

**THE  
MANIPUR PANCHAYATI RAJ (ELECTION)  
RULES, 1995**

**UNDER THE MANIPUR PANCHAYATI RAJ ACT, 1994  
(MANIPUR ACT NO. 26 OF 1994)**

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## THE MANIPUR PANCHAYATI RAJ (ELECTION) RULES, 1995

In exercise of the powers conferred by section 105 of the Manipur Panchayati Raj Act, 1994 (Act No. 26 of 1994), the Governor of Manipur is pleased to make the following Rules:—

## PART—I

### PRELIMINARY

1. Short title and commencement:

(1) These Rules may be called the Manipur Panchayati Raj (Election) Rules, 1995.

(2) They shall come into force on the date of their publication in the Official Gazette.

### DEFINITION

2. (1) In these Rules, unless the context otherwise requires—

(a) "Act" means the Manipur Panchayati Raj Act, 1994 (Act No. 26 of 1994).

(b) "Ballot Box" includes any box, bag or other receptacle in use for the insertion of Ballot papers by voters.

(c) "Counter Foil" means the counter foil attached to a Ballot paper printed under the provisions of these Rules.

(d) "District Election Officer" means an officer designated or nominated by the State Election Commission under Rule 84.

(e) "Electoral Roll" in relation to election of Pradhan and any member of a Gram Panchayat or any member of Zilla Parishad means any person entitled to vote at that election.

(f) "Electoral Roll" in relation to any election of a Gram Panchayat and Zilla Parishad means the Electoral roll maintained by the Returning Officer for that election.

(g) "Electoral Roll Number" of a person means—

(i) the serial number of the entry in the electoral roll in respect of the person; and

(ii) the serial number of the part of the electoral roll in which such entries occur; and

(iii) the name and the number of the constituency to which the Gram Panchayat or Zilla Parishad to which the electoral roll relates.



- (h) "First General Election" means the first General Election to the Gram Panchayat or Zilla Parishad after the commencement of the Act.
- (i) "Form" means a form appended to these Rules and includes a translated copy in Manipuri thereof.
- (j) "Marked copy of the electoral roll" means the copy of the electoral roll set apart for the purpose of marking the names of electors to whom Ballot papers are issued at an election.
- (k) "Polling Station" in relation to election of Gram Panchayat or Zilla Parishad means the place fixed for taking poll of that election.
- (l) "Presiding Officer" includes—
- (i) any polling officer performing any of the functions of a Presiding Officer under the Manipur Panchayati Raj (Election) Rules, 1995.
- (m) "Returning Officer" or "Asstt. Returning Officer" means an officer appointed by the State Election Commission under Rule 84.
- (n) "Section" means a section of the Act.
- (o) "Polling Agent" means a polling agent appointed under these Rules and includes a candidate and the election agent of a candidate and includes a relief polling agent.
- (p) "Gram Panchayat Constituency" means a Constituency provided by law for the purpose of election to the Gram Panchayats in the State.
- (q) "Zilla Parishad Constituency" means a constituency provided by law for the purpose of election to the Zilla Parishad of the State.
- (r) "Election Commission" means the Election Commission constituted under section 98 of the Manipur Panchayati Raj Act, 1994.
- (s) "Election Tribunal" means the Election Tribunal constituted under section 103 of the Manipur Panchayati Raj Act, 1994.
- (t) "Person" does not include a body of persons.
- (u) "State" means the State of Manipur.
- (v) "Electoral Registration Officer" means the Electoral Registration Officer of a Constituency of Gram Panchayat or Zilla Parishad and includes an Assistant Electoral Registration Officer thereof appointed by State Election Commission.
- (w) "Qualifying Date" in relation to the preparation or revision of every electoral roll under these Rules means the 1st day of January of the year in which it is so prepared or revised.
- (2) The expression used in these Rules and not otherwise defined shall have the same meaning as respectively assigned to them in the Act.

## PART—II

### GENERAL PROVISION

#### 3. Date of poll for election :

The Election Commission shall, after consulting the State Government by Public notification in form I for Gram Panchayat election and in form I—A for Zilla Parishad Election appoint the date and time for holding any election or bye-election of Panchayats.

#### 4. Public notice of nomination :

As soon as the Notification is published under Rule 3, a public notice in Form-2 shall, subject to such directions of the Election Commission, be published in such manner as the Returning Officer thinks fit and shall by order appoint :

- (a) the dates, time and place for making nomination which shall be upto the seventh day after the date of publication of the above 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 nomination, which shall be the day after the last date for making nominations or, if the date is a public holiday, the next succeeding day which is not a public holiday ;
- (c) the last day for the withdrawal of candidature shall be the third day after the date for the scrutiny of nominations or, if that date 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, be a date not earlier than thirty days of the last date for the withdrawal of candidature ;
- (e) the date before which election shall be completed. Explanation :—In this Rule "public holiday" means any day which is public holiday for the purposes of section 25 of the Negotiable Instruments Act, 1881 (26 of 1881), or any day which has been notified by the Government to be a holiday for the Government Offices in the State of Manipur.

#### 5. Nomination of candidates :

- (1) Any person, if not otherwise disqualified under the provisions of the Act or any order made thereunder, may be nominated as a candidate for election to Pradhan and Members of a Panchayat, if his name is included in the electoral roll of the constituency in which he is to be nominated.

Provided that a person may be nominated as a candidate for election as a member of a Gram Panchayat if his name is included in the electoral roll of the constituency.



- (2) Any person, if not otherwise disqualified under provision of the Act or any order made thereunder may be nominated as a candidate for election to Zilla Parishad for not more than one constituency if his name is included in the electoral rolls for Panchayat Election pertaining to the area comprised in that Zilla Parishad.
- (3) Nomination papers in Form-2(A) or 2(B) shall be supplied by the Returning Officer to any voter on demand.

**6. Presentation of Nomination papers and requirement for valid nomination :**

- (1) On any of the dates fixed for filing nomination under clause (a) of Rule 4, each candidate shall either in person or by his proposer deliver to the Returning Officer during the time and at the place specified in the order under Rule 4, a nomination paper duly completed and signed by the candidate and by a voter of the constituency as proposer :

Provided that for the purpose of nomination for election from a constituency reserved for the Scheduled Castes or the Scheduled Tribes persons, the nomination paper shall be accompanied by a copy of the Scheduled Castes or the Scheduled Tribes certificate granted by a competent authority and that the original copy of such certificate shall be produced at the time of delivery of such nomination paper to the Returning Officer.

- (2) Any person whose name is entered in the Electoral Roll of the constituency for which the candidate is nominated and who is not otherwise disqualified, may subscribe as Proposer :

Provided he shall not subscribe as proposer for more than one nomination.

- (3) Every nomination paper presented to the Returning Officer shall be in Form 2(A) in case of Gram Panchayat and Form-2(B) in case of Zilla Parishad :

Provided that a failure to complete or defects in completing the declaration as to the symbol in a nomination paper in Form-2(A) or 2(B) shall not be deemed to be a defect of substantial character within the meaning of sub-rule (4) of Rule 15.

- (4) Nothing in this Rule shall prevent any candidate from being nominated by more than one nomination paper for election in the same constituency :

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.

- (5) On the presentation of a nomination paper, the Returning Officer shall satisfy himself that the names and the numbers in the list of voters of the candidate and his proposer as entered in the Nomination Paper are the same as those entered in the electoral roll :

Provided that the Returning Officer shall permit any clerical or technical error in the nomination paper in regard to the same name or numbers to be corrected in order to bring them into conformity with the corresponding entries in the electoral roll and where necessary may direct that any clerical or printing error in the said entries shall be over-looked.

**7. Classification of Symbol :**

- (1) For the purpose of these Rules, symbol shall be allotted to the candidates and that these symbols can be reserved or free.

- (2) A reserved symbol is a symbol which is reserved by Election Commission of India for a recognised political party for exclusive allotment to a contesting candidate or candidates set up by that party.

- (3) In case of any dispute about election symbols the decision of State Election Commission shall be final.

**8. Classification of recognised political party :**

For the purpose of these Rules, recognised political party means a political party recognised by the Election Commission of India as a National Party or State Party of this State.

**9. Symbol for election :**

- (1) The free symbols, which may be chosen by the candidate at the election from any constituency are specified in the first schedule.

- (2) Where at any such election more nomination papers than one are delivered by or on behalf of the candidate, the declaration as to symbol made in the nomination paper first delivered, and no other declaration as to symbols, shall be taken into consideration under Rule 18 even if, the first nomination paper has been rejected.

**10. Choice of reserved symbols by a candidate :**

A candidate set up by a recognised political party at any election in any constituency shall choose and shall be allotted only the symbol reserved for that party.

**11. When a candidate shall be deemed to be set up by a Political party :**

- (1) For the purpose of these Rules a candidate shall be deemed to be set up by a recognised political party if,—

- (a) the candidate has made a declaration to that effect in his nomination paper; and

- (b) a notice in writing to that effect so as to reach not later than 3 p.m. on the last day of withdrawal of candidature being delivered to the Returning Officer of the constituency; and

- (c) the said notice is signed by the President, Chairman or General Secretary of the concerned recognised Political Parties, or if there is no General Secretary, the Secretary of the State Unit of the recognised political party or by any member of such recognised political party duly authorised by such President, Chairman, General Secretary or Secretary, as the case may be.

- (2) The duly attested specimen signature of the President, Chairman, General Secretary or Secretary of the State Unit of the recognised political party or by such authorised member or where a member has been authorised to sign the notice, a



letter to that effect by the President, Chairman, General Secretary or Secretary as the case may be, shall be sent to the respective Returning Officer so as to reach him before the date of scrutiny of the nomination papers.

## 12. Choice of free symbol/symbols by candidate :

(1) A candidate in a Gram Panchayat/Zilla Parishad Election from any constituency shall give in order of preference three symbols specified in the Table-A of the first Schedule.

(2) Notwithstanding anything in the sub-rule(1) if at any election the number of candidate, other than those set up by the recognised political party, exceeds the number of free symbol specified in Table-A of the schedule, the State Election Commission may, for smooth conduct of election, by an order, specify additional free symbol for allotment by the Returning Officer, to each of the candidate.

## 13. Deposit :

A candidate shall not be deemed to be declared nominated for election from a constituency, unless he deposits or cause to be deposited in cash with the Returning Officer concerned :

- (a) in case of an election from a constituency of a Gram Panchayat a sum of Rs. 50/- or where the candidate is a woman or is a member of the scheduled castes or the scheduled tribes a sum of Rs. 25/-;
- (b) in the case of an election of a Pradhan of a Gram Panchayat a sum of Rs. 100/- or where the candidate is a woman or is a member of the scheduled castes or the scheduled tribes a sum of Rs. 50/-;
- (c) in case of an election from a constituency of the Zilla Parishad a sum of Rs. 500/- or where the candidate is a woman or is a member of the scheduled castes or the scheduled tribes a sum of Rs. 250/-;

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 from him under this Rule.

## 14. Notice of nomination and time and place for the scrutiny :

The Returning Officer shall, on receiving the nomination papers under sub-rule (1) of Rule 6 from the person or persons delivering the same shall enter on the nomination paper itself serial number, and sign thereon a certificate stating the date and the hour at which the nomination papers have been delivered to him and shall as soon as may be thereafter, cause to be affixed in Form 3 in some conspicuous places in his office a notice of the nomination containing description similar to those contained in the nomination paper both of the candidates and of the proposer.

## 15. Scrutiny of nomination :

(1) On the date fixed for the scrutiny of nomination, except the candidate or their election agent and one proposer, and no other persons may attend at the time and place appointed in this behalf and the Returning Officer shall give them all reasonable facilities for examining the nomination paper of all candidates which have been delivered within the time.

(2) The Returning Officer shall then examine the nomination paper 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 enquiry, if any, as he thinks necessary, reject any nomination on any of the following grounds, namely —

- (a) that the candidate is disqualified for being chosen to fill the seat by or under the Act;
- (b) that the proposer is not a voter of the constituency concerned;
- (c) that there has been a failure to comply with any provision of the Rules 5 and 6;
- (d) that the signature of the candidate or of the proposer on the nomination paper is not genuine.

(3) Nothing contained in clause (c) or (d) of sub-rule (2) shall be deemed to authorise the rejection of the nomination of any candidate on the ground of any irregularities in respect of a nomination paper, if the candidate has been duly nominated by means of another nomination paper in respect of which no irregularities have been committed.

(4) The Returning Officer shall not reject any nomination paper on the ground of any defect which is not of substantial character.

(5) The Returning Officer shall hold scrutiny on the date appointed in this behalf under clause (b) of Rule 4 and shall not allow adjournment of the proceeding except when such proceedings are interrupted or obstructed by riot, or, open violence or by circumstances beyond his control.

(6) The Returning Officer shall, endorse on each nomination paper his decision accepting or rejecting and shall record in writing brief statement of reasons for such rejection.

Provided that if a candidate on whose nomination paper objection has been raised applies for time to rebut such objection, the Returning Officer shall adjourn the hearing of the objection till the next day or the day after that. The scrutiny of all other nomination papers must, of course, be completed on the day of scrutiny notwithstanding such adjournment in respect of one or more nomination papers. If the day next is a holiday, the hearing shall be completed before the time fixed for withdrawal of candidature.

## 16. List of validly nominated candidates :

(1) Immediately after all nomination papers have been scrutinised and decided and decisions accepting or rejecting the same have been recorded, the Returning Officer shall prepare a list in Form-4 of validly nominated candidate that is to say the candidates whose nominations have been found valid and affix it on the notice board.

(2) The nomination of every such candidate shall be shown in the said list as it appears in his nomination paper.



# 17. Withdrawal of Nomination :

## Notice of withdrawal of candidature :

(1) Any candidate may withdraw his candidature by a notice in writing which shall be signed by him and delivered before 3 O'clock in the afternoon on the day fixed under clause (c) of Rule 4 to the Returning Officer either by such candidate in person or by his election agent who has been authorised 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) A notice of withdrawal of candidature under sub-rule (2) shall be in Form 5 and shall contain the particulars set out therein, and on receipt of such notice the Returning Officer shall note thereon date and time at which it was delivered.

(4) The Returning Officer shall on being satisfied as to the genuineness of notice of withdrawal and the identity of the persons delivering it under sub-rule (2) cause notice in Form 6 to be affixed on his notice board, at the expiry of the time of withdrawal.

## 18. Preparation of list of contesting candidate :

(1) Immediately after the expiry of the period within which candidature may be withdrawn under sub-rule (1) of Rule 17 the Returning Officer shall prepare in Form 7 a list of contesting candidates, that is to say candidates whose nomination papers have been finally accepted and who have not withdrawn their candidature within the said period.

(2) The name of candidates therein shall be arranged alphabetically in Manipuri.

(3) Alphabetical order referred to in sub-rule (2) shall be determined with reference to surnames of the candidates where the surnames are written first and in other cases the names proper of the candidates.

(4) Immediately after the preparation of the list of the contesting candidates referred to in sub-rule (1), the Returning Officer shall, subject to the provisions of Rules 10, 11 and 12 and to any general or special direction issued in this behalf by the State Election Commission—

(a) allot one of the different symbols to each contesting candidate in conformity with his choice as far as practicable; and

(b) if more contesting candidates than one have indicated their preference for the same symbol, decide by lot as to which of the candidates, the symbol will be allotted. The allotment of symbol by the Returning Officer to a candidate shall be final;

(c) every candidate or his election agent shall forthwith be informed of the symbol allotted to the candidate and be supplied with specimen thereof by the Returning Officer.

## 19. Publication of list of contesting candidate:

The Returning Officer shall immediately after its preparation cause a copy of the list of contesting candidate to be affixed on the notice board in his office and shall also supply a copy thereof to each of the contesting candidate or to his election agent.

# 20. Appointment of election agent and Revocation of such appointment :

(1) A candidate at an election may appoint an election agent in Form 8 and 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) A person who is for the time being disqualified under the Act for being a member of the Zilla Parishad or Gram Panchayat, shall, so long as the disqualification subsists, also be disqualified for being appointed as an election agent under sub-rule (1).

(3) The revocation of appointment of an election agent shall be made in Form 9.

(4) In the event of such a revocation or death of an election agent the candidate may at any time before the election is over make a fresh appointment in the manner specified in sub-rule (1).

## 21. Appointment of polling agent :

(1) At an election at which a poll is to be taken, any contesting candidate, or his election agent may appoint one agent and one relief agent to act as polling agent of such candidate at each polling station. Each appointment shall be made by a letter in writing in duplicate in Form 10 signed by the candidate or his election agent.

(2) The candidate or his election agent shall deliver the duplicate copy of the letter of appointment to the polling agent, who shall, on the date fixed for poll, present it to the Presiding Officer and shall retain the duplicate copy presented to him in his custody. No polling agent shall be allowed to perform any duty at the polling station unless he has complied with the provision of this sub-rule.

(3) The appointment of a polling agent may be revoked by a candidate or his election agent at any time before the commencement of the poll by a declaration in writing in Form-11 signed by him. Such declaration shall be lodged to the Presiding Officer at the polling station where the agent is so appointed for duty :

Provided that where the appointment of a polling agent is revoked or where the polling agent dies before the commencement of the poll, the candidate or his election agent may, at the time before the poll is closed, appoint a new polling agent in accordance with the provision of the Rule.

## 22. Publication of the place fixed for polling :

The place fixed for polling shall be published by District Election Officer by Notification in the Official Gazette after getting approval of the State Election Commission.

## 23. Voting normally to be in person :

At every election where a poll is taken, votes shall be given by ballot and all voters voting at an election shall do so in person at the polling station fixed under Rule 22 and no votes shall be received by proxy.



#### 24. Death of candidate before poll:

If a candidate whose nomination has been found valid on scrutiny under Rule 15 and who has not withdrawn his candidature under Rule 17 dies and a report of his death is received before the publication of the list of contesting candidate under Rule 19 or if a contesting candidate dies and a report of his death is received before the commencement of the poll, the Returning Officer shall, upon being satisfied of the fact of death of the candidate, countermand the poll and report the fact to the State Government, the State Election Commission and also to the District Election Officer concerned and all proceedings with reference to the election shall be commenced afresh in all respects as if for a new election.

Provided that Election shall not be countermanded due to the death of a contesting candidate unless such candidate belongs to a recognised National Political Party or recognised State Political Party.

Provided further that no further nomination shall be necessary in the case of person who was a contesting candidate at the time of the countermanding of the poll :

Provided also that no person who has given a notice of withdrawal of his candidature under Rule 17 before the countermanding of the poll shall be eligible for being nominated as a candidate for election after such countermanding.

#### 25. Procedure in contested and uncontested election :

If at any election to a Gram Panchayat or Zilla Parishad—

- (a) the number of contesting candidates is more than the number of seats to be filled, a poll shall be taken;
- (b) the number of such candidates is equal to the number of seats to be filled, the Returning Officer shall forthwith declare in Form 14 all such candidates to be duly elected to fill those seats;
- (c) the number of such candidates is less than the number of seats to be filled, the Returning Officer shall forthwith declare in Form 14 all such candidates to be elected and inform the District Election Officer, the State Election Commission and the State Government for taking appropriate action.

### POLL AND VOTING IN GRAM PANCHAYATS AND ZILLA PARISHAD CONSTITUENCIES

#### PART—III

#### 26. Manner of voting :

At every election where a poll is taken, votes shall be given by ballot in the manner herein after provided and no votes shall be received by proxy.

#### 27. Ballot Box :

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

(2) Separate ballot boxes shall be used for simultaneous elections to the Gram Panchayat and Zilla Parishad.

#### 28. Form of Ballot Paper :

(1) Every ballot paper shall be in Form 15 for Pradhan, Form 15A for Member of Gram Panchayat and in Form 15B for Member of Zilla Parishad and other specifications as the State Election Commission may direct.

(2) Every ballot paper shall have a counter-foil attached therein.

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

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

#### 29. Arrangement at polling station :

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

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

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

(2) The Returning Officer shall cause to be provided at every polling station one or more compartments (hereinafter referred to in these Rules as "Voting Compartments") in which voters can record their votes screened from observation.

(3) The Returning Officer shall provide at each polling station a sufficient number of ballot boxes, ballot papers, copies of the list of voters in respect of the polling area or areas the voters of which are entitled to vote at such polling station, instruments for stamping the distinguishing mark on ballot papers and articles necessary for voters to mark the ballot paper. The Returning Officer shall also provide at each polling station such other equipment and accessories as may be required for taking the poll at such polling station.



### 30. Admission to Polling Station :

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

- (a) Polling Officer ;
- (b) Public servants on duty in connection with the election ;
- (c) persons authorised by the District Election Officer or the Returning Officer ;
- (d) Candidates, their election agents and subject to the Provisions of Rule 21 one polling agent of each candidate at a time ;
- (e) a child in arms accompanying a voter ;
- (f) a person accompanying a blind or infirm voter who cannot move without being helped ;
- (g) such other persons as the Returning Officer or the Presiding Officer may employ for the purpose of identifying the voter ;
- (h) and such other persons authorised by the State Election Commission.

### 31. Preparation of Ballot Boxes for Poll :

- (1) The Presiding Officer shall immediately before the poll, satisfy all authorised persons present that the ballot box is empty.
- (2) Every ballot box used at a polling station shall bear labels outside marked with —
  - (a) the serial number, if any, and the name of the constituency;
  - (b) the serial number, and the name of the polling station;
  - (c) the serial number of the ballot box where more than one ballot box is used in respect of a particular election; and
  - (d) the date of poll.
- (3) Immediately before the commencement of the poll, the Presiding Officer shall demonstrate to the polling agents and other authorised persons present that the ballot box bears the labels, referred to in sub-rule (2).
- (4) The ballot box shall then be closed, sealed and secured and placed in full view of the Presiding Officer and the polling agents.

### 32. Marked Copy of Electoral Rolls :

Immediately before the commencement of the poll the Presiding Officer shall also demonstrate to the polling agents and other authorised persons present that the marked copy of the electoral rolls to be used during the polls does not contain any entry other than the marked "EDV" (Election Duty Voter) against any name.

### 33. Facilities for Women Voters :

- (1) Where a polling station is for both men and women voters the Presiding Officer may direct that they shall be admitted into the polling station alternately in separate batches.
- (2) The Returning Officer or the Presiding Officer may appoint a woman to serve as an attendant at a polling station to assist the women voters and also to assist the Presiding Officer generally in taking the poll in respect of women voters, and in particular to help in searching any women voters in case it becomes necessary.

### 34. Identification of Voters :

- (1) The Presiding Officer may employ at the polling station such persons as he thinks fit to help in the identification of the electors to assist him or otherwise in taking a poll.
- (2) As each voter enters the polling station the Presiding Officer or the Polling Officer authorised by him in this behalf shall check the elector's name and other particulars with the relevant entry in the electoral rolls and then call out the serial number, name and other particulars of the voter.
- (3) In deciding the right of a person to obtain a ballot paper, the Presiding Officer or the Polling Officer, as the case may be, shall overlook merely clerical or printing errors in an entry in the electoral rolls, if he is satisfied that such person is identical with the voter to whom such entry relates.

### 35. Facilities for public servants on Election duty :

- (1) At an election for the seat of Pradhan, Panchayat members and members of Zilla Parishad by reasons of their being a voter but engaged for election duty as :—
    1. Presiding Officer
    2. Polling Officer
    3. Peon
    4. Polling Agent, and
    5. Other public servant on election duty.
- Such a person shall be entitled to vote by post.

- (2) A voter on election duty who wished to vote by post at an election, shall send an application in Form 16 to the Returning Officer so as to reach him at least 7 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 on election duty is a voter shall issue a postal ballot paper to him.

- (3) (a) The form of the ballot paper prescribed under Rule 28 shall be the form of the postal ballot paper.

- (b) The last serial number of the ballot paper to be issued for the election of the Pradhan and Members of the ward in the Gram Sabha to which the voter belongs shall be the serial number of the ballot paper and the issue of ballot paper shall start from the last serial number onwards.

- (4) (a) The Returning Officer shall deliver the postal ballot paper or cause them to be delivered to the voter on election duty at his office along with the information that the ballot paper and the following forms reach to him on or before the date and hour fixed by him on this behalf, and that otherwise his vote shall not be counted.

- (i) a declaration in form No. 16-A

- (ii) a declaration in form No. 16-B

- (iii) a large cover addressed to the Returning Officer in form No. 16-C

- (b) After ballot papers have been issued to all voters entitled to vote by post, the Returning Officer shall seal up in packet that part of the marked copy of the electoral roll which relates to voters on election duty and record on the packet a



brief description of its content, parts of the marked copy to the several Presiding Officers for recording the serial numbers of ballot paper issued to voters at the Polling station.

- (5) (a) A voter who has been delivered a postal ballot paper and desires to vote shall record his vote on the ballot paper and enclose it in the cover in form No. 16-B.
- (b) The voter shall sign the declaration in form No. 16-A in presence of a Gazetted Officer and have it attested by such officer.
- (c) The cover containing the postal ballot paper shall be handed over by hand post by the voter, personally or person authorised by him to the Returning Officer on or before the date and time fixed in this behalf.

### 36. Challenging of Identity :

- (1) Any polling agent may challenge the identity of a person claiming to be a particular voter by first depositing a sum of five rupees in cash with the Presiding Officer for each such challenge.
- (2) On such deposit being made, the Presiding Officer shall—
  - (a) warn the person challenged of the penalty for impersonation ;
  - (b) read the relevant entry in the electoral roll in full and ask him whether he is the person referred to in that entry ;
  - (c) enter his name and address in the list of challenged voter in Form 17 ;
  - (d) require him to affix his signature or thumb impression in the said list.
- (3) The Presiding Officer shall thereafter hold a summary inquiry into the challenge and may for that purpose—
  - (a) require the challenger to adduce evidence in proof of the challenge and the person challenged to adduce evidence in proof of his identity ;
  - (b) put to the person challenged any question necessary for the purpose of establishing his identity and require him to answer them on oath ;
  - (c) administer an oath to the person challenged and any other person offering to give evidence.
  - (4) If, after the inquiry, the Presiding Officer considers that the challenge has not been established, he shall allow the person challenged to vote and if he considers that the challenge has been established, he shall debar the person challenged from voting.
  - (5) If the Presiding Officer is of the opinion that the challenge made is frivolous or has not been made in good faith he shall direct that the deposit made under sub-rule (1) be forfeited to the Government, and in any other case, he shall return it to the challenger at the conclusion of the inquiry.

### 37. Safeguards against impersonation :

- (1) Every voter whose identity the Presiding Officer, or the Polling Officer, as the case may be, is satisfied, shall allow his left forefinger to be inspected by the Presiding Officer or the Polling Officer and an indelible ink mark to be put on it.

- (2) If any voter refuses to allow his left forefinger to be inspected or marked in accordance with sub-rule (1) or has already such a mark on his left forefinger or does any act with a view to removing the ink mark, he shall not be supplied with any ballot paper or allowed to vote.

- (3) Any reference in this Rule to the left forefinger of a voter shall, in the case where the voter has his left forefinger missing, be construed as a reference to any other finger of his left hand and shall, in the case where all the fingers of his left hand are missing, be construed as a reference to the forefinger or any other finger of his right hand, and shall, in the case where all his fingers of both the hands are missing be construed as a reference to such extremity of his left or right arms as he possesses.

### 38. Issue of Ballot paper to voters :

- (1) Every ballot paper shall before it is issued to a voter, be stamped with such distinguishing mark as the State Election Commission may direct and signed in full on its back by the Presiding Officer.
  - (2) No ballot paper shall be issued to any voter before the hour fixed for the commencement of the poll.
  - (3) No ballot paper shall be issued to any voter after the hour fixed for the closing of the poll except to those voters who are present at the polling station at the time of the closing of the poll. Such voter shall be allowed to record their votes even after the time fixed for the close of poll.
  - (4) In case of simultaneous election to Gram Panchayat and Zilla Parishad or any one or both of them the issue of the ballot papers shall be in the following order, namely :—
    - (a) Ballot paper for Gram Panchayat Election ;
    - (b) Ballot paper for Zilla Parishad ;
    - (5) At the time of issuing a ballot paper to a voter, the polling Officer shall—
      - (a) record on its counterfoil the electoral roll number of the voter as entered in the marked copy of the electoral roll ;
      - (b) obtain the signature or thumb impression of that voter on the said counterfoil ;
      - (c) mark the name of the voter in marked copy of the electoral roll to indicate that a ballot paper has been issued to him without however recording therein the serial number of the ballot paper issued to the voter ; and
- Provided that no ballot paper shall be delivered to an elector unless he has put his signature or thumb impression on the counterfoil of that ballot paper ;
- (d) Issue the ballot paper successively if more than one election is held.
  - (6) Save as provided in sub-rule (5) no person in the polling station shall note down the serial number of the ballot paper issued to a particular voter.



### 39. Maintenance of Secrecy of Voting by Electors within the Polling Station and Voting Procedure :

(1) Every voter to whom a ballot paper has been issued under rule 38 or any other provisions of these Rules shall maintain secrecy of voting within the polling station and for the purpose observed voting procedure hereinafter laid down.

(2) The voter on receiving the ballot papers shall forthwith—

- (a) proceed to one of the voting compartments ;
- (b) there make a mark on the ballot paper with the instrument supplied for the purpose on or near the symbol of the candidate for whom he intends to vote ;
- (c) fold the ballot paper so as to conceal his vote ;
- (d) if required show to the Presiding Officer the distinguishing mark on the ballot paper ;
- (e) insert the folded ballot paper into the ballot box ;
- (f) quit the polling station.
- (3) Every voter shall vote without undue delay.
- (4) Where a poll is taken simultaneously for election of Pradhan, members of Gram Panchayat and members of Zilla Parishad or any one or more of them, if a voter leaves the polling booth without casting all votes for elections, no ballot paper or papers shall be issued to him for casting his remaining vote or votes if he subsequently re-enters the polling booth and approaches the Presiding Officer for such ballot paper or papers.

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

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

(7) After the ballot paper has been taken back, the Presiding Officer shall record on its back the word "Cancelled; Voting Procedure Violated"; and put his signature below those words.

(8) All the ballot papers on which the words "Cancelled; Voting Procedure Violated" are recorded, shall be kept in a separate cover which shall bear on its face the words "Ballot Papers; Voting Procedure Violated".

(9) Without prejudice to any other penalty to which a voter, from whom a ballot paper has been taken back under sub-rule (7) and sub-rule (8) may be liable, the vote, if any, recorded on such ballot papers shall not be counted.

### 40. Recording of Vote of Blind or Infirm Electors:

(1) If the Presiding Officer is satisfied that owing to blindness or other physical infirmity, a voter is unable to recognise the symbols on the ballot paper or to make a mark thereon, without assistance, the Presiding Officer shall, permit the voters to take with him a companion of not less than 18 years of age to the voting compartment for recording the vote on the ballot papers on his behalf and in accordance with his wishes and, if necessary, for folding of ballot paper so as to conceal the vote and insert it into the ballot box;

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

Provided further that before any person is permitted to act as the companion of an elector under this rule the person shall be required to declare in Form 18(A) that he will keep secret the vote recorded by him on behalf of the voter at any polling station on that date.

(2) The Presiding Officer shall keep a brief record of the blind and infirm voter in Form 18.

### 41. Spoilt and returned ballot papers :

(1) A voter who has inadvertently dealt with his ballot paper in such manner that it cannot be conveniently used as a ballot paper may, on returning it to the Presiding Officer and, on satisfying him of inadvertence, be given another ballot paper, and the ballot paper so returned and counterfoil of such ballot paper shall be marked "Spoilt; Cancelled" by the Presiding Officer.

(2) If a voter obtaining a ballot paper decides not to use it, he shall return it to the Presiding Officer, and the ballot paper so returned and the counterfoil of such ballot paper shall be marked as "Returned; Cancelled" by the Presiding Officer.

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

### 42. Tendered Votes :

(1) If a person representing himself to be a particular elector applies for a ballot paper after any other person has already voted as such elector, he shall, on satisfactorily answering questions relating to his identity as the Presiding Officer may ask, be entitled, subject to the provisions of these Rules to marking Ballot papers hereinafter in this Rule referred to as a "Tendered Ballot Paper" in the same manner as any other voter.

(2) Every person shall, before being supplied with a tendered ballot paper, sign his name against the entry relating to him in list in Form 19.

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

- (a) such tendered ballot paper shall serially be issued from the last in the bundle of ballot paper issued for use at the polling station ; and
- (b) such tendered ballot papers and its counterfoil shall be endorsed on the back with the words "tendered ballot paper" by the Presiding Officer in his own hand and signed by him.



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

#### 43. Closing of Poll :

(1) The Presiding Officer shall close a polling station at the hour fixed in that behalf under rule 3 and shall not thereafter admit any voter into the polling station; Provided that all voters present at the polling station before it is closed shall be allowed to cast their votes.

(2) If any question arises whether a voter was present at the polling station before it was closed, it shall be decided by the Presiding Officer and his decision shall be final.

#### 44. Sealing of Ballot Boxes after Poll :

(1) As soon as practicable immediately after the closing of the poll, the Presiding Officer shall close the slit of the ballot box and where the box does not contain any practical device for closing their slit he shall seal up slit and also allow any polling agent present to affix his seal.

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

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

#### 45. Account of Ballot Papers :

(1) The Presiding Officer shall at the close of the poll prepare ballot paper account in Form 20 and enclose in a separate cover with the words "Ballot Paper Account" subscribed thereon. The Presiding Officer shall furnish to every polling agent present at the close of the poll an attested true copy of the entries made in the ballot paper account after obtaining a receipt from the said polling agent thereof.

#### 46. Sealing of other packets :

- (1) The Presiding Officer shall then make into separate packets —
  - (a) a marked copy of the electoral roll ;
  - (b) the countfoil of the used ballot paper ;
  - (c) the ballot paper signed in full by the Presiding Officer but not issued to the voters ;
  - (d) any other ballot papers not issued to the voters ;
  - (e) the ballot papers cancelled for violation of voting procedure ;
  - (f) any other cancelled ballot papers ;
  - (g) the cover containing the tendered ballot papers and the list in Form 19.
  - (h) the list of challenged votes ; and
  - (i) any other papers directed by the Election Commission to be kept in sealed packet.

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

#### 47. Transmission of ballot box etc. to the Returning Officer :

(1) The Presiding Officer shall deliver or cause to be delivered to the Returning Officer at such place as the Returning Officer may direct —

- (a) the ballot box or boxes as the case may be ;
- (b) the ballot paper account ;
- (c) the seal packet referred to in Rule 46 ;
- (d) all other papers used at the poll.

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

#### 48. Adjournment of Poll in Emergency :

(1) If at an election, the proceedings at any polling station are interrupted or obstructed by any riot or open violence or if at an election, it is not possible to take the poll at any polling station on account of any natural calamity or any other sufficient cause, the Returning Officer or the Presiding Officer for such polling station shall announce an adjournment of the poll to a date to be fixed later and where the poll is so adjourned by the Presiding Officer he shall forthwith inform the Returning Officer concerned.

(2) Whenever a poll is adjourned under sub-rule (1), the Returning Officer shall immediately report the circumstance to the District Election Officer and the Election Commission who shall immediately report the matter to the State Government. The Election Commission shall by notification fix date and hours of poll on which the poll shall recommence and the District Election Officer shall fix the polling station at which the poll shall be taken.

#### 49. Procedure on adjournment of poll :

(1) If the poll at any polling station is adjourned under rule 48, the provisions of the rules 44 to 48 (both inclusive) shall, as far as practicable, apply as if the poll was closed at the hour fixed in that behalf under rule 3.

(2) At any adjourned poll the voters who have already voted at the poll as 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 list of voters, other sealed packets, the original ballot box containing the polled ballot papers and a new ballot box.

(4) The Presiding Officer shall open the sealed packets in the presence of the polling agents present and use the marked copy of the list of voters at the adjourned poll.

(5) The provision of rules 26 to 46 (both inclusive) shall apply in relation to the conduct of an adjourned poll as they apply in relation to the poll before it was so adjourned.



# 50. Fresh poll in 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 is accidentally or intentionally destroyed or is lost, or is damaged or tampered with, to such an extent, that the result of the poll at that polling station 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 Presiding Officer shall forthwith report the matter to the Returning Officer and District Election Officer.
- (2) Thereupon, the District Election Officer shall after taking all material circumstances into account, either —
  - (a) declare the poll at the polling station to be void ; or
  - (b) if satisfied that, the result of a fresh poll at the 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 he may deem proper for the further conduct and completion of the election.
- (3) Where a poll at a polling station is declared to be void under clause (a) of sub-rule (2), the District Election Officer shall immediately report the matter to the Election Commission and the ELECTION COMMISSION shall, by notification, fix a date and time for taking a fresh poll and thereupon the District Election Officer shall fix the polling station at which poll shall be taken.

## PART-IV COUNTING OF VOTES

### 51. Definition :

In this part, unless the context otherwise requires

- (a) "Candidate" means a contesting candidate ;
- (b) "Constituency" means a Gram Panchayat or Zilla Parishad, Constituency ;
- (c) "Counting Agent" means a counting agent duly appointed under these Rules and includes a candidate and the election agent of a candidate when present at the counting hall ;
- (d) "Notified Polling Station" means a polling station notified under these Rules ;
- (e) "Polling Station" means a polling station provided for election of Pradhan/ member of Gram Panchayat or member of Zilla Parishad which shall be published by the District Election Officer not later than 12 days before the date of poll, showing the polling station and the areas for which they would be set up ;

### 52. Time and place for counting of votes :

- (1) The Returning Officer in consultation with D.E.O 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 a 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 at least one day notice of the same in writing to each candidate or his election agent.

- (2) The Returning Officer may appoint required number of Counting Officer, Counting Supervisors and Counting Assistant to assist him in the counting of votes.

### 53. Appointment of Counting Agents and revocation of such Appointment :

- (1) Each contesting candidate or his election agent may appoint such number of agents to act as counting agent as the Election Commission direct by a general or special order.

- (2) Every such appointment shall be made in Form 12 in duplicate, one copy of which shall be forwarded to the Returning Officer while the other copy shall be made over to the counting agent for production before the Returning Officer not later than one hour before the time fixed for counting under Rule 52.

- (3) No counting agent shall be admitted into the place fixed for counting unless he has delivered to the Returning Officer the second copy of his appointment under sub-rule (2) after duly completing and signing the declaration contained therein and receiving from the Returning Officer, valid for entry into the places fixed for counting.

- (4) The revocation of appointment of counting agent at any time shall be made in Form 13 and lodged with the Returning Officer.

- (5) In the event of such revocation before the commencement of the counting of votes the candidate or his election agent may make a fresh appointment in accordance with the Sub-Rule.

### 54. Admission to the places fixed for counting :

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

- (a) Persons authorised by the Election Commission ;
- (b) Persons authorised by the District Election Officer ;
- (c) Public servant on duty in connection with the Election ; and
- (d) the candidate or the election agent and counting agent.

- (2) The Returning Officer shall not allow more than one counting agent of a candidate at any time in counting hall.

- (3) Any person who during the counting of votes misconducts himself or fails to obey lawful direction of the Returning Officer may be removed from the place where the votes are being counted by the Returning Officer or by the persons authorised in this behalf by the Returning Officer.



### 55. Maintenance of secrecy at the counting centre :

The Returning Officer shall before he commences the counting read out relevant provisions for counting of votes and explain the necessity for maintenance of secrecy of counting of such persons as may be present.

### 56. Counting of Votes received in sealed cover :

(1) The Returning Officer shall first deal with the ballot papers received by him in sealed covers under Sub-Rule (5) of Rule 35.

(2) The sealed covers shall be opened one after another in the presence of candidates or their election agent or counting agent.

(3) The Returning Officer shall count all the valid votes in the sealed covers and record the total number thereof in the counting sheets in Form 21 and 21(A) in respect of Gram Panchayat or Zilla Parishad and announce the same.

(4) 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 by the Returning Officer and such of the candidates and election agents as may desire to affix their seal thereon the packet shall be permitted to do so. On the envelopes shall be recorded the name of the constituency, the date of counting and the brief description of the contents.

(5) Ballot papers received in a sealed cover may be rejected on the ground specified in Sub-Rule (2) of Rule 58.

### 57. Scrutiny and opening of Ballot boxes :

(1) The Returning Officer shall open the ballot boxes in presence of the candidates or their election agents or counting agents.

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

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

(4) Where a poll has been taken simultaneously for election of members or Pradhans to Gram Panchayats and members of the Zilla Parishad or any one or more of them, ballot boxes shall be opened for the purpose of counting of votes in the following order, namely—

- (a) Ballot box relating to Gram Panchayat election ;
- (b) Ballot box relating to Zilla Parishad election.

### 58. Scrutiny and rejection of Ballot Papers :

(1) The ballot papers taken out of each ballot box shall be arranged in convenient bundles and scrutinised.

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

- (a) If it bears any mark or writing by which the elector can be identified, or
- (b) if to indicate the vote, it bears no mark at all or bears a mark made otherwise than with the instrument supplied for the purpose ; or

(c) if votes are given in favour of more candidates than the number of candidates to be elected ; or

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

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

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

(g) if it does not bear the mark and signature it should have borne under the provision of Sub-Rule (1) of Rule 38 ; or

(h) if it is found in a ballot box other than the ballot box in which it should have been inserted ;

Provided that where the Returning Officer is satisfied that any such defects as is mentioned in the sub-clause (g) or (h) has been caused by any mistake or failure on the part of the Presiding Officer or the Polling Officer, the ballot paper shall not be rejected merely on the ground of such defects.

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

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

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

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

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

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

### 59. Counting of Votes :

(1) For the purpose of counting of votes in respect of election to Gram Panchayat a mark in the ballot paper which is not rejected under Rule 58 shall be counted as one valid vote for the candidate in whose favour the voting mark has been validly given.

(2) Every ballot paper which is not rejected under Rule 58 shall, for the purpose of counting of votes in respect of election to Gram Panchayat or Zilla Parishad be counted as one valid vote for the candidate in favour of whom voting mark has been duly given.

(3) During the progress of counting of vote in connection with Gram Panchayat Election/Zilla Parishad Election, the Returning Officer shall count all the valid votes in the ballot box and record the total numbers thereof, in the counting sheet in Form 21 (A) and Form 22 ;



(4) After the counting of all ballot papers contained in the ballot box used at a polling station has been completed the Returning Officer shall make the entries in a result sheet in Form 23 in respect of Gram Panchayat Election/Zilla Parishad Election and announce the particulars.

#### 60. Sealing of used Ballot Papers :

(1) The valid ballot papers of each candidate and the rejected ballot papers shall thereafter be bundled separately and such bundles made up into a separate packets shall be sealed with the seals of the Returning Officer and such of the candidates, their election agent or counting agent as may desire to affix their seals thereon; and on the packet so sealed shall be recorded the particulars, namely:—

- (a) the name of the constituency;
- (b) the particulars of the polling stations where the ballot papers were used; and the date of counting.

#### 61. Counting to be continuous :

The Returning Officer shall, as far as practicable proceed continuously with the counting of votes and shall, during any intervals when the counting has to be suspended, keep the ballot papers, packets and other papers relating to the election sealed with his own seal and the seals of such candidate or election or counting agent as may desire to affix their seals and shall cause adequate precautions to be taken for their safe custody during such intervals.

#### 62. Recounting of Vote :

(1) After completion of the counting the Returning Officer shall record in the counting sheet in Form 22, the total number of votes polled by each candidate and announce the same.

(2) After announcement has been made, a candidate or in his absence his election agent or any of his counting agent may apply in writing to the Returning Officer to recount the votes either wholly or in part stating the grounds on which he demands such recount.

(3) On such an application being made, the Returning Officer shall decide the matter and may allow the application wholly or in part or may reject it in total 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 reasons thereof and shall be final.

(5) If the Returning Officer decides under sub-rule (3) to allow the recounting of votes either wholly or in part he shall :—

- (a) do the recounting in accordance with the rule 59;
  - (b) amend the counting sheet in Form 21(A) and 22 as the case may be to the extent necessary after such recounting; and
  - (c) announce the amendment so made by him.
- (6) After the total number of votes polled by each candidate has been announced under sub-rule (1) or sub-rule (5) of this Rule the Returning Officer shall, complete and sign the counting sheet in Form 21(A) and 22 as the case may be, and no application for recounting shall be entertained thereafter;

Provided that after an announcement under sub-rule (3) of Rule 56 or sub-rule (4) of Rule 59, a reasonable opportunity shall be given to a candidate and in his absence, any election agent or his counting agent who makes an application in writing to the Returning Officer for re-counting of votes, if any dispute is raised regarding the result of the counting.

#### 63. Declaration of Results of Election and Return of Election :

(1) In case of an election to a Gram Panchayat the Returning Officer shall as soon as the counting of votes is completed and result sheets in Form 23 signed, declare in Form 24 the candidate or candidates who have secured largest number of valid votes elected. The Returning Officer shall inform the District Election Officer, the Election Commission and the Government of the results of the poll. The State Government shall cause the names of the elected candidates published in the Official Gazette.

(2) In the case of an election to a Zilla Parishad the Returning Officer shall as soon as the counting of votes is completed and counting sheets in Form 21(A) and 22 signed in respect of all the polling stations of the concerned constituency, compile the results in a result sheet in Form 23 and declare in Form 24 the candidate or candidates who have secured largest number of valid votes, elected and hang up the same in his office and send copies thereof to the District Election Officer, Election Commission and the State Government. The State Government shall cause the names of elected candidates published in the Official Gazette.

(3) When the votes are equal selection shall be made by lot in such manner as the Returning Officer may deem fit, and the candidate in the lot, will be declared as elected, in Form 24.

(4) As soon as may be after a candidate has been declared to be elected the Returning Officer in respect of Gram Panchayat/Zilla Parishad shall grant to an elected candidate a certificate of election in Form 25 and obtain from the candidate an acknowledgement of its receipt duly signed by him and immediately send the acknowledgement to the District Election Officer.

#### 64. Sealing of Packets :

(1) After completing the counting of votes in an election the Returning Officer shall then make into separate packets—

- (a) counting sheets in Form-21 and 21(A) and 22;
- (b) result sheets in Form-23;
- (c) the declaration sheet in Form-24; and
- (d) any other papers directed by the State Election Commission to be kept in sealed packet.

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



# 65. Transmission of Ballot Boxes, Packets, etc. to the District Election Officer:

(1) The Returning Officer shall then deliver or cause to be delivered to the District Election Officer, at such place as the District Election Officer may direct—

- (a) the ballot boxes ;
- (b) the ballot paper account ;
- (c) the sealed packets referred to Rule 46; and
- (d) all other papers used at the poll.

(2) The District Election Officer shall make adequate arrangement for the safe transport of all ballot boxes, packets and other papers and for their safe custody.

## PART-V

### MISCELLANEOUS

#### 66. Casual vacancies in Zilla Parishad or Gram Panchayat :

(1) When the seat of a Pradhan or a Member of a Gram Panchayat, or a member of a Zilla Parishad, becomes vacant by reason of his death, resignation, removal or otherwise, the Election Commission, in consultation with the State Government shall fix a date as soon as convenient may be for holding by-election to fill the seat and the provisions of these Rules shall thereupon apply *mutatis mutandis*.

#### 67. Return or Forfeiture of Candidate's Deposit :

(1) The deposit made under rule 13 shall either be returned to the person making it or his legal representative or be forfeited to the State Government in accordance with the provisions of these Rules.

(2) Except in cases hereafter mentioned in this Rule, deposit shall be returned as soon as practicable after result of the election is declared.

(3) If the candidate is not shown in the list of contesting candidates, or if he dies before the commencement of the poll, the deposit shall be returned as soon as practicable after the publication of the list or after his death to his legal representative as the case may be.

(4) Subject to the provision 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 secured by him does not exceed one-sixth of the total number of valid votes secured by all the candidates or, in case of election of more than one member at the election, one-sixth of the total number of valid votes as polled by the number of members to be elected.

#### 68. 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, thereon ;
- (b) the packets of used ballot papers, whether valid, tendered, or rejected ;
- (c) the packets of the counterfoils of used ballot papers ; and

(d) the packets of marked copies of the list of voters, shall not be opened and their contents shall not be inspected by, or produced before, any person or authority except under orders of a competent Court/Election Tribunal.

#### 69. Disposal of Election Papers:

Subject to any direction to the contrary given by the Election Commission or by a competent Court/Election Tribunal the packets of unused ballot papers, other packets referred in rule 68 and all other papers shall be retained for a period of six months and shall thereafter be destroyed in such manner as the Election Commission may direct.

## PART-VI

### DISPUTES

(1) The petition referred to in clause (1) of sub-section (1) of Section 103 shall be filed before the Election Tribunal within 30 days from the date of declaration of Election result.

(2) The petition shall contain a statement in brief of the material facts on which the petitioner relies and shall where necessary be divided into paragraphs numbered consecutively. It shall be filed by the petitioner and verified in the manner prescribed for verification of pleading in the Code of Civil Procedure, 1908.

(3) If the irregularities alleged in the petition are likely to effect the validity of the election, or more than one returned candidate, the petitioner shall make all such candidates as opposite parties.

(4) The petitioner may, if so desires, in addition, to calling in question the election of the returned candidates, claim for a declaration that he himself or any other candidate has been duly elected, to be given by the Tribunal.

(5) The Election Tribunal shall, as soon as may be, cause copy of the petition to be served on each opposite party.

(6) The procedure to be followed in the trial of suits shall be the same as in the Code of Civil Procedure, 1908 to the trial of suits.

(7) Provided that it shall only be necessary for the Panchayat Election Tribunal to make a memorandum of the substance of the evidence of any witness examined by him.

(8) No election petition shall be withdrawn without the leave of the Election Tribunal.

withdraw a



(3) When an application for withdrawal is made notice thereof fixing a date for the hearing of application shall be given to all other parties to the petition.

(4) No application for withdrawal shall be granted if the Election Tribunal is of opinion that such application has been induced by any bargain or consideration which does not deserve to be admitted.

(5) If the application is granted, the petitioner may be ordered to pay such cost to the opposite party as the Election Tribunal may think fit.

### 73. Evidence during Enquiry :

The provisions of Indian Evidence Act, 1872, shall apply in all respect to the proceedings of an election petition.

### 74. The Election to be void :

If in the opinion of the Election Tribunal :

(1) A returned candidate or his agent or any other person with the connivance of such candidate or agent has committed or abetted the commission of any election offence falling under Chapter-IX-A of the Indian Penal Code or any law or rule relating to the infringement of the secrecy of an election, the election of such candidate shall be declared as void.

(2) The election of a returned candidate has been procured or induced; or the result of the election has been materially affected by any of the following corrupt practices, namely :—

- (i) any election offence as mentioned in sub-rule (1) above;
- (ii) any payment to any person whatsoever on account of the conveyance of any elector to or from any place for the purpose of casting his vote;
- (iii) hiring, employment, borrowing or using any vehicle for the purpose of conveyance of any elector to or from any place to the polling station for the purpose of casting his vote;

Provided that any elector may hire any conveyance or use his own vehicle for conveying himself to or from the polling station, or

(3) The result of the election has been materially affected by any irregularity in respect of the nomination paper or by the improper reception or refusal of nomination paper or in voting or by any non-compliance with the provision of the Act or the Rules made thereunder, the election of such candidate shall be declared as void :

Provided that if the Election Tribunal is of opinion that any corrupt practice specified in sub-rule(2) of this rule which does not amount to any form of bribery other than "treating" as hereinafter explained has been committed and if the Election Tribunal is further of the opinion that the candidate has satisfied him that—

- (i) no corrupt practice was committed at such election by the candidate and that any corrupt practices committed were committed contrary to the orders and without the sanction or connivance of such candidate, and

(ii) such candidate took all reasonable means for preventing the commission of corrupt practice at such election;

(iii) the corrupt practices committed were of trivial nature not affecting the election materially; and

(iv) in all other respects the election was free from any corrupt practice on the part of such candidate or any of his agent;

then the Election Tribunal may declare that the election of such candidate is not void.

**Explanation :—** For the purpose of this rule "treating" means incurring by any person of the expenses of giving or providing any food, drink, entertainment or provision to any person with the object directly or indirectly inducing him or any other person to vote or refrain from voting or as a regard for having voted or refrained from voting.

### 75. Conclusion of hearing :

(1) At the conclusion of the enquiry the Election Tribunal shall declare, whether election of the returned candidate or candidates is void under rule 74.

(2) If he declares the election of the returned candidates void he shall further pass an order either;

- (a) declaring that any other party to the petition who has under these Rules claimed the seat has been duly elected; or
- (b) ordering a fresh election.

(3) The order of the Election Tribunal under sub-rule (1) or sub-rule (2) shall be communicated forthwith to the District Election Officer concerned, Election Commission and the State Government.

### 76. Fresh Election on Election Tribunal's Orders :

When an election is declared void under sub-rule (1) of rule 75 and a fresh election is ordered under clause (b) of sub-rule (2) of that rule the seat of the returned candidate or the seats of the returned candidates, as the case may be, shall be deemed to be vacant from the date of the order of the Election Tribunal and the Election Commission shall forthwith take necessary steps for holding such fresh election.

### 77. Requisitioning of premises, vehicles etc. for election purpose :

(1) The District Election Officer, hereinafter in this rule referred to as the Requisitioning Authority, if it appears to him in connection with an election under this Act—

- (a) that any premises are needed or are likely to be needed for the purpose of being used as a polling station or for the storage of ballot boxes before and after a poll has been taken, or
- (b) that any vehicle, vessel or animal 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 a such election ;



by orders in writing, requisition such premises, or as the case may be such vehicle, vessel or animal 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, vessel or animal which is being lawfully used by a candidate or his agent for any purpose connected with the election of such candidate shall be requisitioned.

(2) The requisition shall be effected by an order in writing addressed to the person deemed by the Requisitioning Authority to be owner or person in possession of the premises or vehicle and such order shall be served on the person to whom it is addressed.

(3) Whenever any property is requisitioned under sub-rule (1) the period of such requisitioning shall not extend beyond the period for which such property is required for any of the purposes mentioned in that sub-rule.

(4) In this rule —

(a) "premises" means any land, building or part of a building and includes a hut, shed or other structure or any part thereof ;

(b) "vehicle" means any vehicle used or capable of being used for the purpose of road transport, whether propelled by mechanical power or otherwise.

#### 78. Payment of Compensation :

(1) Whenever in pursuance of Rule 77 any premises are requisitioned, there shall be paid to the person having interest in the property, compensation which shall be determined by taking into consideration the following namely :

- (i) the rent payable in respect of the compensation or if no rent is payable, the rent payable for similar premises in the locality ;
- (ii) if in consequence of the requisition of the premises the person interested is compelled to change his residence or place of business, the reasonable expenses, if any, incidental to such changes ;

Provided that any person having interest, being aggrieved by the amount of compensation so determined under this sub-rule, may apply within 30 days from the date of order determining the compensation to the State Government for a review. The decision of the State Government shall be final.

**Explanation** —In this sub-rule, the expression "person having interest" means the person who was in actual possession of the premises requisitioned under rule 77 immediately before the requisition or where no person was in such actual possession, the owner of such premises.

(2) Whenever in pursuance of rule 77 any vehicle, vessel or any animal is requisitioned there shall be paid to the owner thereof, the amount of which shall be determined by the Requisitioning Authority on the basis of the fares or rates prevailing in the locality for the hire of such vehicle, vessel or animal ;

Provided that where immediately before the requisition, the vehicle or vessel was by virtue of hire purchase agreement in the possession of a person other than the owner, the amount determined under this sub-rule as the total compensation payable in respect of the requisition shall be apportioned between the person and the owner in such manner as the Requisitioning Authority in this behalf may decide ;

Provided further that any person having interest being aggrieved by the amount of compensation determined under this sub-rule, may apply within 30 days from the date of the order determining the compensation to the State Government for a review and the decision of the State Government shall be final.

#### 79. Manner of Servicing or Requisition of Premises, Vehicles, Vessels and Animals:

An order of requisition under Rule 77 shall be —

(a) where a person, to whom such order is addressed is a corporation or firm in the manner provided for the service of summons in rule 2 of order XXIX or rule 3 of order XXXI, as the case may be, in the first schedule of 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 with acknowledgement due; or
- (iii) if a person cannot be found, by leaving an authentic copy of the order with any adult member of his family, or by affixing such copy to some conspicuous part of the premises in which he is known to have last resided or carried on business, or personally worked for a gain.

#### 80. Eviction from Requisitioned Premises :

(1) Any person remaining in possession of any requisitioned premises in contravention of any order made under Rule 77 may be summarily evicted from the premises by the Requisitioning Authority or any officer specially empowered by the Requisitioning Authority in this behalf.

(2) The Requisitioning Authority or any officer so empowered may, after giving to any woman not in appearing public, reasonable warning and facility to draw, remove or open any latch or bolt or break open any door or any building or do any other act necessary for effecting such eviction.

#### 81. Release of Premises from Requisition :

(1) When any premises requisitioned under rule 77 are to be released from requisition the possession thereof shall be delivered to the person from whom possession was taken at the time when the premises were requisitioned, or if there is no such person, to the person deemed by the Requisitioning Authority to be the owner of such premises and such delivery of possession shall be in a full discharge of the Requisitioning Authority from all liabilities in respect of such delivery, but, shall not prejudice any right in respect of premises which any other person may be entitled by any law to enforce against the person to whom the possession of the premises is so delivered.

(2) When the person to whom the possession of any premises requisitioned under Rule 77 is to be given under sub-rule (1) cannot be found or his whereabouts are not ascertainable or has no agent or any other person empowered to accept delivery on his behalf, the Requisitioning Authority shall cause a notice declaring that such premises are released from the requisition to be affixed on some conspicuous part of such premises and on the Notice Board in the office of the Requisitioning Authority.



(3) When a notice is affixed on the Notice Board as provided in sub-rule (2) the premises specified in such Notice shall cease to be subject to requisition on and from the date of such affixing of the notice and be deemed to have been delivered to the person entitled to possession thereof; and the Requisitioning Authority shall not be liable for any compensation or other claim in respect of such premises for any other period after the said date.

**82. Penalty for Contravention of any order regarding the Requisition :**

If any person contravenes any order made under Rule 77 or Rule 80 he shall, on conviction be punished with imprisonment for a term which may extend to one year or with fine which may extend to Rs. 1,000/- or with both.

## PART—VII ELECTORAL ROLL

83. The superintendence, direction and control for the preparation, revision and correction of Electoral Rolls in the State shall vest with Election Commission.

**84. The District Election Officer in each District in the State :**

(1) The Election Commission shall, in consultation with the State Government, designate or nominate a District Election Officer who shall be an officer of the Government;

Provided that the Election Commission may designate or nominate more than one such officer for a District if the Election Commission is satisfied that the functions of the Officer cannot be performed satisfactorily by one officer.

(2) Subject to the superintendence, direction and control of the Election Commission, the District Election Officer shall co-ordinate and supervise all works in the District or in the area within his jurisdiction in connection with the preparation and revision of the Electoral Rolls for all Gram Panchayats or Zilla Parishad constituencies within the District.

(3) The District Election Officer shall also perform such other functions as may be entrusted to him by the Election Commission.

(4) The Election Commission shall appoint a Returning Officer who shall be an officer of the State Government not below the rank of Sub-Divisional Officer for holding the election and bye-election of members of a Zilla Parishad and of Pradhans and Members of a Gram Panchayat. Separate Returning Officers may be appointed for election to Zilla Parishad or Gram Panchayat.

(5) The Election Commission may appoint one or more Assistant Returning Officers to assist a Returning Officer in the performance of his functions. 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. No Assistant Returning Officer shall perform any of the functions of the Returning Officer which relates to the scrutiny of nominations unless the Returning Officer is unavoidably prevented from performing the said function.

(6) The Returning Officer shall appoint Presiding Officer, Polling Officer and Polling Peon for holding the election or bye-election referred to in sub-rule (4).

**85. Electoral Registration Officer :**

The Electoral Roll for the Gram Panchayat Constituency or Zilla Parishad Constituency shall be prepared and revised by an Electoral Registration Officer who shall be such officer of the State Government or of a local authority as the State Election Commission may, in consultation with the State Government, designate or nominate in this behalf.

**86. Asst. Electoral Registration Officer :**

(1) The Election 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 Asst. Electoral Registration Officer shall, subject to the control of the Electoral Registration Officer, be competent to perform all or any of the functions of the Electoral Registration Officer.

**87. Electoral Roll for every Constituency :**

(1) There shall be an Electoral Roll for each Constituency of Panchayat which shall be prepared in accordance with the provisions of the Manipur Panchayati Raj Act, 1994 by splitting of the Electoral Rolls adopted under section 15 of the Manipur Panchayati Raj Act, 1994.

**(2) Electoral Rolls for Zilla Parishad Constituencies :**

The Electoral Roll for every Zilla Parishad constituency shall consist of the Electoral Rolls of all the Gram Panchayat constituencies comprised within that Zilla Parishad constituency; and it shall not be necessary to prepare or revise separately the Electoral Roll for any such Zilla Parishad constituency.

(3) Notwithstanding anything contained under Rule 87(1) the Election Commission may at any time, for reasons to be recorded, direct special revision of the Electoral Roll for any constituency or part of a constituency in such manner as it may think.

**88. Publication of Electoral Roll :**

(1) The Electoral Roll for each constituency of the Panchayat shall be published by notification on the notice board of the office of the Electoral Registration Officer and the office of the panchayat.

(2) One copy of the Electoral Roll duly authenticated by ERO will be sent to the Election Commission on the day of publication.

**89. Special provision for preparation of Electoral Roll on Re-delimitation of Constituencies :**

If any constituency is delimited anew in accordance with the law it is necessary urgently to prepare the Electoral Roll for such constituency, the Election Commission may direct that it shall be prepared—

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



(b) for making proper alterations in the arrangement, serial numbering and headings of the Electoral Rolls so compiled.

**90. Preservation, Custody and Disposal of Electoral Rolls and connected papers :**

(1) After Electoral Rolls for a constituency have been finally published, one copy of the Electoral Rolls shall be displayed in the office of the Electoral Registration Officer or in such other places as the Election Commission may by order specify.

(2) One copy of the final Electoral Roll duly authenticated by the Electoral Registration Officer shall be furnished to the State Election Commission not later than the next day of publication of the final Electoral Roll.

**91. Inspection of Electoral Rolls and other connected papers :**

Every person shall have the right to inspect the election papers referred to in rule 90 and to get attested copies thereof on payment of such fee as may be fixed by the Election Commission.

**PART—VIII**

**ELECTION OF ADHYAKSHA AND UP-ADHYAKSHA**

**92. (1) Meeting of election of Adhyaksha :**

Immediately after the publication of the list of directly elected members of the Zilla Parishad by the State Government under Sub-Rule (2) of Rule 63 of the Manipur Panchayati Raj (Election) Rules, 1995, the Deputy Commissioner of the District but before the expiration of 30 days of the publication of the list of elected members of Zilla Parishad call a meeting of the Zilla Parishad (which meeting shall be called the 1st meeting of the Zilla Parishad) for oath taking under section 107 and for election of Adhyaksha and Up-Adhyaksha (under section 54 of the Act) from amongst the elected members of the Zilla Parishad by themselves. The Deputy Commissioner of the District shall preside over the meeting.

**(2) Notice of the meeting :**

Not less than seven clear days before the day fixed for the meeting referred to in sub-rule (1), the Deputy Commissioner shall give notice of the date and hour of such meeting to the members of the Zilla Parishad in Form No. 27.

(3) (i) The Deputy Commissioner shall on convening of the meeting administer the oath to the elected members as shall be present before the election of Adhyaksha and Up-Adhyaksha.

(ii) Other members who are unable to take oath at the first meeting shall be administered oath by the Adhyaksha.

**(4) Filing of nomination paper :**

(i) The nomination paper of every candidate shall be made by means of a nomination paper in Form No. 28.

(ii) Every nomination paper shall be signed by one member as proposer and a candidate shall sign a declaration on it expressing his willingness to stand for election.

(iii) Each candidate shall be nominated by a separate nomination paper.

(iv) Every nomination paper shall be presented by the candidate or his proposer on the date and during the hours specified in the notice for filing nomination papers.

(v) Immediately after receipt of nomination paper is over, the Presiding Officer shall publish a list in Form No. 29 containing the names of the candidates whose nominations have been received under the preceding sub-rules.

**(5) Scrutiny of nomination papers :**

(i) On the date appointed for the scrutiny of nomination papers the candidate or his proposer may attend at such place and time as specified in the notice for the scrutiny of nomination papers and the Presiding Officer shall give such person all reasonable facilities to examine the nomination papers of all the candidates which have been received as aforesaid.

(ii) The Presiding Officer shall then examine the nomination papers and shall decide all objections made to any of the nomination paper and may, either on the objection or on his own motion after such summary enquiry, if any, as may deem necessary reject any nomination paper on the following reasons :—

(a) that the candidate is not eligible for election as Adhyaksha, if he is disqualified for election as member of Zilla Parishad under section 101;

(b) that the candidate is not eligible for election as Adhyaksha under Rule 99 of the Manipur Panchayati Raj (Election) Rules, 1995; and

(c) that the proposer or secondor is not a member of the Zilla Parishad.

Provided that the nomination paper of a candidate shall not be rejected merely on the ground of an incorrect description of his name or name of his proposer or any other particulars relating to the candidate or his proposer if the identity of the candidate or the proposer, as the case may be, can otherwise be established beyond reasonable doubt.

(iii) The Presiding Officer shall endorse on each nomination paper his decision rejecting or accepting the same and if the nomination paper is rejected, shall record in writing, a brief statement of reasons for such rejection.

**(6) Publication of the list of validly nominated candidates :**

As soon as may be after the scrutiny of the nomination papers, the Presiding Officer shall prepare a list of validly nominated candidates and announce the names of those candidates who are validly nominated and publish the same by affixing on the notice board of the Zilla Parishad at its office in Form No. 30.

**(7) Withdrawal of candidature :**

(i) A candidate may withdraw his candidature at any time before the commencement of the poll by giving a notice in writing to that effect to the Presiding Officer.



- (ii) The signature of the candidate on the notice referred to sub-rule (1) shall be attested by a Gazetted Officer of the State Government, provided the candidate himself is absent at the moment.

**(8) List of Contesting Candidates :**

After the time for withdrawal is over, the Presiding Officer shall publish the list of contesting candidates by affixing on the notice board of the Zilla Parishad in Form No 31.

**(9) Procedure after publication of the list of contesting candidates :**

- (i) If there is only one contesting candidate there shall be no poll and the candidate shall be declared to have been duly elected.
- (ii) If there are two or more candidates, an election shall be held by secret ballot and votes of the members present at the meeting shall be taken.

**(10) Voting and result of election :**

- (i) The Presiding Officer shall cause such arrangement to be made as will ensure the secrecy of the ballot.
- (ii) Every member wishing to vote shall be supplied with ballot paper on which the names of the contesting candidates shall be written in Manipuri language in alphabetical order of their names proper in Form No. 32.
- (iii) The voter shall put a cross mark on column 2 of the ballot paper, which is duly authenticated by seal and signature of the Presiding Officer, against the name of the candidate for whom he wishes to cast his vote with ink.

Provided that if the voter is illiterate and unable to find out the name of the candidate in whose favour he wishes to cast his vote, the Presiding Officer at the request of such voter shall assist him to find out the name of the candidate for whom he wishes to cast his vote and put cross mark accordingly.

- (iv) He shall then fold up the ballot paper so as to conceal his vote and deposit the same in the ballot box placed in view of the Presiding Officer.

- (v) The ballot box shall be constructed that the ballot papers can be inserted therein but cannot be withdrawn therefrom without the box being unlocked or broken.

- (vi) Every member wishing to record his vote shall do so in person and not by proxy.

- (vii) The Presiding Officer shall after the voting is over :—

- (a) count the vote on the spot in presence of the members and declare the candidate securing the largest number of valid votes to have been elected;

- (b) the Presiding Officer shall draw lot in presence of the members in the event of an equality of votes between the candidates and the candidate whose name if first drawn shall be declared to have been duly elected.

**(11) Validity of ballot paper :**

Any ballot paper which bears any mark or signature of any of the voting members by which the vote can be identified or on which the cross mark (X) is placed against more than one name or in an ambiguous manner, or which does not bear the Official seal and signature of the Presiding Officer, prescribed under sub-rule (3) of Rule 6, shall be invalid.

**(12) Preparation of the record of proceedings and publication of result of election :**

- (i) Immediately after the meeting for election is over the Presiding Officer shall :—

- (a) prepare a record of the proceedings of the meeting and attest with his initials every correction and also permit any member present at the meeting to affix his signature to such record, if he desires to do so ;

- (b) publish on the notice board of the office of the Zilla Parishad, a notification signed by him (DC) stating the names of the persons elected as Adhyaksha or Up-Adhyaksha and send a copy of such notification to the Commissioner (RD & PR) and the Director of Panchayats, simultaneously.
- (ii) The Commissioner shall publish in the Manipur Gazette the name of the person so elected as Adhyaksha or Up-Adhyaksha.

**(13) Packing and preservation of election materials :**

- (i) The Presiding Officer shall then make up into packets the papers relating to the election, seal-up the packet and note thereon a description of the contents, the election to which they relate and the date.

- (ii) The packets shall be sent to the Director of Panchayats and he shall keep it in safe custody for a period of 6 (six) months and shall then unless otherwise directed by a competent Court/Election Tribunal, be destroyed.

**93. Election of Up-Adhyaksha of the Zilla Parishad :**

Simultaneous with the election of Adhyaksha, the election of Up-Adhyaksha also shall be done and all the provisions of rule 92 (above) shall apply *Mutatis Mutandis* in relation to the conduct of such election.

**94. The First meeting and Election of Up-Pradhan :**

- (1) Immediately after the publication of names of the elected Pradhan and the members of the Gram Panchayat by the State Government under sub-rule (1) of Rule 63 of the Manipur Panchayati Raj (Election) Rules 1995, the Deputy Commissioner, or the Sub-Divisional Officer as the case may be, but before the expiration of 30 days of the publication call a meeting of the Gram Panchayat which meeting shall be called the first meeting of the Gram Panchayat for oath taking of the elected Pradhan and the members under section 107 and for election of Up-Pradhan under section 26 of the Act, from amongst the members themselves. Any officer nominated by the Deputy Commissioner or the Sub-Divisional Officer, as the case may be, shall preside over the meeting.

- (2) The elected Pradhan and members of the Gram Panchayat, before the election of Up-Pradhan on the same day, shall make or subscribe oath of allegiance to the Constitution of India before the Presiding Officer.



(3) The election of Up-Pradhan shall be held by secret ballot at the place and on the date and time fixed by the Deputy Commissioner or Sub-Divisional Officer, as the case may be.

(4) Any member of the Gram Panchayat may propose in the printed nomination paper (Form No. 26) any name from amongst the members of the Gram Panchayat and the person who proposes shall sign on the printed nomination paper in token of his consent for proposing the member as a candidate for the office of the Up-Pradhan and the candidate shall sign on the nomination paper in token of his consent to be a candidate.

(5) If only one member of the Gram Panchayat submitted his nomination for the Office of the Up-Pradhan then the person who presides over the meeting shall declare him elected as Up-Pradhan unopposed.

(6) If more than one member of the Gram Panchayat have submitted nomination paper, the Presiding Officer shall proceed to elect the Up-Pradhan.

(7) The Presiding Officer shall postpone the meeting for some time enough to prepare the ballot paper, thereafter he shall write down the names of the contesting candidates on a piece of paper in alphabetical order of the name proper of the contesting candidates.

(8) Every Panchayat member including the Pradhan present shall be supplied with the piece of paper referred to in sub-rule (7) which shall serve the purpose of the ballot paper.

(9) Every Panchayat member shall put a cross mark with ink on or against the name of the candidate for whom he wishes to cast his vote,

Provided that if a voter is illiterate and not in a position to read the name of the candidate for whom he wishes to cast his vote, he shall take the help of the Presiding Officer.

(10) He shall then fold up the paper so as to conceal his vote and hand over the same to the Presiding Officer.

(11) The Presiding Officer shall after the voting is over :—

(a) count the vote immediately in presence of the members present and declare the candidate who secured the largest number of valid votes to have been duly elected ;

(b) in the event of the equality of votes between the candidates, the Presiding Officer shall draw lots in presence of the members and the candidate in whose name the lot is first drawn shall be declared to have been duly elected.

(12) Immediately after the election of the Up-Pradhan the Presiding Officer shall report the name of the person so elected to the Director of Panchayats and the Deputy Commissioner.

(13) The proceedings for election of the Up-Pradhan shall be recorded in the resolution book of the Gram Panchayat.

#### PART—IX

#### RESERVATION OF SEATS FOR SCHEDULED TRIBES SCHEDULED CASTES AND WOMEN

#### 95. Reservation of seats for Scheduled Tribes and Scheduled Castes in Gram Panchayat or Zilla Parishad :

(1) The Deputy Commissioner of the concerned District or the State Government, as the case may be, where the Gram Panchayat or the Zilla Parishad is established shall notify the number of seats to be reserved for Scheduled Castes/Scheduled Tribes in the Official Gazette.

(a) Out of the total number of seats to be filled by direct election in the Gram Panchayat, the Deputy Commissioner concerned shall by notification under Section 19(1) of the Act in the Official Gazette, reserve such number of seats for Scheduled Castes and Scheduled Tribes subject to the condition that the number of seats so reserved shall bear, as nearly as may be, the same proportion to the total number of seats to be filled by direct election as the population of the Scheduled Castes or of the Scheduled Tribes bears to the total population of the Gram Panchayat.

(b) Out of the total numbers of seats to be filled by direct election in the Zilla Parishad, the State Government shall by notification under Section 52(1) of the Act in the Official Gazette, reserve such number of seats for Scheduled Castes and Scheduled Tribes subject to the condition that the number of seats so reserved shall bear, as nearly as may be, the same proportion to the total number of seats to be filled by direct election as the population of the Scheduled Tribes or of the Scheduled Castes bears to the total population of that area.

(2) When the number of seats to be reserved for Scheduled Tribes or Scheduled Castes under Section 19(1) as the case may be and under Section 52(1) in a Gram Panchayat or Zilla Parishad is not a whole number, the nearest whole number shall be taken as the seats to be reserved for Scheduled Tribes or Scheduled Castes in that Gram Panchayat or Zilla Parishad.

(3) The reservation of seats for Scheduled Tribes or Scheduled Castes in a Zilla Parishad and a Gram Panchayat shall be rotated amongst the constituencies where the population of such castes or tribes, as the case may be, is not less than one-fifth of the total population of the Zilla Parishad Constituencies and one-third of the total population of a constituency of the Gram Panchayat, as the case may be.

(4) When the number of seats to be reserved for Scheduled Tribes or Scheduled Castes in a Gram Panchayat or Zilla Parishad is less than the number of seats amongst which the reservation for Scheduled Tribes or Scheduled Castes is to rotate, the seats to be reserved at the first term of a Gram Panchayat or Zilla Parishad after the commencement of the Act shall be chosen by draw of lot amongst the seats in which the reservation is to rotate.

Provided that the Deputy Commissioner of the District shall preside over the meeting for draw of lot.



Provided further that in such a meeting the representatives of the recognised political parties in the district shall be invited to such meeting for draw of lot.

(5) When the number of seats to be reserved for Scheduled Tribes or Scheduled Castes is equal to the number of seats amongst which the reservation for Scheduled Tribes or Scheduled Castes is to rotate, the same seats shall continue to be reserved for Scheduled Tribes or Scheduled Castes subject to the provisions of the Act.

(6) The reservation of seats for Scheduled Tribes or Scheduled Castes for the second term of the Panchayat after the commencement of the Act shall be by draw of lot from the seats amongst which the reservation is to be rotated excluding the seats reserved earlier under sub-rule (4).

Provided that the number of seats available for reservation for Scheduled Tribes or Scheduled Castes is equal to the number of seats to be reserved for Scheduled Tribes or Scheduled Castes in a term, all such seats shall be reserved for Scheduled Tribes or Scheduled Castes as the case may be during that term of the Panchayat.

Provided further that the number of seats amongst which the reservation for Scheduled Tribes or Scheduled Castes is to rotate is less than the number of seats to be reserved for Scheduled Tribes or Scheduled Castes, all such available seats shall be reserved for Scheduled Tribes or Scheduled Castes as the case may be, and the remaining seats to be reserved for Scheduled Tribes or Scheduled Castes shall be chosen by draw of lot from the seats previously reserved for Scheduled Tribes or Scheduled Castes.

(7) The reservation of seats for Scheduled Tribes or Scheduled Castes in the third term of Panchayat shall be by draw of lot from the seats amongst which the reservation for Scheduled Tribes or Scheduled Castes, as the case may be, is to rotate excluding the seats already reserved for Scheduled Tribes or Scheduled Castes in the first and second term of the Panchayats.

Provided that the proviso to sub-rule (6) shall apply to this sub-rule.

(8) After all the seats amongst which the reservation for Scheduled Tribes or Scheduled Castes is to rotate has been reserved in the consecutive terms of the Panchayats, the reservation for Scheduled Tribes or Scheduled Castes in the next term shall repeat the cycle of reservation as in sub-rule above.

#### 96. Reservation of Scheduled Tribes, Scheduled Castes and Women in a Gram Panchayat or Zilla Parishad :

Not less than one-third of the seats reserved for Scheduled Tribes or Scheduled Castes in a Panchayat under Section 19(2), (3) and 52(3) shall be reserved for women belonging to Scheduled Tribes or as the case may be, Scheduled Castes when the number of seats reserved for Scheduled Tribes or for Scheduled Castes is divisible by three, the number of seats to be reserved for women belonging to Scheduled Tribes or Scheduled Castes shall be one-third of such reserved seats.

Provided that when the number of seats reserved for Scheduled Tribes or Scheduled Castes in a Panchayat is not divisible by three, then such number shall be increased to make it divisible by three. The result of division of the increased number shall be the number to be reserved for women belonging to Scheduled Tribes or Scheduled Castes, as the case may be.

Provided further that the number of seats for women belonging to Scheduled Tribes or Scheduled Castes amongst the seats reserved for Scheduled Tribes or Scheduled Castes, as the case may be shall be decided by the Deputy Commissioner in case of Gram Panchayat and by Commissioner (Development) in case of Zilla Parishad, by draw of lots and such reservation shall be notified in official Gazette.

#### 97. Reservation of Women :

(1) Not less than one-third of the seats to be filled by direct election excluding seats reserved for Scheduled Tribes or Scheduled Castes, if any, in Panchayat, shall be reserved for women. When the number of such seats is not divisible by three, the same will be increased by such number to make it divisible by three and one-third of such increased number of seats shall be reserved for women in three consecutive terms of the Panchayats.

(2) The reservation of seats for women shall be rotated amongst constituencies in a Panchayat over three terms of the Panchayats. For the first term of the Panchayat, the Deputy Commissioner shall choose by draw of lots from all seats excluding seats reserved for Scheduled Tribes and Scheduled Castes for reservation of seats for women in case of Gram Panchayat and the Commissioner (Development) in case of Zilla Parishad. For the second term of the Panchayats the Deputy Commissioner shall choose by draw of lots from all seats excluding previously reserved seats for women or reserved seats for Scheduled Tribes and Scheduled Castes for reservation of women in case of Gram Panchayats and in case of Zilla Parishad by the Commissioner (Development). For the third term the reservation for women will be from amongst the seats which had not been previously reserved for women. The same cycle of reservation for women shall repeat from the fourth term onwards.

Provided that the shortfall if any in the seats to be reserved for women in the third term of the Panchayat to provide for one-third reservation of seats for women shall be made up by draw of lots from the seats reserved in first and second term of the Panchayat excluding the seats reserved for Scheduled Tribes or Scheduled Castes.

#### 98. Reservation of the office of Pradhan :

(1) The Deputy Commissioner shall declare such number, as nearly as may be, of the offices of Pradhan of the Gram Panchayats in the district reserved for the members of the Scheduled Tribes as bears the same proportion to the total number of offices in the district as the population of the Scheduled Tribes in the district bears to the total population of the Panchayat area in the district.

(2)(a) The Deputy Commissioner shall, out of the Gram Panchayats which have at least one member of the Gram Panchayats belonging to the Scheduled Tribes, choose by lots, one-third of the number (or the nearest whole number if such one-third is not a whole number) as Panchayats which will have a member of the Scheduled Tribes as the Pradhan in the first term.

(b) The Deputy Commissioner shall, out of the Gram Panchayats mentioned in sub-rule (a), but excluding the panchayats chosen under sub-rule (a), choose by drawing of lots, one-third of the number (or the nearest whole number if such one-third is not a whole number) as panchayats which will have a member of the Scheduled Tribes as the Pradhan in the second term.



- (c) The remaining panchayats, mentioned in sub-rule (a), after excluding the panchayats chosen under sub-rule (a) and (b), will have a member of the Scheduled Tribes as the Pradhan in the third term.

Provided that if the number of panchayats thus chosen is less than the number as determined under sub-rule (1), less the number already chosen under sub-rule (a) and (b), the gap will be filled up by choosing by lots, the panchayats which had a member of the Scheduled Tribes as Pradhan in the first two terms.

- (d) The cycle will be repeated in the subsequent terms, the procedure being the same as detailed in sub-rule (a) to (c).
- (3) (a) Out of the Gram Panchayats chosen under sub-rule 2(a), one third of the Gram Panchayat (or the next whole number if such one-third is not a whole number) chosen by lots, will be declared as the Gram Panchayats which will have the Pradhan elected from amongst the women members of Scheduled Tribes for the first term.
- (b) The Deputy Commissioner shall, out of the panchayats chosen under sub-rule 2(b), choose by drawing of lots, one-third of the panchayats (or the next whole number if such one-third is not a whole number) as panchayats which have a woman member of Scheduled Tribes as the Pradhan in the second term.
- (c) The Deputy Commissioner shall, out of the panchayats chosen under sub-rule 2(c), choose by drawing of lots, one-third of the panchayats (or the next whole number if such one-third is not a whole number) as panchayats which will have a woman member of Scheduled Tribes as the Pradhan in the third term.
- (4) The Deputy Commissioner shall declare such number, as nearly as may be, of the offices of Pradhan of the Gram Panchayats in the district reserved for the members of the Scheduled Castes as bears the same proportion to the total number of offices in the district as the population of the Scheduled Castes in the district bears to the total population of the district.
- (5) The procedure in sub-rule (2) will be followed for the selection of the panchayats which are to have a member of the Scheduled Castes as the Pradhan.
- (6) The procedure in rule (3) will be followed for the selection of the panchayats which are to have a woman member of Scheduled Castes as the Pradhan.
- (7) The Deputy Commissioner shall out of all the panchayats in the district, fix the number of the panchayats which will have a woman as the Pradhan of the Gram Panchayat, such number being the one-third of the total number of panchayats or the next whole number if such one-third is not a whole number.
- (8) For each term, the Deputy Commissioner shall determine the number of the Gram Panchayats which are to have women from the categories other than the members of the Scheduled Tribes and Scheduled Castes as Pradhan by subtracting the number determined under sub-rule (3) and (5) from the number of Gram Panchayats which should have women elected to the office of Pradhan.
- (9) The Deputy Commissioner shall select, by drawing lots the Gram Panchayats which will have a woman as the Pradhan from amongst the Gram Panchayats not included under sub-rule (2) and (5).

#### 99. Reservation of offices of Adhyaksha :

The procedure outlined in rule 98, will be followed by the Commissioner (RD & PR) for selection of the Zilla Parishads in which the office of Adhyaksha will be reserved for the members of the Scheduled Tribes and Scheduled Castes and Women members of the Scheduled Tribes and Scheduled Castes and for women from amongst the general category.

#### 100. Removal of difficulties, if any, by the Government :

(1) The State Government may issue such general or special directions as may, in its opinion, be necessary for the purpose of giving effect to these Rules, or holding any election under the Act.

(2) If any difficulty arise in giving effect to the provisions of these Rules, or in holding any election, the Government may, by order, do anything which appears to it to be necessary for the purpose of removing the difficulty.

Commissioner,  
Rural Development & Panchayati Raj,  
Government of Manipur.

TABLE--A  
(See Rule 12)

Free symbol for Zilla Parishad and Gram Panchayat Election.

1. Aeroplane
2. Axe
3. Boat
4. Chair
5. Car
6. Clock
7. Drum
8. Electric Bulb
9. Flaming Torch
10. Hurricane Lamp
11. Hand Pump
12. Jug
13. Jeep
14. Kettle
15. Lock and Key
16. Plough
17. Rising Sun
18. Railway Engine
19. Ship
20. Table Lamp
21. Umbrella



## FORM-I

## PUBLIC NOTICE OF ELECTION

(See Rule 3)

In pursuance of Rule 3 of the Manipur Panchayat Raj (Election) Rules, 1995-notice is hereby given that elections to fill the vacancies of Pradhans/Members to the Gram Panchayats will be held as per programme given below :

Sl. No.	Number and Name of the Gram Panchayat	Number and Name of the Constituency	Category of the seats
---------	---------------------------------------	-------------------------------------	-----------------------

1. \_\_\_\_\_  
2. \_\_\_\_\_  
3. \_\_\_\_\_  
4. \_\_\_\_\_  
etc.

The schedule for the election is as follows :

(a)	Last date for filing nominations	...	...	...	...
(b)	Last date for scrutiny	...	...	...	...
(c)	Last date for withdrawal of candidature	...	...	...	...
(d)	Date of poll	...	...	...	...
(e)	Hours of poll	...	...	...	...
(f)	Date of completion of poll	...	...	...	...

By order of the State  
Election Commission,

Secretary, State Election  
Commission.

Date : -- -- --  
Place : -- -- --

## FORM-1A

(See Rule 3)

## PUBLIC NOTICE OF ELECTION

In pursuance of Rule 3 of the Manipur Panchayat Raj (Election) Rules, 1995 notice is hereby given that elections to fill the vacancies of Members to the Zilla Parishad will be held as per programme given below :

Sl. No.	Number and Name of the Zilla Parishad	Number and Name of the Constituency	Category of the seats
---------	---------------------------------------	-------------------------------------	-----------------------

1. \_\_\_\_\_  
2. \_\_\_\_\_  
3. \_\_\_\_\_  
4. \_\_\_\_\_  
etc.

The schedule for the election is as follows :

(a)	Last date for filing nomination	---	---	---	---
(b)	Date for scrutiny	---	---	---	---
(c)	Last date for withdrawal of candidature	---	---	---	---
(d)	Date for poll	---	---	---	---
(e)	Hours of poll	---	---	---	---
(f)	Date of completion of poll	---	---	---	---

By order of the State Election Commission,  
Secretary, State Election Commission.

FORM-2  
(See Rule 4)

## PUBLIC NOTICE OF ELECTION

In pursuance of Rule 4 of the Manipur Panchayat Raj (Election) Rules, 1995 notice is hereby given that elections to fill the vacancies of Pradhans/Members/ Members of Zilla Parishad to the \*Gram Panchayats/Zilla Parishad will be held as per programme given below :

Sl. No.	*Number and Name of the Gram Panchayat/Zilla Parishad	Number and Name of the Constituency	Category of the seats
---------	---	-------------------------------------	-----------------------

1. \_\_\_\_\_  
2. \_\_\_\_\_  
3. \_\_\_\_\_  
4. \_\_\_\_\_  
etc.

The schedule for the election is as follows :

(a)	Last date for filing nominations	---	---	---	---
(b)	Date for scrutiny	---	---	---	---
(c)	Last date for withdrawal of candidature	---	---	---	---
(d)	Date for poll	---	---	---	---
(e)	Hours of poll	---	---	---	---
(f)	Date of completion of poll	---	---	---	---

Date : -- -- --  
Place : -- -- --  
Returning Officer

\*Strike off the inappropriate alternative



## FORM-2(A)

[See Rule 5(3)]

## NOMINATION PAPER

I nominate as a candidate for election to the \_\_\_\_\_ Gram Panchayat from the \_\_\_\_\_ seat No. of \_\_\_\_\_ constituency which is a general seat No. \_\_\_\_\_ reserved for (Scheduled castes/Scheduled tribes/Women),  
 Candidate's name \_\_\_\_\_  
 His/her postal address \_\_\_\_\_  
 His/her name is entered at serial No. \_\_\_\_\_ in part No. \_\_\_\_\_ of the electoral roll for the \_\_\_\_\_ constituency of the \_\_\_\_\_ (Gram Panchayat).

My name is \_\_\_\_\_ and it is entered at serial No. \_\_\_\_\_ in part No. \_\_\_\_\_ of the electoral roll of the \_\_\_\_\_ constituency of the \_\_\_\_\_ Gram Panchayat.

Date \_\_\_\_\_ Signature of Proposer

PORTBANDH GOVT HIGH SCHOOL

I, the above mentioned candidate, assent to this nomination and hereby declare—  
 \*\* (a) that I am set up at this election by \_\_\_\_\_ Party,  
 \*\* (b) that the symbols I have chosen are, in order of preference ;

(i) \_\_\_\_\_  
 (ii) \_\_\_\_\_  
 (iii) \_\_\_\_\_

(c) that except this nomination, I have not given assent to any other nomination from any other constituency for election as a member of a (Gram Panchayat).

I, further declare that I am a member of the \_\_\_\_\_ Caste/Tribe which is a Scheduled Caste/Scheduled Tribe of the State of Manipur. A copy of scheduled castes/scheduled tribes certificate issued in my favour is enclosed (in the case of a candidate filing nomination for a constituency reserved for scheduled castes/scheduled tribes persons).

Date \_\_\_\_\_ (Signature of candidate)

\*\* Strike off the inappropriate alternative.

(To be filled by the Returning Officer)

Serial No. of nomination paper \_\_\_\_\_  
 The nomination was delivered to me at my office at \_\_\_\_\_ (hour) on \_\_\_\_\_ (date) by the candidate/ proposer.

Date \_\_\_\_\_ Returning Officer.

Decision of Returning Officer accepting or rejecting nomination paper.

I have examined this nomination paper in accordance with Rule 1 of the Manipur Panchayat Raj (Election) Rules, 1995 and decide as follows :

Date \_\_\_\_\_ Returning Officer

(Perforation)

Receipt for nomination paper and notice of scrutiny  
 (To be handed over to the person presenting the nomination paper)  
 Serial No. of nomination paper \_\_\_\_\_

The nomination paper of \_\_\_\_\_ a candidate for election to the \_\_\_\_\_ (Gram Panchayat) from the seat No. of constituency was delivered to me at my office at \_\_\_\_\_ (date) by candidate/proposer.

All nomination papers will be taken up for scrutiny at \_\_\_\_\_ (hour) on \_\_\_\_\_ (date) at \_\_\_\_\_ (place)

Verbal notice to the candidate \_\_\_\_\_

Date \_\_\_\_\_ Returning Officer.



## FORM-2(B)

[See Rule 5(3)]

## NOMINATION PAPER

I nominate as a candidate for election to the \_\_\_\_\_ constituency (Zilla Parishad) from the \_\_\_\_\_ constituency which is a general constituency/constituency reserved for \_\_\_\_\_ Scheduled Castes/Scheduled Tribes/Women.

Candidate's name \_\_\_\_\_  
His/her postal address \_\_\_\_\_  
His/her name is entered at serial No. \_\_\_\_\_ in part No. \_\_\_\_\_ of the electoral roll for the \_\_\_\_\_ Zilla Parishad.  
My name is \_\_\_\_\_ in the part No. \_\_\_\_\_ and it is entered at serial No. \_\_\_\_\_ of the electoral roll of the Zilla Parishad.

Date \_\_\_\_\_

(Signature of proposer)

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

- \*\* (a) that I am set up at this election by \_\_\_\_\_ party.  
\*\* (b) that the symbols I have chosen are, in order of preference :  
(i) \_\_\_\_\_  
(ii) \_\_\_\_\_  
(iii) \_\_\_\_\_

(c) that except this nomination, I have not given assent to any other nomination from any other constituency for election as a member of Zilla Parishad.

I further declare that I am a member of the \_\_\_\_\_ Caste/Tribe which is a scheduled caste/tribe of the State of Manipur. A copy of scheduled castes/scheduled tribes certificate issued in my favour is enclosed (in the case of a candidate filing nomination for a constituency reserved for scheduled castes/scheduled tribes persons).

Date \_\_\_\_\_ (Signature of candidate)

\* Strike off the inappropriate alternative.

(To be filled by the Returning Officer)

Serial No. of nomination paper \_\_\_\_\_  
This nomination was delivered to me at my office at \_\_\_\_\_ (hour) on \_\_\_\_\_ (date) by the candidate/proposer.

Date \_\_\_\_\_

Returning Officer

Decision of Returning Officer accepting or rejecting the nomination paper. I have examined this nomination paper in accordance with Rule \_\_\_\_\_ of the Manipur Panchayat Raj (Election) Rules, 1995 and decide as follows :  
Date \_\_\_\_\_  
Returning Officer

(Perforation)

Receipt for nomination paper and notice of scrutiny  
(To be handed over to the person presenting the Nomination paper)

Serial No. of nomination paper \_\_\_\_\_  
The Nomination paper of \_\_\_\_\_ for election to the \_\_\_\_\_ a candidate for the Constituency was delivered to me at my office at \_\_\_\_\_ Zilla Parishad from \_\_\_\_\_ (hour) on \_\_\_\_\_ (date) by the candidate/proposer. All nomination paper will be taken up for scrutiny at \_\_\_\_\_ (hour) on \_\_\_\_\_ (date) at \_\_\_\_\_ (place).

Date \_\_\_\_\_

Returning Officer

## FORM-3

(See Rule 14)

## NOTICE OF NOMINATION

Election to the \_\_\_\_\_ Gram Panchayat/ Zilla Parishad from the seat No. \_\_\_\_\_ of General Constituency/Constituency reserved for \_\_\_\_\_ scheduled castes/scheduled tribes/Women.

Notice is hereby given that the following nomination in respect of the above election have been received upto 3 p.m. today.

Serial number of nomination paper	Name of candidate	Name of Father/husband	Address	Name of proposer	Electoral roll number of proposer
1					
2					
3					
4					
5					
6					

Date \_\_\_\_\_

(Perforation)

Place \_\_\_\_\_  
Date \_\_\_\_\_  
Returning Officer







FORM-8  
[See Rule 20(4)]

APPOINTMENT OF ELECTION AGENT

Election to the --- Gram Panchayat/Zilla Parishad  
from the --- seat No. of ---  
Constituency.

To

The Returning Officer,  
I, --- of ---  
a candidate at above election, do hereby appoint ---  
of --- as my election agent  
from this day at the above election.

Place ---  
Date ---

Signature of candidate

I accept the above appointment.

Place ---  
Date ---

Signature of Election Agent

FORM-9

[See Rule 20(2)]

REVOCATION OF APPOINTMENT OF ELECTION AGENT

Election to the --- seat No. of ---  
Gram Panchayat/Zilla Parishad from the constituency.

To The Returning Officer,

I, --- a candidate at the above  
election hereby revoke the appointment of ---  
my election agent.

Place ---  
Date ---

Signature of candidate

FORM-10  
[See Rule 21(1)]

APPOINTMENT OF POLLING AGENT

Election to the --- Gram Panchayat/Zilla  
Parishad from the --- seat No. of ---  
Constituency.

I, --- a candidate/the election agent of  
above election do hereby appoint --- who is a candidate at the  
of --- as a Polling Agent and appoint  
to attend Polling Station No. --- as Relief Polling Agent  
at (Place)  
fixed for the poll.

Place ---  
Date --- I agree to act as polling agent.

Signature of Polling Agent/Relief  
Polling Agent

Declaration of Polling to be signed before Presiding Officer.

I hereby declare that at the above election I will not do anything forbidden by  
rule --- of the Manipur Panchayat Raj (Election) Rules, 1995  
which I have read/have been read over to me.

Date ---  
Signature of Polling Agent/  
Relief Polling Agent.

Signed before me  
Date --- Signature of Presiding Officer.

FORM-11  
[See Rule 21(3)]

REVOCATION OF APPOINTMENT OF POLLING AGENT

Election to the --- Gram Panchayat/  
Zilla Parishad from the --- seat No. of ---  
Constituency.

To The Returning Officer,

I, --- a candidate/election agent of  
appointment of --- at the above election hereby revoke the  
agent at the Polling Station No. ---  
at the Polling Station No. --- (Place).

Place ---  
Date --- Signature of candidate/  
Election Agent.



## FORM-12

[See Rule 53(2)]

## APPOINTMENT OF COUNTING AGENT

Election to the \_\_\_\_\_ Gram Panchayat/Zilla Parishad from the Constituency No. \_\_\_\_\_ Seat No. \_\_\_\_\_ To \_\_\_\_\_

The Returning Officer,

I, \_\_\_\_\_ (name), a candidate/Election Agent \_\_\_\_\_ (name) who is a candidate at the above Election, do hereby appoint \_\_\_\_\_ (name) of \_\_\_\_\_ (Address) as Counting Agent to attend counting of votes at \_\_\_\_\_ (place fixed for counting).

Place \_\_\_\_\_ Date \_\_\_\_\_

Signature of Candidate/  
Election Agent.

Signature of Counting Agent.

## FORM-13

[See Rule 53(4)]

## REVOCATION OF APPOINTMENT OF COUNTING AGENT

Election to the \_\_\_\_\_ Gram Panchayat/Zilla Parishad from the Constituency No. \_\_\_\_\_ Seat No. \_\_\_\_\_ To \_\_\_\_\_ The Returning Officer,

I, \_\_\_\_\_ (name), a candidate/ Election Agent \_\_\_\_\_ (name) who is a candidate at the above election, hereby revoke the appointment of \_\_\_\_\_ (name) Counting Agent at \_\_\_\_\_ (Place fixed for counting).

Signature of candidate/  
Election Agent.

## FORM-14

[See Rule 25(b) &amp; (c)]

## DECLARATION OF ELECTION WHEN SEAT IS UNCONTESTED

Election to the \_\_\_\_\_ Gram Panchayat/Zilla Parishad from the \_\_\_\_\_ Constituency.

In pursuance of the provisions contained in sub-rule \_\_\_\_\_ of the Manipur Panchayat Raj (Election) Rules, 1995 I declare that \_\_\_\_\_ (name) has been duly elected to fill the seat in the said Gram Panchayat/Zilla Parishad from the above Constituency.

He/She is not a member of the Scheduled Castes/Scheduled Tribes.

Signature of the Returning Officer.

## COUNTERFOIL NO. ...

## FORM-15

## BALLOT PAPER FOR PRADHAN

1. Name of the Development Block
2. Name of G.P.
3. Number and Name of Constituency
4. Serial No. of Elector
5. Electoral Roll No./Part No.
6. Signature/Thumb impression of elector

Name of Candidate

Symbol

Pradhan  
Gram Panchayat/Constituency



## FORM—16-A

## DECLARATION BY THE VOTER

Election to the seat of Pradhan and Member of Gram Panchayat/Zilla Parishad (this side is to be used only when the voter signs the declaration by himself).

I hereby declare that I am the voter to whom the postal ballot paper bearing serial number \_\_\_\_\_ has been issued at the above election.

Date \_\_\_\_\_

Signature of elector \_\_\_\_\_

Address \_\_\_\_\_

Attestation of signature  
The above has been signed in my presence by \_\_\_\_\_ elector who is personally known to me/has been identified to my satisfaction by \_\_\_\_\_ (identifier) who is personally known to me.

Signature of identifier if any \_\_\_\_\_

Address \_\_\_\_\_

Signature of attesting officer \_\_\_\_\_

Designation \_\_\_\_\_

Address \_\_\_\_\_

Date \_\_\_\_\_

(This side is to be used when the voter cannot sign himself).  
I hereby declare that I am the voter to whom the postal ballot paper bearing serial number \_\_\_\_\_ has been issued at the above election.

Date \_\_\_\_\_

Signature of attesting Officer on behalf of the voter \_\_\_\_\_

Address of voter \_\_\_\_\_

POSTAL CERTIFICATE

I hereby certify that \_\_\_\_\_

(1) THE ABOVE NAMED VOTER IS PERSONALLY known to me/has been identified to my satisfaction by \_\_\_\_\_ (identified) who is personally known to me.

(2) I am satisfied that the voter is illiterate/suffers from \_\_\_\_\_ (infirmary) and is unable to record his vote himself or sign his declaration.

(3) I was requested by him to mark the ballot paper and to sign the above declaration on his behalf, and

(4) the ballot paper was marked and the declaration signed by me on his behalf getting his presence and in accordance with his wishes in view of an affidavit of Signature of identifier if any \_\_\_\_\_

Address \_\_\_\_\_

Signature of attesting Officer \_\_\_\_\_

Designation \_\_\_\_\_

Address \_\_\_\_\_

Date \_\_\_\_\_

Signature of attesting Officer \_\_\_\_\_

Designation \_\_\_\_\_

Address \_\_\_\_\_

Date \_\_\_\_\_

Signature of attesting Officer \_\_\_\_\_

Designation \_\_\_\_\_

Address \_\_\_\_\_

Date \_\_\_\_\_

## FORM—16-B

## COVER

Not to be opened before counting

Election to the Pradhan and Member

of \_\_\_\_\_

Gram Panchayat/Zilla Parishad.

Postal Ballot paper

Serial No. of ballot paper \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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## COVER

FORM—16-C

COVER

Not to be opened before counting

Election to the Pradhan and Member

of \_\_\_\_\_

Gram Panchayat/Zilla Parishad.

Postal Ballot paper

Serial No. of ballot paper \_\_\_\_\_

\_\_\_\_\_

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## FORM-17

[See Rule 36(2)(c)]

## LIST OF CHALLENGED VOTES

Election to the seat No. of		Constituency.	
Gram Panchayat/Zilla Parishad from the			
Sl. No. of entry	Name of voter	Serial Number of	Signature of
Part No. of that part	Voter's name in person challenged.		
1	2	3	4
			5

Address of the person challenged	Name of identifier, if any	Name of challenger	Order of Signature Presiding Officer	Signature of challenger on receiving of refund of deposit.
6	7	8	9	10

Place  
Date

Signature of Presiding Officer

FORM-18

[See Rule 40 (2)]

## LIST OF BLIND AND INFIRM VOTERS

Election to the seat No. of		Constituency	
Gram Panchayat/Zilla Parishad			
No. and name of Polling Station			
Part No. & Serial No. of voter	Full name of voter	Full name of companion	Address of companion
			Signature of companion
1	2	3	4
			5

Date

Signature of Presiding Officer

## FORM-18 (A)

[See Rule 40 (1)]

## DECLARATION BY THE COMPANION OF BLIND OR INFIRM ELECTOR

Election to the seat No. of Gram Panchayat/Zilla Parishad Constituency No. of Polling Station

I,                      son of                      aged                      resident of                     

(a) have not acted as companion of any other elector at any polling station to-day, the                     

(b) will keep secret the vote recorded by me on behalf of                     

Signature of the Companion

\*Full Address to be given:

LIST OF TENDERED VOTES

[See Rule 42(2)]

Election to the seat No. of		Constituency	
Gram Panchayat/Zilla Parishad from the			
No. and Name of Polling Station			
Part No. & Serial No. of Voter	Address of voter	Serial Number of tendered ballot paper	Signature of voter or thumb impression of person who has tendered vote
1	2	3	4
			5

Place  
Date

Signature of Presiding Officer



## FORM-20

[See Rule 45(1)]

## BALLOT PAPER ACCOUNT

Election to the \_\_\_\_\_ seat No. of \_\_\_\_\_  
 Gram Panchayat/Zilla Parishad from the \_\_\_\_\_  
 Constituency No. and name of Polling Station \_\_\_\_\_

1. Ballot paper received \_\_\_\_\_  
 2. Ballot papers unused \_\_\_\_\_

(a) with the signature of the Presiding Officer, if any, and  
 (b) without the signature of the Presiding Officer \_\_\_\_\_

Total (a+b)

3. Ballot papers issued to voters, ballot paper used at the polling stations but

## NOT INSERTED INTO THE BALLOT BOX.

4. Ballot papers cancelled \_\_\_\_\_  
 (a) for violation of voting procedure under rule 17 \_\_\_\_\_  
 and \_\_\_\_\_  
 (b) for any other reason \_\_\_\_\_  
 (c) Ballot papers used as tendered ballot papers \_\_\_\_\_

Total (a+b+c)

5. Ballot paper to be found in the Ballot Box \_\_\_\_\_  
 (3, 4=5) \_\_\_\_\_  
 Date \_\_\_\_\_ Signature of Presiding Officer \_\_\_\_\_

## PART-II Result of initial Counting

1. Total number of Ballot papers found in the Ballot Box(es) used at the Polling Station \_\_\_\_\_  
 2. Discrepancy, if any, between the total number as shown against item 1 in the part and the total number of Ballot papers to be found in the Ballot Box(es) shown in item 5 of Part-I.

Date \_\_\_\_\_ Signature of Counting Supervisor \_\_\_\_\_  
 Signature of Returning Officer \_\_\_\_\_

## FORM-21

[See Rule 56(3)]

## COUNTING SHEET

Election to the \_\_\_\_\_ seat No. of \_\_\_\_\_  
 Gram Panchayat/Zilla Parishad from the \_\_\_\_\_  
 Constituency. Date of Poll \_\_\_\_\_  
 Votes cast by person on election duty.

No. & Name of Polling Station	Total No. of sealed cover	Total No. of valid ballot papers	Total No. of rejected ballot papers	Serial Number	Name of candidate	Votes secured by candidates
1	2	3	4	5	6	7

A \_\_\_\_\_  
 B \_\_\_\_\_  
 C \_\_\_\_\_  
 D \_\_\_\_\_  
 E \_\_\_\_\_

Signature of counting Supervisor

Place \_\_\_\_\_  
 Date \_\_\_\_\_  
 Signature of Returning Officer \_\_\_\_\_

FORM-21(A) [See Rule 56(3)]  
 COUNTING SHEET

Election to the \_\_\_\_\_ Gram Panchayat/Zilla Parishad  
 from the \_\_\_\_\_ Constituency  
 Date of Poll \_\_\_\_\_ (in case of Gram Panchayat)  
 Seat No. \_\_\_\_\_

Votes cast in ballot box at Polling Station

No. & Name of Polling Station	Ballot paper received from Presiding Officer	Number of valid ballot papers	Number of rejected ballot papers
1	2	3	4



## Continued Form 21 (A)

FORM-22

Votes secured by candidates

1	2	3	4	5	6	7	Total
A	B	C	D	E	F	G	
Name of candidates							
Signature of Counting Supervisor							
Date							

FORM-22

Signature of Returning Officer

## COUNTING SHEET

from the \_\_\_\_\_ (Zilla Parishad)  
 Seat No. \_\_\_\_\_ Constituency \_\_\_\_\_  
 Date of Poll \_\_\_\_\_ (in case of Gram Panchayat)

## FINAL COUNTING

No. & name of Polling Station	Number of ballot papers found in (1) of ballot box (es)	Number of rejected ballot papers	Number of rejected ballot papers	Number of tendered votes
1	2	3	4	5

Vote secured by the candidates

Names of Candidates  
 A B C D E F G

Table No. 1	Table No. 2	Table No. 3
-------------	-------------	-------------

Grand Total	Signature of Returning Officer
-------------	--------------------------------

## FORM-23

[See Rule 59 (4)]

## RESULT SHEET

Election to the \_\_\_\_\_ Gram Panchayat/

Zilla Parishad \_\_\_\_\_

From the \_\_\_\_\_ Constituency \_\_\_\_\_

Seat No. \_\_\_\_\_ (in case of Gram Panchayat).

Date of Poll \_\_\_\_\_

No. & name of Polling Station	Number of ballot papers found in ballot box (es)	Number of valid ballot papers	Number of rejected ballot papers	Number of tendered votes
1	2	3	4	5

Votes secured by the candidates.

## Name of candidates

1 2 3 4 5 6 7  
 A B C D E F G

Table No. 1

Sheet No. 1

Sheet No. 2

Sheet No. 3

Table No. 2

Sheet No. 1

Sheet No. 2

Sheet No. 3

Election Duty Votes

Grand Total

Place

Signature of Returning Officer







## FORM-27

[See Rule 92(2)]

## NOTICE

1. Shri/Smt. \_\_\_\_\_ Member of \_\_\_\_\_  
(By name) \_\_\_\_\_ Zilla Parishad.

## In pursuance of Rule \_\_\_\_\_ of the Manipur

Panchayat Raj (Election) Rules, 1995

notice is hereby given that a meeting/special meeting of \_\_\_\_\_

be held on \_\_\_\_\_ (date) at \_\_\_\_\_ (place) to elect Adhyaksha/Up-Adhyaksha of the \_\_\_\_\_ Zilla Parishad shall the directly elected members of the Zilla Parishad by themselves under section 54 of the Manipur Panchayat Raj Act, 1994.

3. The nomination paper shall be delivered by the Presiding Officer not later than \_\_\_\_\_ (date) at \_\_\_\_\_ (time) \_\_\_\_\_ (place) and taken up for scrutiny immediately after the hour fixed for presentation of nomination paper at the same place.

4. Further proceeding for election including taking of votes by secret ballot in the event of election of persons required for each category, shall be held after the expiry of the time fixed for presentation of nomination paper and scrutiny of nomination papers at the same place.

- 5- You are, therefore, requested kindly to attend the said meeting on the said date, time and place given above.

Place \_\_\_\_\_ Date \_\_\_\_\_  
Signature of the \_\_\_\_\_  
Deputy Commissioner/Sub-Divisional Officer.

\_\_\_\_\_

\_\_\_\_\_

## FORM 28

[See Rule 92(4)(i)]

NOMINATION PAPER FOR THE  
CANDIDATE OF ADHYAKSHA/UP-  
ADHYAKSHA OF ZILLA PARISHAD

Zilla Parishad \_\_\_\_\_

(To be filled by the proposer)

I hereby nominate Shri/Smt. \_\_\_\_\_ as a candidate for election as a \_\_\_\_\_ Adhyaksha/Up-Adhyaksha of \_\_\_\_\_ Zilla Parishad.

- (1) Name of candidate's father/husband \_\_\_\_\_  
(2) Sex of the candidate \_\_\_\_\_  
(3) Caste of the candidate (for Scheduled Caste or Scheduled Tribe only): \_\_\_\_\_  
(4) Sl. No. of the candidate in the voter list \_\_\_\_\_  
(5) Full name of the proposer \_\_\_\_\_  
(6) Sl. No. of proposer in the Electoral Roll \_\_\_\_\_

Signature of proposer: _____	Signature of the candidate: _____
I, the above named candidate, assent to be Adhyaksha/Up-Adhyaksha of the Zilla Parishad specified above under the provisions of the Manipur Panchayat Raj Act, 1994 and	I am not subject to any of the disqualification specified in section _____ of the Act.
Date _____	Place _____
(To be filled by the Officer)	

Sl. No. of the nomination paper \_\_\_\_\_  
The nomination paper was presented to me at \_\_\_\_\_ on \_\_\_\_\_ (date) by Shri/Smt. \_\_\_\_\_

Decision accepting or rejecting the nomination paper, I have examined the nomination paper in accordance with the provisions of the rules and decide as follows:

Place \_\_\_\_\_ Date \_\_\_\_\_  
Signature of Presiding Officer

\* Strike off one of the alternatives as necessary.



FORM 291

[Sec Rule 92(4)(V) 1]

NOTICE OF NOMINATION  
ADHYAKSHA/UP-ADHYAKSHA  
ZILLA PARISHAD

Election to \_\_\_\_\_ Zilla Parishad for  
the Office of \* Adhyaksha/Up-Adhyaksha.

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

Serial num- ber of nomi- nation.	Name of candidate	Name of * father/hus- band	Address	Particular of Caste for candi- date	Electo- ral roll num- ber of pro- poser	Name of elector pro- poser	Electo- ral roll num- ber of pro- poser
1							
2							
3							
4							
5							
6							
7							
8							

Place \_\_\_\_\_  
Date \_\_\_\_\_  
Signature of \_\_\_\_\_  
Presiding Officer

\* Strike off one of the alternatives as necessary.

FORM 291

[Sec Rule 92(6) 2]

LIST OF VALIDLY NOMINATED CANDIDATE FOR ELECTION OF  
ADHYAKSHA/UP-ADHYAKSHA OF \_\_\_\_\_ ZILLA PARISHAD

Sl No.	Name and description of candidate	Address of candidate	Remarks
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			

Signature of Presiding Officer

\_\_\_\_\_



### LIST OF CONTESTING CANDIDATE

List of contesting candidate for election of Adityaksha/UP-Adityaksha of Zila Parishad.

Sl. No.	Name and designation of candidate	Address of candidate	Remarks
1	2	3	4
1.			5
2.			6
3.			7
4.			8
5.			9
6.			10
7.			
8.			
9.			
10.			

Signature of Presiding Officer

Signature of Presiding Officer

Zilla Parishad	- - - - -
Description of class of persons	- - - - -

Seal and Signature of  
Presiding Officer

[illegible]