANIPUR SECRETARIAT:HILLS DEPARTMENT

NOTIFICATION Imphal, the 11th January, 2010.

Mhereas the draft Manipur (Hill Areas) strict Councils (Election of Members) Rules. 2009 was published as required under the Manipur Gazette Extra Ordinary No.250 dated 21-10-2009 under the Government Manipur, Hills Department's Notification No.1/12/2009-CHA(ADC)/ELECT dated 1-10-2009 inviting objections/suggestions, if any, from the members of the Leneval inhalm the said draft Rules within 15(fifteen) days) from the date of publication of the not Notification in the official Gazette;

And whereas no objections and suggestions have been received by the Successorement on the said draft Rules.

Now, therefore, in exercise of the powers conferred under section 21 read with extrem \$1 of the Manipur (Bill Areas) District Councils Act, 1971, the Governor of dating thereby makes the following Rules, namely:-.

THE MANIPUR (BILL AREAS) DISTRICT COUNCILS (ELECTION OF MEMBERS) RULES, 2009

CHAPTER I - PRELIMINARY

Short fitte and commencement = (1) These rules may be called the Manipur (Hill Arms) District Cornells (Election of Members) Rules, 2009.

They shall come into force from the dare of their publication in the Official Greater.



EXTRAORDINARY PUBLISHED BY AUTHORITY

No. 250 Imphal, Wednesday, October 21, 2009 (Asvina 29, 1931)

GOVERNMENT OF MANIPUR SECRETARIAT: HILLS DEPARTMENT

NOTIFICATION Imphal, the 17th October, 2009

No. 1/12/2009-CHA(ADC)/ELECT: In exercise of the powers conferred under section 21 read with section 51 of the Manipur(Hill Areas) District Councils Act, 1971, the Governor of Manipur hereby makes the following Manipur(Hill Areas) District Councils (Election of Members) Rules, 2009 and under section 51(1) of the said Act, it is necessary to invite suggestion/objections, if any, from the members of the general public.

Now, therefore, the State Government hereby invites suggestions/objections from the interested persons to the said Rules within 15(fifteen) days from the date of publication of these draft Rules in the official Gazette.

Any suggestion/objection which may be received after the expiry of the stipulated period will not be considered.

MANIPUR (HILL AREAS) DISTRICT COUNCILS (ELECTION OF MEMBERS) RULES, 2009

CHAPTER I - PRELIMINARY

 Short title and commencement :- (1) These rules may be called the Manipur (Hill Areas) District Councils (Election of Members) Rules, 2009.

- (2) They shall come into force from the date of their publication in the Official Gazette.
- 2. Definition:- (1) In these rules, unless the context otherwise requires-
 - (a) 'Act' means the Manipur (Hill Areas) District Councils Act, 1971.
 - (b) 'Commission' means the State Election Commission referred to under section 11 of the Act.
 - (c) 'corrupt practice' means any of the practices specified by these rules as a corrupt practice;
 - (d) 'election' means an election to fill a seat or seats in any District Council;
 - (e) 'elector' in relation to a constituency means a person whose name is entered in the electoral roll for that constituency and who is not subject to any disqualification for voting;
 - (f) 'form' means a form in the Schedule to these rules;
 - (g) 'Government' means the Government of Manipur; and
 - (h) 'Governor' means the Governor of Manipur.
 - (i) words and expressions not defined in these rules but defined in the Act shall have the same meanings assigned to them in the Act.

CHAPTER II - ADMINISTRATIVE MACHINERY

- 3. District election officer:- (1) For each autonomous district the Commission shall, in consultation with the Government, designate or nominate a district election officer who shall be an officer of Government.
- (2) Subject to the superintendence, direction and control of the Commission, the district election officer shall coordinate and supervise all work in the autonomous district in connection with the preparation and revision of the electoral rolls for, and conduct of all elections to all the constituencies within the autonomous district.
- (3) The district election officer shall also perform such other functions as may be entrusted to him by the Commission.

- Electoral registration officer. The electoral roll for each constituency shall be prepared and revised by an electoral registration officer who shall be such officer of Government as the Commission may; in consultation with the Government, designate or nominate in this behalf.
- 5. Assistant electoral registration officers.- (1) The Commission may appoint one or more persons as assistant electoral registration officers to assist any electoral registration officer in the performance of his functions.
- (2) Every assistant electoral registration officer chall, subject to the control of the electoral registration officer, be competent to perform all or any of the functions of the electoral registration officer.
- Returning officers.-For every constituency the Commission shall, in consultation with the Government, designate or nominate a returning officer who shall be an officer of Government;

Provided that nothing in this rule shall prevent the Commission from designating or nominating the same person to be the returning officer for more than one constituency.

 Assistant returning officers. - (1) The Commission may appoint one or more persons to assist any returning officer in the performance of his functions:

Provided that every such person shall be an officer of Government.

(2) Every assistant returning officer shall, subject to the control of the returning officer, be competent to perform all or any of the functions of the returning officer:

Provided that no assistant returning officer shall perform any of the functions of the returning officer which relate to the scrutiny of nominations unless the returning officer is unavoidably prevented from performing the said function.

- 8. Returning officer to include assistant returning officers performing the functions of the returning officer. References in these rules to the returning officer shall, unless the context otherwise requires, be deemed to include an assistant returning officer performing any function which he is authorized to perform under sub-rule (2) of rule 7.
- General duty of the returning officer.- It shall be the general duty of the
 returning officer at any election to do all such acts and things as may be necessary for
 effectually conducting the election in the manner provided by these rules or orders made
 thereunder.
- 10. Provision of polling stations for constituencies. The district election officer shall, with the previous approval of the Commission, provide a sufficient number of polling stations for every constituency within his jurisdiction, and shall publish, in such manner as the Commission may direct, a list showing the polling stations so provided and the polling areas or groups of voters for which they have respectively been provided.
- 11. Appointment of presiding officers for polling stations.-(1) The district election officer shall appoint a presiding officer for each polling station and such polling officers as he thinks necessary, but he shall not appoint any person who has been employed by or on behalf of, or has been otherwise working for, a candidate in or about the election:

Provided that if a polling officer is absent from the polling station, the presiding officer may appoint any person who is present at the polling station other than a person who has been employed by, or on behalf of, or has been otherwise working for, a candidate in or about the election, to be the polling officer during the absence of the former officer, and inform the district election officer accordingly.

- (2) A polling officer shall, if so directed by the presiding officer, perform all or any of the functions of a presiding officer under these rules or orders made thereunder.
- (3) If the presiding officer, owing to illness or other unavoidable cause, is obliged to absent himself from the polling station, his functions shall be performed by such polling officer as has been previously authorized by the district election officer to perform such functions during any such absence.
 - (4) References in these rules to the presiding officer shall, unless the context otherwise requires, be deemed to include any person performing any function which he is authorized to perform under sub-rule (2) or sub-rule (3), as the case may be.
 - 12. General duty of the presiding officer. It shall be the general duty of the presiding officer at a polling station to keep order thereat and to see that the poll is fairly taken.
 - 13. Duties of a polling officer. It shall be the duty of the polling officers at a polling station to assist the presiding officer for such station in the performance of his functions.

CHAPTER 111-ELECTORAL ROLLS

- 14. Preparation and publication of electoral rolls.—(1) The electoral roll for each district council constituency shall be prepared by splitting the electoral roll/rolls of the concerned Parliamentary constituency or constituencies as in force on such date as the Government may appoint by notification in the Official Gazette.
- (2) The electoral roll shall be prepared in such form and in such language as the Commission may direct.
- . (3) The electoral roll shall be divided into convenient parts which shall be numbered consecutively.
- (4) As soon as the electoral roll for a constituency is ready, the electoral registration officer shall publish it in draft by making a copy thereof available for inspection, displaying a notice in Form 1 at his office and publishing the notice in a prominent local daily,
- (5) Every claim for the inclusion of a name in the electoral roll and every objection to any entry therein shall be lodged in Form 2,3 or 4, as may be appropriate, in the office of the electoral registration officer within a period of fifteen days from the date of publication of the roll in draft:

Provided that such claims and objections shall be examined and disposed of on the basis of the electoral roll/rolls of the concerned Parliamentary Constituency/ Constituencies as in force on the date of publication of the roll in draft.

- (6) After the disposal of the claims and objections electoral registration officer shall prepare a list of amendments to carry out his decisions thereon and to correct any clerical or printing errors or other inaccuracies subsequently discovered in the electoral roll, publish the roll, together with the list of amendments by making a complete copy thereof available for inspection, displaying a notice in Form 5 at his office and publishing the notice in a prominent local daily.
- (7) On such publication, the electoral roll, together with the list of amendments, shall be the electoral roll of the constituency.

CHAPTER IV - NOTIFICATION OF GENERAL ELECTION

Notification for general election to a District Council. - (1) A general election shall be held for the purpose of constituting a new District Council on the expiration of the duration of the existing District Council or on its dissolution.

Official Gazette on such date as may be recommended by the Commission, call upon all constituencies in the autonomous district to elect members in accordance with the provisions of the Act and of the rules and orders made thereunder:

Provided that where a general election is held otherwise than on the dissolution of the existing District Council, no such notification shall be issued at any time earlier than six months prior to the date on which the duration of that District Council would expire under the provisions of the Act.

CHAPTER V-NOMINATION OF CANDIDATES

- 16. Appointment of dates for nominations, etc.-As soon as the notification calling upon a constituency to elect a member is issued, the Commission shall, by notification in the Official Gazette, appoint-
 - the last date for making nominations, which shall be the seventh day after the date of publication of the first mentioned notification or, if that day is a public holiday, the next succeeding day which is not a public holiday;
 - (b) the date for the scrutiny of nominations, which shall be the day immediately following the last date for making nominations or, if that day is a public holiday, the next succeeding day which is not a public holiday:
 - (c) the last date for the withdrawal of candidatures, which shall be the second day after the date for the scrutiny of nominations or, if that day is a public holiday, the next succeeding day which is not a public holiday;
 - (d) the date or dates on which a poll shall, if necessary, be taken, which or the first of which shall be a date not earlier than the twentieth day after the last date for the withdrawal of candidatures;
 - (e) the hours during which the poll shall be taken; and
 - (f) the date before which the election shall be completed.

- 17. Public notice of election. On the issue of a notification under rule 16, the returning officer shall issue a notice in Form 6 inviting nominations of candidates for such election.
- 18. Nomination of candidates for election. Any person may be nominated as a candidate for election to fill a seat if he is qualified to be chosen to fill that seat under the provisions of the Act.
- 19. Presentation of nomination paper and requirements for a valid nomination.
- (1) On or before the date appointed under clause (a) of rule 16 each candidate shall, either in person or by his proposer, between the hours of eleven o'clock in the forenoon and three o'clock in the afternoon deliver to the returning officer at the place specified in this behalf in the notice issued under rule 17 a nomination paper completed in Form 7 and signed by the candidate and by an elector of the constituency as proposer:

Provided that a failure to complete or defect in completing, the declaration as to symbols in a nomination paper in Form 7 shall not be deemed to be a defect of a substantial character within the meaning sub-rule (4) of rule 23:

Provided further that no nomination paper shall be delivered to the returning officer on a day which is a public holiday!

- (2) Where the candidate is a person who having held any office under the Government of India or under the Government of any State has been dismissed and a period of five years has not elapsed since the dismissal, such person shall not be deemed to be duly nominated as a candidate unless his nomination paper is accompanied by a certificate issued by the Commission to the effect that he has not been dismissed for corruption or disloyalty to the State.
- (3) On the presentation of a nomination paper, the returning officer shall satisfy himself that the names and electoral roll numbers of the candidate and his proposer as entered in the nomination paper are the same as those entered in the electoral rolls:

Provided that no misnomer or inaccurate description or clerical, technical or printing error in regard to the name of the candidate or his proposer or any other person, or in regard to any place, mentioned in the electoral roll or the nomination paper and no clerical, technical or printing error in regard to the electoral roll numbers of any such person in the electoral roll or the nomination paper, shall affect the full operation of the electoral roll or the nomination paper with respect to such person or place in any case where the description in regard to the name of the person or place is such as to be commonly understood; and the returning officer shall permit any such misnomer or inaccurate description or clerical, technical or printing error to be corrected and where necessary, direct that any such misnomer, inaccurate description, clerical, technical or printing error in the electoral roll or in the nomination paper shall be overlooked.

- (4) Where the candidate is an elector of a different constituency, a copy of the relevant part of the electoral roll of that constituency shall, be filed along with the nomination paper.
- (5) Nothing in this rule shall prevent any candidate from being nominated by more than one nomination paper:

Provided that not more than four nomination papers shall be presented by or on behalf of any candidate or accepted by the returning officer for election in the same constituency.

- (6) Notwithstanding anything contained in sub-rule (5), a person shall not be nominated as a candidate for election from more than one constituency.
- 28. Symbols for elections. (1) The Commission shall, by actification in the Official Gazette, specify the symbols that may be chosen by candidates at elections and the restrictions to which their choice shall be subject.
- (2) Subject to any general or special direction issued by the Commission either under sub-rule (2) or sub-rule (3) of rule 25 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 25 even if that nomination paper has been rejected.
- 21. Deposits.-(1) A candidate shall not be deemed to be duly nominated for election from a constituency unless he deposits or causes to be deposited a sum of one thousand rupees with the returning officer in each at the time of delivery of the nomination paper.

Provided that where a candidate has been nominated by more than one nomination paper for election in the same constituency, not more than one deposit shall be required of him.

- 22. Notice of nominations and the time and place for their scrutiny. The returning officer shall, on receiving the nomination paper under rule 19, inform the person of persons delivering the same of the date, time and place fixed for the scrutiny of nominations and shall enter on the nomination paper its serial number, and shall sign thereon a certificate stating the date on which and the hour at which the nomination paper has been delivered to him; and shall as soon as may be thereafter, cause to be affixed in some conspicuous place in his office a notice of the nomination oppositions similar to those contained in the nomination paper, both of the candidate and of the propose; in Form 8.
- 23. Scrutiny of aominations.-(1) On the date fixed for the scrutiny of nominations under rule 16, the candidates, their election agents, one proposer of each candidate, and one other person duly authorized in writing by each candidate, but no other person, may attend at the time and place appointed by the returning officer; and the returning officer shall give them all reasonable facilities for examining the nomination papers of all candidates which have been delivered within the time and in the manner laid down in rule 19.
- (2) The returning officer shall then examine the nomination papers and shall decide all objections which may be made to any nomination and may, either on such objection or on his own motion, after such summary inquiry, if any, as he thinks necessary, reject any nomination on any of the following grounds:-
 - (a) that on the date fixed for the scrutiny of nominations the candidate either is not qualified or is disqualified for being chosen to fill the seat under section 7 or section 8 of the Act, as the case may be; or
 - that there has been a failure to comply with any of the provisions of rule 19 or rule 21; or
 - (c) that the signature of the candidate or the proposer on the nomination paper is not genuine.

- (3) Nothing contained in clause (b) or clause (c) of sub-rule (2) shall be deemed to authorize the rejection of the nomination of any candidate on the ground of any irregularity in respect of a nomination paper, if the candidate has been duly nominated by means of another nomination paper in respect of which no irregularity has been committed.
- (4) The returning officer shall not reject any nomination paper on the ground of any defect which is not of a substantial character.
- (5) The returning officer shall hold the scrutiny on the date appointed in this behalf under clause (b) rule 16 and shall not allow any adjournment of the proceedings except when such proceedings are interrupted or obstructed by riot or open violence or by causes beyond his control:

Provided that in case an objection is raised by the returning officer or is made by any other person, the candidate concerned may be allowed time to rebut it not later than the next day or the day after that but not beyond 11 A.M. of the day fixed for withdrawal of candidatores.

- (6) The returning officer shall endorse on each nomination paper his decision accepting or rejecting the same and, if the nomination paper is rejected, shall record in writing a brief statement of his reasons for such rejection.
- (7) For the purposes of this rule, a certified copy of an entry in the electoral roll for the time being in force of a constituency shall be conclusive evidence of the fact that the person referred to in that entry is an elector for that constituency, unless it is proved that he is subject to a disqualification mentioned in section 16 of the Representation of the People Act; 1950 (43:of:1950).
- (8) Immediately after all the nomination papers have been scrutifized and decisions accepting or ejecting the same have been recorded, the returning officer shall prepare a list of validly nominated candidates, that is to say, candidates whose nominations have been found valid, and affix it to his notice board.
- (9) The list of validly nominated candidates referred to in sub-rule (8) shall be in form 9 and the name of every such candidate shall be shown in the said list as it appears in his nomination paper:

Provided that if a candidate considers that his name is incorrectly spelt or is otherwise incorrectly shown in his nomination paper or is different from the name by which he is popularly known, 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 9 and adopt that form and spelling in the list of contesting candidates.

24. Withdrawal of candidature, (1) Any candidate may withdraw his candidature by a notice in Form 10 which shall be delivered before three o'clock in the afternoon on the day fixed under clause (c) of rule 16 to the returning officer either by such candidate in person on by his proposer or election agent who has been authorized in this behalf in writing by such candidate.

- (2) No person who has given a notice of withdrawal of his candidature under sub-rule (1) shall be allowed to cancel the notice.
- (3) The returning officer shall, on being satisfied as to the genuineness of a notice of withdrawal and the identity of the person delivering it under sub-rule (1), cause a notice in Form 11 to be affixed in some conspicuous place in his office.
- 25. Preparation of list of contesting candidates.-(1) Immediately after the expiry of the period within which candidatures may be withdrawn the returning officer shall prepare a list of contesting candidates, that is to say, candidates who were included in the list of validity nominated candidates and who have not withdrawn their candidature within the said period, in Form 12 by arranging the names of the candidates in alphabetical order.
- (2) 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 Commission,
 - (a) allot a different symbol to each contesting candidate in conformity, as far as practicable, with his choice; and
 - (b) if more contesting candidates than one have indicated their preference for the same symbol, decide by lot to which of such candidates the symbol will be allotted.
- (3) The allotment by the returning officer of any symbol to a candidate shall be final except where it is inconsistent with any directions issued by the Commission in this behalf in which case the Commission may revise the allotment in such manner as it thinks fit.
- (4) 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.
- 26. 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; and where the number of contesting candidates is two or more, 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 Official Gazette.
- (2) If there is only one contesting candidate, the returning officer shall forthwith declare such candidate to be duly elected to fill the seat in Form 13 or 14, as the case may be, and send signed copies thereof to the Commission and the district election officer.
- 27. Death of candidate before poll (1) If a candidate-
 - (a) dies at any time after 11 a.m. on the last date for making nomination and his nomination is found valid on scrutiny; or

- (b) whose nomination has been found valid on scrutiny and who withdrawn his candidature dies; and in either case, a report of his death is received at any time before the publication of the list of contesting candidates; or
- dies as a contesting candidate and a report of his death is received before the commencement of the poll,

the returning officer shall, upon being satisfied about the fact of the death of the candidate, by order announce an adjournment of the poll to the date to be notified later and report the fact to the Commission and also to the Government and the district The second of the second election officer;

Very St. Pri Provided that no order for adjourning a poll should be made in a case referred to in clause (a) except after the scrutiny of all the nominations including the nomination of the deceased candidate.

1750 0

- water trees don't go . La transfer to the state of the (2) Any person who has given a notice of withdrawal of his candidature under sub-rule (1) of rule 24 before the adjounment of the poll shall be ineligible for being nominated as a candiate for election after such adjournment.
- (3) Where a list of contesting candidates had been published under rule 26 before the adjournment of the poll under sub-rule (1), the returning officer shall again prepare and publish a fresh list of contesting candidates so as include the name of the candidate who has been validly nominated under sub-rule (2).

CHEPTER VI - CANDIDATES AND THEIR AGENTS

- Election Agents.-(1) A candidate may appoint any person to be his election agent in Form 15 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) Any revocation of the appointment of an election agent shall be in Form 16 and shall operate from the date on which it is lodged with the returning officer.
- (3) In the event of such a revocation or of the death of an election agent the candidate may appoint another person to be his election agent.
- (4) An election agent may perform such functions in connection with the election as are authorized by or under these rules to be performed by an election agent.
- Polling agents. (1) A contesting candidate or his election agent may appoint one agent and two relief agents at each polling station.
- Every such appointment shall be made in Form 17 and shall be made over to the polling agent for production at the polling station.
- No polling agent shall be admitted into the polling station unless he has delivered to the presiding officer the instrument of his appointment under sub-rule (2) after duly completing and signing before the presiding officer the declaration contained

RIGHT TO VOTE AND MANNER OF VOTING AT ELECTIONS

34. Right to vote. Every person who is, for the time being entered in the electoral roll of any constituency shall be entitled to vote in that constituency:

Provided that no person shall vote at a general election in more than one constituency, and if a person votes in more than one constituency, his votes in all such constituencies shall be void:

Provided further that no person shall at any election vote in the same constituency more than once, notwithstanding that his name may have been registered in the electoral roll for that constituency more than once, and if he does so vote, all his votes in that constituency shall be void.

35. Voting normally to be in person. Subject to the provisions of rule 36, all electors voting at an election shall do so in person at the polling station provided for them under rule (6.

CHAPTER VIII - POSTAL BALLOT

- 36. 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:-
 - (i) voters on election duty; and
 - (ii) electors subjected to preventive detention;
- 3%. Intimation by voter on election duty.-[(1)] A voter on election duty who wishes to vote by post at an election shall send an application in Form 21 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.
- 38. Electors under preventive detention. (1) The 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 lifteen 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).
- 39. 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 as the Commission may direct.

- 64. Procedure on adjournment of poll- (1) If the poll at any polling station is adjourned under sub-rule (1) of rule 63 the provisions of rules 59 to 62 shall, as far as practicable, apply as if the poll was closed at the hour fixed in that behalf under rule 16.
- (2) When an adjourned poll is recommenced under sub-rule (2) of rule 63, 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 hallot box.
- (4) The presiding officer shall open the scaled 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 45 to 62 shall apply in relation to the conduct of an adjourned poll as they apply in relation to the poll before it was so adjourned.
- 65. Fresh poll in the case of destruction, etc. of ballot boxes (1) If at any election-
 - (a) any ballot box used at a polling station is unlawfully taken out of the custody of the presiding officer or the returning officer, or is accidentally or intentionally destroyed or lost, or is damaged or tampered with, to such an extent that the result of the poll at that polling station or place cannot be ascertained; or
 - (b) any such error or irregularity in procedure as is likely to vitiate the poll is committed at a polling station,

the returning officer shall forthwith report the matter to the Commission and the district election officer.

- (2) Thereupon the Commission shall, after taking all material circumstances into account either-
 - (a) declare the poll at that polling station to be void, appoint a day, and fix the hours, for taking a fresh poll at the polling station and notify the day so appointed and the hours so fixed in such manner as it may deem fit, or
 - (5) if satisfied that the result of a fresh poll at that polling station will not, in any way, affect the result of the election or that the error or irregularity in procedure is not material, issue such directions to the returning officer as it may deem proper for the further conduct and completion of the election.
- (3) The provisions of these rules or orders made thereunder shall apply to every such fresh poli as they apply to the original poll.
- 66. Adjournment of poll or countermanding of election on the ground of booth capturing (1) If at any election-
 - (a) booth capturing has taken place at a polling station in such a manner that the result of the poll at that polling station cannot be ascertained; or

(b) booth capturing takes place in any place for counting of votes in such a manner that the result of the counting at that place cannot be ascertained,

the returning officer shall forwith report the matter to the Commission and the election officer.

- (2) The Commission shall, on the receipt of a report from the returning officer under sub-rule (1) and after taking all material circumstances into account, either-
 - (a) declare the poll at that polling station to be void, appoint a day and fix the hours for taking fresh poll at that polling station and notify the date so appointed and hours so fixed in such manner as it may deem fit; or
 - (b) if satisfied that in view of the large number of polling stations involved in booth capturing the result of the election is likely to be affected, or that booth capturing had affected counting of votes in such a manner as to affect the result of the election, countermand the election in that constituency.

Explanation,-For the purposes of this rule "booth capturing" includes, among other things, all or any of following activities, namely:-

- (a) seizure of a polling station by any person or persons, making polling authorities surrender the ballot papers and doing of any other act which affects the orderly conduct of elections;
- (b) taking possession of a polling station by any person or persons and allowing only his or their own supporters to exercise their right to vote and preventing others from free exercise of their right to vote;
- (c) coercing or intimidating or threatening directly or indirectly any elector and preventing him from going to the polling station to cast his vote;
- (d) seizure of a place for counting of votes by any person or persons, making the counting authorities surrender the ballot papers and the doing of anything which affects orderly counting of votes;
- (e) doing by any person in the service of the Government, of all or any of the aforesaid activities or aiding or conniving at, any such activity in the furtherance of the prospects of the election of a candidate.

CHAPTER X - COUNTING OF VOTES

67. Time and place for counting of votes.- The returning officer 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 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.

- 68. Admission to the place fixed for counting .- (1) The returning officer shall exclude from the place fixed for counting of votes all persons except --
 - (a) such persons to be known as counting supervisors and counting assistants as he may appoint to assist him in the counting;
 - (b) persons authorized by the Commission;
 - (c) public servants on duty in connection with the election; and
 - (d) candidates, their election agents and counting agents.
- (2) No person who has been employed by or on behalf of, or has been otherwise working for, a candidate in or about the election shall be appointed as counting supervisor or counting assistant.
- (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 authorized in this behalf by the returning officer.
- 69. Maintenance of secrecy of voting. The returning officer shall, before he commences the counting, read out the provisions of rule 101 to such persons as may be present.
- 76. 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 24 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 be counted.
- (3) The other covers shall be opened one after another and as each cover is opened, the returning officer shall first scrutinize the declaration in Form 22 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 or the ballot paper as entered in it differs from the serial number endorsed on the cover in Form 23, 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 24 and all such covers in Form 24 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 22 which he has found to be in order in a separate packet which shall be scaled before any cover in Form 23 is opened and on which shall be recorded the particulars referred to in sub-rule (5).
- (7) The covers in Form 23 not already dealt with under the foregoing provisions of this rule shall then be opened one after another and the returning officer shall scrutinize each ballot paper and decide the validity of the vote recorded thereon.
 - (3) A postal ballot paper shall be rejected -
 - (a) if it bears any mark (other than the mark to record the vote) or writing which the elector can be identified; or

(b) if no vote is recorded thereon; or

(c) if votes are given on it in favour of more candidates than one; or

(d) if it is a spurious ballot paper; or

- if it is so damaged or mutilated that its identity as a genuine ballot paper cannot be established for
- (f) 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 23 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.
- 71. Scrutiny and opening of ballot boxes.- (1) The returning officer may have the ballot box or boxes used at more than one pollting 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 of such other seal as might been affixed thereon and to satisfy themselves that it is intact.

- The returning officer shall satisfy himself that none of the ballot boxes has in fact been tampered with.
- 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 rule 65 in respect of that polling station.
- 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-
 - (a) if is bears any mark or writing by which the elector can be identified, or
 - if it bears no mark at all or, to indicate the vote, it bears a mark elsewhere (b) 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 instrument supplied for the purpose, or
 - (c) if votes are given on it in favour of more than one candidates, or
 - 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
 - if it is a spurious ballot paper, or (e)

· City

- tell max in after to the (f) if it is so damaged or mutilated that its identity as a genuine ballot paper cannot be established, or
 - 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 authorized for use at the particular polling station, or
 - (h) 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 53:

Provided that where the returning officer is satisfied that any such defect as is mentioned in clause (g) or clause (h) 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.

- 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.
- media ni The returning officer shall endorse on every ballot paper which he rejects the word "Rejected" and the ground of rejection in abbreviated form either in his 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.
- 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, -
 - (a) the counting supervisor shall fill in and sign Part II-Result of Counting, in Form 29, which shall also be signed by the returning officer; and
 - (b) the returning officer shall make the entries in a result sheet in Form 30 and announce the particulars.
- 73. 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:-
 - (a) the name of the constituency;
 - (b) the particulars of the polling station where the ballot papers have been used; and
 - (c) the date of counting.
- 74. Counting to be continuous. The returning officer shall, as far as practicable, proceed continuously with the counting and shall, during any intervals when the counting has to be suspended, 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 or their safe custody during such intervals.
- 75. Destruction, loss etc. of ballot papers at the time of counting.—(1) If at any time before the counting of votes is completed any ballot papers used at a polling station are unlawfully taken out of the custody of the returning officer or are accidentally or intentionally destroyed or lost or are damaged or tampered with, to such an extent that the result of the poll at that polling station can not be ascertained, the returning officer shall forthwith report the matter to the Commission.
- (2) Thereupon, the Commission shall, after taking all material circumstances into account, either-
 - (a) direct that the counting of votes shall be stopped, declare the poll at that polling station to be void, appoint a day, and fix the hours, for taking a fresh poll at that polling station and notify the date so appointed and hours so fixed in such manner as it may deem fit, or
 - (b) if satisfied that the result of a fresh poll at that polling station will not, in any way, affect the result of the election, issue such directions to the returning officer as it may deem proper for the resumption and completion of the counting and for the further conduct and completion of the election in relation to which the votes have been counted.
- (3) The provisions of these Rules or orders made thereunder shall apply to every such fresh poll as they apply to the original poll.

- 76. Recommencement of counting after fresh poll. (1) If a fresh poll is held under rule 75, 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 72 and 73 shall apply so far as may be to such further counting.
- 77. Re-count of votes.- (1) After the completion of the counting, the returning officer shall record in the result sheet in Form 30 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 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-
 - (a) do the re-counting in accordance with rule 70 or rule 72, as the case may be;
 - (b) amend the result sheet in Form 30 to the extent necessary after such re-count;
 - (c) announce the amendments so made by him.
- (6) After the total number of votes polled by eac! candidate has been announced under sub-rule (1) or sub-rule (5), the returning officer shall complete and sign the result sheet in Form 30 and no application for a re-count shall be entertained increafter:

Provided that no step under this sub-rule shall be taken on the completion of the counting until the candidate and election agents present at the completion thereof have been given a reasonable opportunity to exercise the right conferred by sub-rule(2).

78. Declaration of result of election.- (1) The returning officer shall declare the candidate to whom largest number of valid votes have been given to be elected:

Provided that where an equality of votes is found to exist between any candidates, and the addition of one vote will entitle any of those candidates to be declared elected, the returning officer shall forthwith decide between those candidates by lot, and proceed as if the candidate on whom the lot falls had received an additional vote.

(2) The declaration of result shall be in Form 31 or 32 as the case, and signed copies thereof shall be sent to the Government, the Commission and the district election officer.

- 79. Grant of certificate of election to returned caudidate. As soon as may be after a candidate has been declared to be elected, the returning officer shall grant to such candidate a certificate of election in Form 33 and obtain from the candidate an acknowledgement of its receipt duly signed by him and immediately send the acknowledgment to the chief executive officer of the district council.
- Return of election. The returning officer shall complete and certify the return of election in Form 34 and signed copies thereof shall be sent to the Commission and the district election officer.

CHAPTER XI CUSTODY AND DISPOSAL OF BALLOT BOXES AND ELECTION PAPERS

- Custody of ballot boxes and papers relating to election.- (1)All ballot boxes used at an election shall be kept in such custody as the Commission may direct.
- (2) The district election officer shall keep in safe custody.
 - (a) the packets of unused ballot papers with counterfoils attached thereto;
 - (b) the packets of used ballot papers whether valid, tendered or rejected;
 - (c) the packets of the counterfoils of used ballot papers;
 - (d) the packets of the marked copy of the electoral roll;
 - (e) the packets of the declarations by electors and the attestation of their signatures; and
 - (f) all other papers relating to the election.
- 82. Production and inspection of election papers.- (1) While in the custody of the district election officer-
 - (a) the packets of unused ballot papers with counterfoils attached thereto;
 - (b) the packets of used ballot papers whether valid, tendered or rejected;
 - (c) the packets of the counterfoils of used ballot papers;
 - (d) the packets of the marked copy of the electoral roll; and
 - (e) the packets of the declarations by electors and the altestation of their signatures;

shall not be opened and their contents shall not be inspected by, or produced before, any person or authority except under the order of a competent court.

- (2) Subject to such conditions and to the payment of such fee as the Commission may direct.
 - (a) all other papers relating to the election shall be open to public inspection; and
 - (b) copies thereof shall on application be furnished.
- (3) Copies of the returns of election referred to in rule 80 shall be furnished by the returning officer, district election officer or the Commission on payment of a fee of two rupees for each copy.

- 83. Disposal of election papers.- Subject to any direction to the contrary given by the Commission or by a competent court or tribunal-
 - (a) the packets of unused ballot papers shall be retained for a period of six months and shall thereafter be destroyed in such manner as the Commission may direct;
 - (b) the other packets referred to in sub-rule (1) of rule 82 shall be retained for a period of one year and shall thereafter be destroyed:

Provided that packets containing the counterfoils of used ballot papers shall not be destroyed except with the previous approval of the Commission;

(c) all other papers relating to the election shall be retained for such period as the Commission may direct.

CHAPTER XII DISPUTES REGARDING ELECTIONS

- 84. Definitions :- In this chapter unless the context otherwise requires:-
 - (a) 'candidate' means a person who has been or claims to have been duly nominated as a candidate at any election;
 - (b) 'costs' means all costs, charges and expenses of, or incidental to, a trial of an election petition;
 - (c) 'electoral right' means the right of a person to stand or not to stand as, or to withdraw or not to withdraw from being, a candidate, or to vote or refrain from voting at an election;
 - (d) 'pleader' means any person entitled to appear and plead for another in a civil court and includes an advocate, a wakil and an attorney of a High Court;
 - (e) 'returned candidate' means a candidate who has been declared elected by the returning officer.
- 85. Additional contents of petition.- (1) Where the petitioner alleges any corrupt practice, an election petition shall, in addition to complying with the provisions of section 14 of the Act, also set forth full particulars of that corrupt practice including as full a statement 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 corrupt practice.
- (2) Any schedule or annexure to the petition shall also be signed by the petitioner and verified in the same manner as the petition.
- 86. Petition to be dismissed. If the provisions of section 14 of the Act or of these rules are not complied with, the Court shall dismiss the petition:

Provided that the petition shall not be dismissed without giving the petitioner an opportunity of being heard.

- 87. Procedure before the Court.- (1) As soon as the Court receives the petition, it shall serve on each respondent a notice in such form as it thinks fit directing the respondent to appear before the Court and answer the claim made in the petition on a day to be specified therein.
- (2) Any candidate not already a respondent shall, upon an 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.
- 88. Appearance before the Court.- Any appearance, application or act before the Court may be made or done by the party in person or by a pleader duly appointed on his behalf:

Provided that it shall be open to the Court to direct any party to appear in person whenever the Court considers it necessary.

89. Powers of the Court.- The Court shall have the powers which are vested in a civil court when trying a suit in respect of the following matters.-

(a) discovery and inspection;

- (b) enforcing the attendance of witnesses, and requiring the deposit of their expenses;
- (c) compelling the production of documents;
- (d) examining the witnesses on oath;

(e) granting adjournments;

- (f) reception of evidence taken on affidavit; and
- (g) issuing commissions for the examination of witnesses.
- 90. Documentary evidence. Notwithstanding anything contained 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.
- 91. 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.
- 92. Order as to costs.- The court may, while making an order under section 18 of the Act, also fix thereby the total amount of costs payable and specify the persons to whom the costs shall be paid.
- 93. Grounds on which an election may be called in question. The election of a returned candidate may, besides being called in question on any one or more of the grounds specified in section 16 of the Act, also be called in question on the ground:-
 - (a) 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
 - (b) that the result of the election, in so far as it concerns a returned candidate has been materially affected by any corrupt practice committed in the interests of the returned candidate by a person other than that candidate or his election agent or any other person with the consent of a returned candidate or his election agent:

Provided that 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.

- (a) 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;
- (b) that all such corrupt practices were of a trivial and limited character or took the form of customary hospitality which did not affect the result of the election;
- (c) that the candidate and his election agent took all reasonable means for preventing the commission of corrupt practices at the election; and
- (d) 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.
- 94. Communication of order to the Governor and transmission of the records of the case: The court shall, after announcing the order made by it under section 18 of the Act send a copy of the order and records of the case to the Governor.
- 95. Deposit of security:- (1) The petitioner shall enclose with the petition a Government Treasury receipt showing that a deposit of two hundred and fifty rupees has been made by him in a Government Treasury in favour of the Secretary to the Government in the Hills Department as security for the costs of the petition.
- (2) No person shall be entitled to be joined as a respondent unless he has given such security for costs as the Court may direct.
- Costs.- Costs, including pleader's fee, shall be in the discretion of the Court and shall be paid out of the security deposit provided for in rule 95.

CHAPTER XIII CORRUPT PRACTICES AND ELECTORAL OFFENCES

- 97. Corrupt practices. The following shall be deemed to be corrupt practices for the purposes of these Rules-
- (1) Bribery, that is to say, (A) any gift offer or promise by a candidate or his agent or by any other person of any gratification to any person whomsoever with the object, directly or indirectly, of inducing.
 - a person to stand or not to stand as, or to withdraw from being a candidate at an election,
 - (ii) an elector to vote or refrain from voting at an election, or as reward to :-
 - (a) a person for having so stood or not stood or for having withdrawn his candidature, or for having retired from contest, or
 - (b) an elector for having voted or refrained from voting.

- (B) the receipt of, or agreement to receive, any gratification, whether as a motive or a reward-
 - (a) by a person for standing or not standing as or for withdrawing from being a candidate; or
 - (b) by any person whomsoever for himself or any other person for voting or reframing from voting, or inducing or attempting to induce any elector to vote or refrain from voting, or any candidate to withdraw or not to withdraw his candidature.

Explanation - For the purposes of this clause the term gratification is not restricted to pecuniary gratifications or gratifications estimable in money, and it includes all forms of entertainment and all forms of employment for reward.

(2) Undue influence, that is to say, any direct or indirect interference or attempt to interfere on the part of a candidate or his agent or of any other person with the free exercise of any electoral right:

Provided that:-

- without prejudice to the generality or the provisions of this cause and such person as is referred to therein who-
 - (a) threatens any candidate or any elector or any person in whom a candidate or any elector is interested, with injure of any kind including social ostracism and excommunication or expulsion from any caste or community; or
 - (b) induces or attempts to induce a candidate or an elector to believe that he, or any person in whom he is interested, will become or will be rendered an object of divine displeasure or spiritual censure; shall be deemed to interfere with the free exercise of the electoral right of such candidate or elector within the meaning of this clause;
- (ii) a declaration of public policy or a promise of publication or the mere exercise of a legal right without intent to interference with an electoral right, shall not be deemed to be interfere within the meaning of this clause.
- (3) the appeal by a candidate or his agent or by any other person, to vote or refrain from voting on grounds of cast, race, community or religion or the use of, or appeal to, religious symbols, or the use of or appeal to national symbols, such as the national flag or the national emblem for the furtherance of the prospects of that candidate's election.
- (4) The promotion of, or attempts to promote, feelings of enmity or hatred between different classes of the citizens of India or grounds of religion, race caste, Community or language, by a candidate or his agent or any other person with the consent of a candidate or his election agent for the furtherance of the prospects of the election of that candidate or for prejudicially affecting the election of any candidate.

- (5) The publication by a candidate or his agent or by any other person of any statement of fact which is false, and which he either believes to be false or does not believe to be true, in relation to the personal character or conduct of any candidate or in relation to the candidature, or withdrawal or retirement from contest, of any candidate, being a statement reasonably calculated to prejudice the prospects of that candidate's election.
- (6) The hiring or procuring, whether on payment or otherwise, of any vehicle or vessel by a candidate or his agent or by any other person, with the consent of a candidate or his election agent for the conveyance of any elector (other than the candidate himself, the members of his family or his family or his agent) to or from any polling station;

Provided that the hiring of a vehicle by an elector or by several electors at their joint costs for the purpose of conveying him or them to and from any such polling station shall not be deemed to be corrupt practice under this clause if the vehicle or vessel or hired in a vehicle or vessel not propelled by mechanical power.

Provided further that the use of any public transport vehicle or vessel of any tramcar or railway carriage by and elector at his own cost for the purpose of going to or coming from any such polling station shall not be deemed to be a corrupt practice under this clause.

Explanation: In this clause the expression "vehicle" means any vehicle used or capable of being used for the purpose or road transport, whether propelled by mechanical power or otherwise and whether used for drawing other vehicles or otherwise.

- (7) The obtaining or procuring or abetting or attempting to obtain or procure by a candidate or his agent or, by any other person, any assistance (other than the giving of vote) for the furtherance or the prospects of that candidate's election, from any person in the service of the Government and belonging to any of the following classes, namely:-
 - (a) gazetted officers;
 - (b) stipendiary judges and magistrates;
 - (c) members of the armed forces of the Union;
 - (d) members of the police forces;
 - (e) excise officers;
 - revenue officers and other persons in the service of the Government whose duty is to collect land revenue; and
 - (g) such other class of persons in the service of the Government as may be notified by the Governor.

Explanation: - (1) In this rule the expression "agent" includes as election agent, a polling agent and any person who is held to have acted as an agent in connection with the consent of the candidate.

(2) For purposes of the prospects of clause (7) a person shall be deemed to assist in the furtherance of the prospects of a candidate's election if he acts as an election agent or polling agent or a counting agent of that candidate.

- 98. Promoting enmity between classes in connection with election: Any person who is connection with an election under these rules- promotes or attempts to promote on grounds of religion, ruce, caste, community or language, feeling or enmity or haked between different classes of the citizens of India shall be punishable with fine which may extend to one hundred rupees.
- 99. Public meetings on election day- (1) No person shall convene or hold or attend any public meeting within any polling area during the period of forty-eight hours ending with the hour fixed for the conclusion of the poll for an election in that polling area.
- (2) Any person who contravenes the provisions of sub-rule (1) shall be punishable with fine which may extend to fifty rupees.
- 100. Disturbance at election meeting,— (1) Any person who at a public meeting to which this rule applies, acts or incites others to act, in a disorderly manner for the purpose of preventing the transaction of the business for which the meeting was catted, shall be punishable with fine which may extend to one hundred rupees.
- (2) This rule applies to any public meeting of a political character held in any constituency between the date of the issue of a notification calling upon the constituency to elect a member or members and the date or which such election is held.
- (3) If any police officer reasonably suspects any person of committing an offence under sub-rule (1) he may, if requested so to do by the chairman of the meeting require that person to declare to him immediately his name and address send, if that person refuses or fails so to declare his name and address, or if the police officer reasonably suspects him of giving a false name or address, the police officer may arrest him without warrant.
- 101. Maintenance of secrecy of voting: (1) Every officer, clerk, agent or other person who performs any duty in connection with the recording or counting of votes at an election shall maintain and aid in maintaining, the secrecy of the voting and shall not (except for some purpose authorized by or under any law) communicate to any person any information calculate to violate such secrecy.
- (2) Any person who contravenes the provisions of sub-rule (1) shall be punishable with fine which may extend to one hundred rupees.
- 102. Officers, etc. at election not to act candidate for or to influence voting.- (1) No person who is in the service of the Government or a District Council or any other local body whether not connected with the conduct or management of the election, shall do any act (other than the giving of vote, for the furtherance of the prospects of the election of a candidate).
- (2) No such person as aforesaid, shall endeavour:-
 - (a) to persuade any person to give his vote at an election, or
 - (b) to dissuade any person from giving his vote at an election, or
 - (c) to influence the voting of any person at an election in any manner.

- (3) Any person who contravenes the provision of sub-rule (1) or sub-rule (2) shall be punishable with fine which may extend to one hundred rupees, apart from any other lawful action which may be taken against him.
- 103. Canvassing in or near polling stations:-(1) No person shall on the date or dates on which a poll is taken at any polling station, commit any one of the following acts within the polling station or in any public or private places within a distance of one hundred yards of the polling station, namely:-

(a) canvassing for votes; or

(b) soliciting the vote of any elector; or

(c) persuading any elector not to vote for any particular candidate; or

(d) persuading any elector not to vote at the election; or

- (e) exhibiting any notice r sign (other than an official notice) relating to the election.
- (2) Any person who contravenes the provisions of sub-rule (1) shall be punishable with fine which may extend to fifty rupees.
- 104. Disorderly conduct in or near polling stations:- (1) No person shall, on the date or dates on which a poll is taken at any polling station:-
 - (a) Use or operate within or at the entrance of the polling station or in any public or private place in the neighbourhood thereof, any apparatus for amplifying or reproducing the human voice, such as a megaphone or loudspeaker; or
 - (b) shout, or otherwise act in a disorderly manner, within or at the entrance of the polling station or in any public or private place in the neighbourhood thereof.

so as to cause annoyance to any person visiting the polling station for the poll, or so as to interfere with the work of the officers and other persons on duty at the polling station.

- (2) Any person who contravenes, or wilfully aids or abets the contravention of the provisions of sub-rule (1) shall be punishable with fine which may extend to one hundred rupees.
- (3) If the presiding officer of a polling station has reason to believe that any person is committing or has committed an offence punishable under this rule, he may direct any police officer to arrest such person, and thereupon the police officer shall arrest him.
- (4) Any police officer may take such steps, and use such force, as may be reasonable necessary for preventing any contravention of the provisions of sub-rule (1), and may seize any apparatus used for such contravention.
- 105. Penalty for misconduct at the polling station: (1) Any person who during the hours fixed for the poll at any polling station misconducts himself or fails to obey the lawful directions of the presiding officer may be removed from the polling station by the presiding officer or by any police officer on duty or by any person authorized in this behalf by such presiding officer.
- (2) The power conferred by sub-rule (1) shall not be exercised so as to prevent any elector who is otherwise entitled to vote at a polling station from having an opportunity of voting at that station.

- (3) If any person who has been so removed from a polling station re-enters the polling station without the permission of the presiding officer, he shall be punishable with fine which may extend to one hundred rupees.
- 106. Penalty for illegal biring or procuring of conveyances at election: If any person is guilty of any such corrupt practice as is specified in clause (6) of rule 97 at or in connection with an election, he shall be punishable with fine which may extend to one hundred rupees.
- 107. Breaches of official duty in connection with election: (1) If any person to whom this rule applies is without reasonable cause guilty of any act or omission in reach of his official duty he shall be punishable with fine which may extend to one hundred rupees.
- (2) No suit or other legal proceedings shall lie against any such person for damages in respect of any such act or omissions as aforesaid some departmental proceedings which

may be conducted under the concerned service rules:

- 3) The persons to whom this rule applies are the returning officers, assistant returning officers, presiding officers, polling officers and any other person appointed to perform any duty in connection with the receipt of nominations or withdrawal of candidature, or the recording or counting of votes at an election; and the expression official duty shall for the purpose of this rule be construed accordingly, but shall not include duties imposed otherwise than under these rules.
- 108. Removal of ballot papers from polling station: (1) Any person who at any election fraudulently takes or attempts to take, a ballot paper out of a polling station, or wilfully aids or abets the doing of any such act, shall be punishable with fine which may extend to one hundred rupees.
- (2) If the presiding officer of a polling station has reason to believe that any person is committing or has committed an offence punishable under sub-rule (1) such officer may, before such persons leaves the polling station arrest or direct a police officer to arrest such person and may search person or cause him to be searched by a police officer.

Provided that when it is necessary to cause a woman to be searched, the search shall be made by another woman with strict regard to decency.

- (3) Any Ballot Paper found upon the person arrested on search shall be made over for safe custody to a police officer by the presiding officer, or when the search is made by a police officer shall be kept by such officer in safe custody.
- 109. Other Offences.- (1)A person shall be guilty of an electoral offence if at any election be. a) fraudulently defaces or fraudulently destroys any nomination paper; or

b) fraudulently defaces, destroys or removes any notice or other document affixed by or under the authority of a returning officer; or

 c) fraudulently defaces or fraudulently destroys any ballot paper or the distinguishing mark on any ballot papers; or

distinguishing mark on any ballot papers, of

d) without due authority supplies any ballot paper to any person or receives any
ballot paper from any person or is in possession of any ballot paper; or

- e) fraudulently puts into any ballot box anything other than the ballot paper which he is authorized by law to put in; or
- n) without due authority destroys, takes opens or otherwise interferes Will ally ballot box or ballot papers then in use for purpose of the election;
- g) fraudulently or without due authority, as the case may be, attempts to do any of the foregoing acts or wilfully aids or abet the doing of any such acts.
- (2) Any person guilty of an electoral offence under this rule shall be punishable with fine which may extend to one hundred rupees.

CHAPTER XIV- BY ELECTIONS

- 110. Casual vacancies in the District Council-(4) When the seat of a member elected to the District Council becomes vacant or when his election to that Council is declared by the Court to be void but no order is made by the Court declaring any other candidate to have been duly elected in that seat, the Commission shall, in consultation with the Government, by a notification published in the Official Gazette, call upon the constituency concerned to elect a person for the purpose of filling the vacancy so caused before such date as may be specified in the notification, and the provisions of these Rules shall apply, as far may be, in relation to the election of a member to fill such vacancy.
- (II) Notwithstanding anything contained in sub-rule (1), a bye-election for filling a vacancy referred to therein shall beheld within a period of six months from the date of occurrence of the vacancy:

Provided that nothing contained in this sub-rule shall apply if -

- (a) the remainder of the term of a member in relation to a vacancy is less than one year; or
- (b) the Commission in consultation with the Government certifies that it is difficult to hold the by-election within the said period.

CHAPTER XV- MISCELLANEOUS

- 111. Extension of time for completion of election .- It shall be competent for the Commission for reasons which it considers sufficient, to extend the time for the completion of any election by making necessary amendments in the notification issued by it under rule 16.
- 112. Staff of certain authorities to be made available for election work.- (1) The authorities specified in sub-rule (2) shall, when so requested by the State Government, make available to any district election officer such staff as may be necessary for the performance of any duties in connect ion with an election.
- (2) The following shall be the authorities for the purpose of sub-rule(1), namely:-
 - (i) every local authority
 - (ii) every university established or incorporated by or under a Central or State
 - (iii) a Government company as defined in rule 617 of the Companies Act, 1956 (1 of 1956);

- (iv) any other institution, concern or undertaking which is established by or under
 a Central or State Act or which is controlled, or financed whofly or substantially by funds provided directly or indirectly, by the Central Government or a State Government.
- 113. Requisitioning of premises, vehicles etc. for election purposes.- (1) If it appears to a district election officer that in connection with an election held within the autonomous district.-
 - (a) any premises are needed for the purpose of being used as a polling station or for the storage of ballot boxes after a poll has been taken, or
 - (b) any vehicle or vessel is needed or is likely to be needed for the purpose of transport of ballot boxes to or from any polling station, or transport of members of the police force for maintaining order during the conduct of such election, or transport of any officer or other person for performance of any duties in connection with such election, that district election officer may by order in writing requisition such premises, or such vehicle or vessel, as the case may be, and may make such further orders as may appear to him to be necessary or expedient in connection with the requisitioning:

Provided that no vehicle or vessel which is being lawfully used by a candidate or his agent for any purpose connected with the election of such candidate shall be requisitioned under this sub-rule until the completion of the poll at such election.

- (2) The requisition shall be effected by an order in writing addressed to the person deemed by the district election officer to be the owner or person in possession of the property, and such order shall be served -
 - (a) where the person to whom such order is addressed is a corporation or firm inthe 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
 - (b) where the person to whom such order is addressed is an individual-
 - (i) personally by delivering or tendering the order, or
 - (ii) by registered post, or
 - (iii) 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 in which he is known to have last resided or carried on business or personally worked for gain.
- (3) Whenever any property is requisitioned under this rule (1), the period of such requisition shall not extend beyond the period for which such property is required for any of the purposes mentioned in that sub-rule.
- (4) Whenever the district election officer requisitions any vehicle or vessel, there shall be paid to the owner thereof compensation the amount of which shall be determined by the District Election Officer on the basis of the fares or rates prevailing in the locality for hire of such vehicle or vessel.

- t14. Grant of paid holiday to employees on the day of poll.- Every person employed in any business, trade, industrial undertaking or any other establishment and entitled to vote at an election to a District Council shall, on the day of poll, be granted a holiday without deduction or abatement of the wages of any such person on account of the holiday.
- 115. Return or forfeiture of candidate's deposit.- (1) The deposit made under rule 21 shall either be returned to the person making it or his legal representative or the forfeited to the Government in accordance with the provisions of this rule.
- (2) Except in cases hereafter mentioned in this rule, the deposit shall be returned as soon as practicable after the result of the election is declared.
- (3) If the candidate is not shown in the list of contesting candidates, of if he dies before the commencement of the poll, the deposit shall be returned as soon as practicable after publication of the list or after his death, the case may be.
- (4) Subject to the provisions of sub-rule (3), the deposit shall be forfeited if at an election where a poll has been taken, the candidate is not elected and the number of valid votes polled by him does not exceed one-sixth of the total number of valid votes polled by all the candidates.
- 116. Repeal of the 1972 Rules On the enforcement of these Rules, the Manipur Autonomous District Councils (Election of Members) Rules, 1972 shall stand repealed.

By Orders & in the name of Governor,

P. GONMEL

Principal Secretary (Hills),
Government of Mampur.

FORM-1

| See Rule 14(4)|

NOTICE OF PUBLICATION OF ELECTORAL ROLL

Notice is hereby given that the electoral rolls for
Constituencies have been prepared on the basis of the electoral roll/ rolls for
Assembly Constituency/Constituencies in accordance with the Manipur (Hill Areas) Automorphus
District Councils (Election of Members) Rules, 2009 and are available for inspection at my office
during office hours.
If there be any claim for the inclusion of a name in the electoral roll or any objection to the
inclusion of name or any objection to particulars in any entry on the basis of the electoral roll/ rolls for

the said. Assembly Constituency/Constituencies, it should be lodged in Form 2,3 or 4 as may be

Place Dote

appropriate, in my office on or before.....

Electoral Registration Officer

FORM 2 [See Rule 14(5)]

APPLICATION FOR INCLUSION OF NAME IN ELECTORAL ROLL

10	
	toral Registration Officer,
******	District Council Constituency.
Sir,	
I am an	elector ofAssembly Constituency and my name is entered a
Sl.Noof Pa	rt No of the electoral roll for that Assembly Constituency. It is requested that
my name be incl	uded in Part Noof the electoral roll forDistrict Council Constituency
1 hereby	declare that to the best of my knowledge and belief my place of ordinary residence a
per the electoral	roll for Assembly Constituency is within the area covered by Part No
of the electoral r	oll for District Council Constituency .
Dr.	
Place	
Date	
	Signature or thumb impression of the applicant
	Signature or infilm impression of the applicant

FORM - 3 [See Rule 14(5)]

APPLICATION FOR OBJECTING INCLUSION OF NAME IN ELECTORAL ROLL

То
The Electoral Registration Officer,
Sir,
1 object to the proposed inclusion of Shri/Smt/Km
the electoral roll for District Council Constituency at Sl. No of Part No for the
reason that his/her name is not included in the corresponding Part No of the electoral roll for
Assembly Constituency.
I am an elector of
Sl.No of Part Noof the electoral roll for that Constituency.
I hereby declare that the facts and particulars mentioned above are true to the best of my
knowledge and belief.
Place Date
Signature or thumb impression of the applicant

FORM - 4 [See Rule 14(5)]

APPLICATION FOR CORRECTION OF PARTICULARS ENTERED IN ELECTORAL ROLL

10
The Electoral Registration Officer,
Sir.
I am an elector of
No of Part No of the electoral roll for that Constituency.
I request that my name/age/father's/mother's/husband's name/sex/address in the electoral roll for the District Council Constituency may be corrected as "" in place of "" on the basis of the corresponding entry in the electoral roll for the said Assembly Constituency.
I hereby declare that the facts and particulars mentioned above are true to the best of my
knowledge and belief.
Place
Date
Signature or thumb impression of the applican

FORM -5

[See Rule 14(6)]

NOTICE OF FINAL PUBLICATION OF ELECTORAL ROLL

It is hereby notified for public information that the list of amendments to the draft electoral
rolls for District Council Constituencies have been prepared on the basis of the
electoral roll/rolls for Assembly Constituency/Constituencies in accordance with the
Manipur (Hill Areas) &utonomous District Councils (Election of Members) Rules, 2009. A copy of
the said rolls together with the said list of amendments has been published and will be available for
inspection at my office.

Place Date,...

Electoral Registration Officer

FORM 6 (See rule 17)

NOTICE OF ELECTION

Notice is hereby given that :-	
(1) an election is to be held of a member of the Di Autonomous District from each of the following District Council	
(2) nomination papers may be delivered by a candidate to the Returning Officer or to the Assistant Returning	icer at
later .than; between 11 A.M. and 3 P.M. on any	day (other than public holiday) not
(3) forms of nomination paper may be obtained at the place	e and time aforesaid;
(4) the nomination papers will be taken up for scrut at;	iny at on
(5) notice of withdrawal of candidature may be delivered of proposers or by his election agent who has been authorized in wrieither of the officers specified in paragraph (2) above at his office	iting by the candidate to deliver it to
(6) in the event of the election being contested, the poll w	vill be taken on between the
hours of and	
Place	Returning Officer
Date	

PART - III

		FIRES. 7 7			
	(To be filled	by the Returning	Officer)		
Serial No. of nomination p	aper				
This nomination	was delivered to	me at my office	at (hour) on .	(date)	by the
candidate/proposer.					25 4 500
	3 4				
Date				Returning	g Officer
				. 4	
****************************		PART – IV	***********		,
I have examined to the Autonomous District Cou			with rule 23 of the 2009 and decide as	ORDER	
Date	*:			Returning	Officer
*****************************				***********	******
	5 1 .	PART - V	of a of Counting		
(1	o be handed over to the	nation Paper and No se person presenting t	he Nomination Paper)		*
The nomination p	rict Council Constitue	ency was delivered to	a candidate for me at my office at up for scrutiny at ((hour) o	m

Returning Officer

..... (Place).

Date

FORM-8

(See Rule- 22)

NOTICE OF NOMINATIONS

Election to the	District Council of	Autonomous District from the	: District Cour	neil Constituency.
Notice is hereb today:-	y given that the following	nominations in respect of the above	e election have been received	up to 3 P.M.
SI.No. of Nomination Paper	Name of candidate	Name of Father/husband	Age of candidate	Address
1	2	3	4	5

Party Affiliation	Category of the candidate (ST/SC/Gen)	Electoral roll number of candidate	Name of proposer	Electoral roll number of proposer.
6	7	8	9	10

Place

Returning officer

F O R M -9 [See rule 23(9)]

LIST OF VALIDLY NOMINATED CANDIDATES

51. No.	Name of candidate	Name of Father/hasband	Address of candidate	Party affiliation
(2	4	4	5
-		ALT AND ADDRESS OF THE PARTY OF		

Place
Onte Returning Officer

Note. The names of candidates shoul be arranged in alphabetical order

|See rule 24(1)|

NOTI	ICE OF WITHDRAY	VAL OF CANDIDA	TURE	
Election to the D	istrict Council of	Au	tonomous District	
from the		District Cou	incll Constituency	
AND COMPANY OF THE PARK AND THE				
The Returning Officer,				
ř.			formal analysis above at	material distribution
give notice that I withdraw my candida	ours	indicate validly nom	inated at the above cit	ection do nereby
give notice that I without will be and the	Aute,			
Place		S	Signature of validly no	minated candidate.
Date				
This nation one delicered to		(harak an	(data) h	44
This notice was delivered to a				
by the candidate to deliver it.	ne cuntrodie curorone	e a proposerverceion	agem who has been a	omorized in writing
.,				
Date			Rete	iming Officer
	9			
	Daniel for Mas	: f 11/24 dans	,	
	Receipt for Not	ice of Withdrawa	1	
CTo	be handed over to the	non on delivering the	notice)	
(10	be nanded twee to the	person derivering inc	, notice)	
The notice of withdrawal of c	andidature by		a validly no	minated candidate
at the election to the District Council				
Council		AND THE RESIDENCE OF PERSONS AND ADDRESS		
Constituency was delivered to me by t	he candidate/candidate	e's proposer/election	agent who has been a	uthorized in writing
by the candidate to deliver it at my off	ice at (hour)	on (d	date)	
P			12000	
Date			Reti	urning Officer

|Sec rule 24 (3)|

NOTICE OF WITHDRAWAL	OF CANDIDATURES
Election to the District Council of	Autonomous District
from the	District Council Constituency

Notice is hereby given that the following validly nominated candidate/candidates at the above election has/have withdrawn his candidature/their candidatures today:-

SI No	Name of validly Nominated candidate	Address of validly nominated candidate	Remarks
			E.
			*

Date

Returning Officer

[Sec rule 25 (1)]

from the ______ District Chuncil Constituency

St. No. allotted	Name of candidate	Address of candidate	Party affiliation	Symbol
(1)	(2)	(3)	(4)	(5)

Place Returning Officer
Date

Note. The names of candidates shall be arranged in alphabetical order.

[See rule 26(2)]
(For use in General Election when seat is uncontested)

Declaration of the result of Election under rule 26(2) of the Manipur (Hi)) Areas) фитониции
District Councils (Election of Members) Rules,2009.	
Election to the District Council of	nomous District from
theDistrict Council Constituency.	
In pursuance of the provisions contained in rule 26(2) of the Manipur(Hil	l Areas) Accumication
District Councils (Election of Members) Rules, 2009,	I declare that
sponsored by	
Independent Candidate has been duly elected to fill the seat in that Cou- constituency.	
Place -	Returning Officer
Date	

|See rule 26(2)|

(For use in Election to fill a casual vacancy when seat is uncontested)

Dec	claration of	the result	of Ele	ction under r	ule 26 (2)) of the	Manip	our (Hill /	reas)
Autonomeu	9 District Co	ouncils (Elect	ion of M	Members) Rule	s, 2009.				
								22	c
Elec	ction to the [District Counc	il of			Аи	tonom	ous Distric	t from
the		Distric	t Counc	il Constituenc	y.				
- In r	oursuance of	the provision	s conta	ined in rule 26	(2) of the N	/anipur (F	lill Ar	eas) Auton	omous omous
District			-	Members)				declare	
		the grant of the same of the s)				(ac	(dress)
enancored	by			(name	of the reco	ognised/re	gistere	d political	party)/
				lected to fill t					
								50	
	•								
9									ec.
Place							R	leturning O	Hicer
Date			-						

790 300000000000000

[See rule 28(1)]

o	
The returning Officer,	
a candidate at the above election do hereby app	of
hove election.	
	* **
*	
Place	Signature of candidate
Date	
I accept the above appointment.	
	Signature of election agent
Place	Signature
Approved.	
	Signature and seal of the Returning Officer

[See rule 28(2)]

Election to the District Council of
Го
The Returning Officer,
4,
Place
Date
Signature of candidate.

|See rul: 29(2)|

Election to the District Council of from the	Autonomous District
t,	election agent of
Place	
	Signature of candidate/election agent
I agree to act as such polling agent.	
Place	Signature of polling agent
Declaration of polling agent to be	signed before Presiding Officer
I hereby declare that at the above election I w of the voting and will not (except for some purpose a any person any information calculated to violate such	
Date	Signature of polling agent
Signed before of	ne.
Date	Presiding Officer
* To be handed over to the polling agent for product	7

[See cuic 29(4)]

10					
The returning	ng Officer,				
	The Property of				
who is a candidate	at the above election of for polling station N	hereby toxnke the a	appointment of		
Place	Regularit				
Date	******				
			Commerces of and	Ideta/alastica acce	-6

	terum till	Diffret Council Constituency
To		Per Control of the Co
	The Returning Officer	
	The Relations of the Control	The state of the s
	1	a candidate/the election agent of
who i		do hereby appoint the following persons as my/his counting
	s to attend the counting of votes at	
	Name of the Counting agent	Address of the counting agent
		+
1.		
2. 3. 4.		,
3		
4.		
5.		
6.		
7.		
. B.		A
etc.		Signature of candidate/election agent
	We agree to act as such counting a	
	we agree to act as such counting a	igenis
	(Signatures of counting agents	
	(Signatures of countrils agents	<i>j.</i>
1.		
2.		
3.		
4.	- Production of	
5.		
6.		
7.		*
8.		
etc.		
Plac	B	

DECLARATION OF COUNTING AGENTS (To be signed before the Returning Officer)

We hereby declare that at the above election we will maintain, and aid in maintaining, the secrecy of the voting and shall not (except for some purpose authorized by or under any law) communicate to any person any information calculated to violate such secrecy.

		A STATE OF THE STA
		27.
,		
•)		
t.		
	Signed 1	before me.
ate		Returning Office

150	re rule 39(4){		
Revocation of App	continent of counting Ag	ents	
Election to the District Council of	d At	denemous Distr	iet
from the	District Co	uncil Constituen	cy
0			
The Returning Officer,			
t, a who is a candidate at the above election, herebay/his counting agent.			
lare			
lace			
Date			
	\$1	anature of care	fuinte/election aven

FORM 21 |See rule 37(1)|

LETTER OF INTIMATION TO RETURNING OFFICER

The Park Control of the Control of t

To	
The Returning Officer, District Council	Constituency.
Sir.	
	preventive detention and I intend to cast my vote by neil of
My name is of the electoral roll for	and it is entered at Sl.No in Part No District Council Constituency.
The ballot paper may be sent to me at t	he tollowing address : -

*	
Place	
Date	Yours faithfully,

FORM 22 | See rule 40(1)(a)|

DECLARATION BY ELECTOR

	Election to the District C	operit of	
	from the		District Council Constituency
		1 11 1	
1 hereby	declare that I am the e	lector to snom	the postal ballot paper bearing serial number
	has been issued at the		
Date			Signature of elector
			organism or creater
			Address
			rada dostrialitation in the second
for the second			
			_
	- A	laestation of sign	navure

			fied to my satisfaction by
***************************************		(identif	ier) who is personally known to me.
Signature of idea	ntifier, if any		Signature of Attesting Officer
			Designation
			Address
			Date

F O R M 23

[See rule 40(1)(b)] COVER "A"

(NOT TO BE OPENED BEFORE COUNTING)

POSTAL BALLOT PAPER
FOR LAMBOUR DEPT CONSTITUENCY
Scrial number of hallot paper

ELECTION IMMEDIATE

F O R M 24 | See rule 40(1)(c)| | COVER "B"

(NOT TO BE OPENED BEFORE COUNTING)

FORCONSTITUENCY.

To

7.54

The Returning Officer

Full signature of elector.....

FORM: 25 [See rule 40(1)(d)] INSTRUCTIONS FOR GUIDANCE OF ELECTORS

Election to the District Council of ______Autonomous District from the ______ District Council Constituency

The persons whose names are printed on the ballot paper sent herewith are candidates at the above election. Record your vote by placing clearly a mark opposite the name of the candidate to whom you wish to give your vote. If the mark is so placed as to make it doubtful to which candidate you have given your vote, your vote will be invalid.

The number of members to be elected is one. Please remember that you have only one vote. Accordingly you should not vote for more than one candidate. If you do so, your hallot paper will be rejected.

Do not put your signature or write any word or mark any mark, sign or writing whatsoever on the ballot paper other than the mark required to record your vote.

After you have recorded your vote on the ballot paper, place the ballot paper in the smaller cover marked "A" sent herewith. Close the cover and secure it by seal or otherwise.

You may then sign the declaration in Form 15 also sent herewith in the present of an authorized officer who will attest your signature.

If you are on an election duty, attestation may be done by any gazetted officer or by the Presiding Officer of the polling station in which you are on election duty.

If you are under preventive detention, the attestation may be done by the Superintendent of the jail or the Commandant of the detention camp in which your are under detention.

In both the cases you may take the declaration to the authorized officer and sign it in his presence after he has satisfied himself about your identity. The officer will attest your signature and return the declaration to you. You must not show your hallot paper to the attesting officer nor tell him how you have voted.

After your declaration has been signed and your signature has been attested, place the declaration in Form 15 as also the smaller cover marked 'A' containing ballot paper in the larger cover marked 'B'. After closing the larger cover, send it to the returning officer by post or by messenger. You have to give full signature in the space provided on the cover marked 'B'.

CONCE TEMESTER IN	r meraning	CHINESE	Octobe	**********
nd				
reaches the	returning (officer	after*	on'
200	your declaration on the reaches the	your declaration attested or or nd reaches the returning of	your declaration attested or certified indices the returning officer	reaches the returning officer after*

^{* (}Here specify the hour and date fixed for the commencement of counting of votes).

FORM 26 [See rule 51(2)(c)]

LIST OF CHALLENGED VOTES

Election to the District Council of	Aufecomnes District
from the	District Council Constituency

No. & name of polling station

Serial number of cotty	anter of		serial the elector	Signature or thursh impression of the person challenge	
1	2.	3.		4.	
			-		
t,					
2					
5.					
7.					
R					
9					
10.			and the second		
Address of the person challenged	Name of identifier, if any	Name of challenger	Order of Presiding Officer	Signature of challenger on receiving refund of deposit.	
3				9	
	6.				

Detc

Signature of Presiding Officer

FORM 27 [See rule \$5(2)]

LIST OF BLIND AND INFIRM VOTERS

		Election to the Distri from the	ict Cov	Di	Antono strict Council	mous District	
Part No. & Sl. No. of elector	-	Full name - of elector	ØH:	Fall name of companion		ess of sanion	Signature of companion
OI CICCIOI		7					
							× p
				ř			
		- 24					
· ×							

Date

Signature of Presiding Officer

FORM 28 [Sec rule 57(2)]

LIST OF TENDERED VOTES

Election to the District Council of Autonomous District

from the		District Council Constitu	ency	
No. & name of	polling station			
		The second second		
Address of	Social number	Serval number of holles	Signature or	

Part number. SI. No. and name of elector	Address of efector	Serial number of tendered bullot paper	Serial number of balles paper issued to the person who has already voted	Signature or thumb impression of person tendering vote.
1.	2.	3.	4.	5.

Date

Signature of Presiding Officer

F O R M 29 |See rule 68(1)|

PART 1 - Boilet Paper Account

		Autonomous District	
	No. & name of polling station		
I. No. of ballot p	spers received (SI Nos to)	(6.65)
2. No. of ballot p	apers unused (i.e. not issued to vo	(ers) -	
a) With the sig	nature of Presiding Officer (SI No	os)	1944
b) Without the	signature of Presiding Officer (SI	Nos	200
	Total :- (a +	(5)	
3. No. of ballot p	apers used at the polling station	-3=3)	1997
	apers used at the polling station b		
a) No. of ballo	t papers cancelled for violation of	f voting procedure under rule	***
b) No. of balls	a papers cancelled for other reason	ns.	4490
c) No. of ballo	t papers used as tendered ballot p	apers	0.844
	Total:- (a+is	+c)	****
5. No. of ballot p	apers to be found in the hallot bo	x (3-4=5)	
		•	
			*
Date		Signature of the P	residing Officer.

PART II - Result of Counting

1.	
2.	
3.	The state of the s
4.	
5.	
6.	
7.	The street of principles of the
8.	
9.	The St. 1997 of Sept. 1997 of the St. 1997 of
10.	THE RESERVE OF STREET
etc.	
11 P. L 1 P. H P.	
II. Rejected Ballot Papers	
III. TOTAL	
Whether the total number of ballot papers shown against nem No. III above tallies with the total shown against item No. 5 of	
Part I or any discrepancy noticed between these two totals.	
Place	Signature of the Counting Superviso
Place	Signature of the Returning Officer
Date	

[See rule 72(7)(b)] FINAL RESULT SHEET

SI.No. of		No.	of valid v	roles cast	in favour	of		Total	No. of	Total
Polling Station	A	В	C	D	E	F	G	valid votes	rejected votes	No. of tendered
	on married to	-				-	-	-		yotes
				- 27-29						
		1479			1 14				-,-,	
		-	. 1		100					
2 de										
	ar s	17 ° S								
		2.4542								
	7.1		1							
TRE	Det									
Total No. of votes										
recorded at politing stations										2
No. of votes recorded on postal ballot										
papers Total votes										

Date	F - 3	ы	w	g:		~	2		_	
Chara		777	-	7	- 1		•	۰		
Charac										
1000										
	-									

Returning Officer

2009

- 72 -

FORM 31 [See rule 78(2)] (For use in General Election when seat is contested)

Declaration of the result of	f Election	n under rule7	8(2), of the	Manipur (I	fill Area	s) Autom	emeu.
District Councils (Election of Me	mbers) R	ides, 2009.					
A control of the cont	42						11.71
Election to the District Co	uncil of :		***********	A	utonomo	us Distric	t from
theDist		1		NA -1	1411 4	· · · · · · · · · · · · · · · · · · ·	,
In pursuance of the provisi			14.1		Hill Area	S) Anton	CONTRACTOR -
District Councils (Election	01	Members)	Rules	2009	ţ	declare	that
	(narr	e)				(ac	idress)
sponsored by		*					
Independent Candidate has be	en duly	elected to f	ill the sear	in that (Council 1	from the	above
constituency.							
X-1							
	1						
Place					Ret	uming O	fficer
Date							

|FORM 32 | |See rule 78(2)| |(For use in Election to fill a casual vacancy when seat is contested)

* A - 3	
Declaration of the result of Election under rule 78(2) of the Manipur (Hill Areas)
Autonomous District Councils (Election of Members) Rules, 2009.	
Election to the District Council of	Autonomous District from
theDistrict Council Constituency.	1
In pursuance of the provisions contained in rule 78(2) of the I	Manipur (Hill Areas) Andorros
District Councils (Election of Members) Rules;	
sponsored by	
Independent Candidate has been duly elected to fill the vacance	
Place	Returning Officer
Date	

(STATE EMBLEM)

FORM 33 (See rule 79)

CERTIFICATE OF ELECTION

1, Returning Officer for the	District Council
Constituency hereby certify that I ha	eve on the day of
declared Mr/ Ms	of
	sponsored by the
party)/Independent candidate to ha	ve been July elected by the said constituency to be a member of
the District Council of	
I have granted to kim/her this certif	seate of circulan.
	A
Place	
Date	Returning Officer, .
	District Council
	(Carl)

FORM 34 (See rule 80) Return of Election

	Election to the District Council of from the		
rial o.	Name of candidate	Party affiliation	Number of votes police
			A Complete Company
	,		C 1500C
-			
		1100	
-			
-			
	4		
otal n	umber of electors		
otal n	umber of valid votes polled		
	umber of rejected votes		
	umber of tendered votes		
1/1803 12		*	
	I declare that -	(na)	ne) of
	***************************************	-i	ress) and treen dury elected to
ili the	scat.		
			3 40.00
			Returning Officer
			Returning Officer
lace			Returning Officer
	***************************************		Returning Officer
Date			Returning Officer
			Returning Officer