

MANIPUR



GAZETTE

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GOVERNMENT OF MANIPUR

SECRETARIAT: RURAL DEVELOPMENT DEPARTMENT

NOTIFICATION

Imphal, the 11th July, 1994

No. 17/29/94-DEV(P).—In exercise of the powers conferred by sub-section (2) of section 98 of Manipur Panchayati Raj Act, 1994, the Governor of Manipur is pleased to make the following rules, namely,—

1. (1) These rules may be called the Election Commissioner of Manipur (Conditions of Service) Rules, 1994.  
(2) They shall come into force from the date of their publication in the Official Gazettee.
2. In these rules, unless, the context otherwise requires,
  - (a) "Government" means the State Government,
  - (b) "Governor" means the Governor of Manipur,
  - (c) "State" means the State of Manipur,
  - (d) "Commission" means the Election Commission of the State of Manipur constituted under article 243 E of the Constitution.
  - (e) "Election Commissioner" means the Election Commissioner of the State of Manipur appointed under section 98 of the Manipur Panchayati Raj Act 1994.
3. (1) The Election Commission shall be a single member Commission. It shall be responsible for the superintendence, direction and control of the preparation of electoral rolls for and conduct of all elections to the Panchayat bodies in the State under this Act and the rules made thereunder.  
(2) The Election Commission shall be appointed by the Governor by order in writing.

Composition and functions of the Election Commission.

Provided that no person who is a Minister of the Government or a Chairman/President (by whatever name called) or an employee of the panchayat or municipality shall be appointed as the Election Commissioner.

Qualification for Appointment.

4. The Election Commissioner shall be appointed from amongst persons who have experience in the Central Government or State Government or in the Administration of the Central/State Election laws.

Qualification.

5. A person shall be disqualified for being appointed as the election Commissioner;

- (a) if he is of unsound mind; or
- (b) if he is adjudged insolvent; or
- (c) if he has been convicted of a heinous offence or an Offence involving moral turpitude; or
- (d) if he has any other interest as is likely to affect prejudicially his functioning as the Election Commissioner.

Term of appointment.

6. The Election Commissioner shall hold office for a term of 3(three) years from the date on which he assumes office;

Provided that where the Election Commissioner attains the age of sixty two years, before the expiry of the said term of 3(three) years, he shall vacate his office on the date of which he attains the said age;

Provided further that the Election Commissioner may, at any time, by writing under his hand addressed to the Governor resign his office.

Removal.

7. The Governor may by order, remove from office the Election Commissioner;

- (a) if after his appointment he becomes subject to any of the disqualifications referred to in Rule 5;
- (b) if he has in the opinion of the Governor, so abused his position to render his continuance in office as Election Commissioner undesirable;

Provided that no such order shall be passed without, in the case mentioned in clause (d) of Rule 5 or under any clause, without giving the Election Commissioner a reasonable opportunity of being heard.

Provided further that the State Election Commissioner shall not be removed from his office except in the manner and on the like grounds as a judge of the High Court.

Salary and allowance.

8. The Election Commissioner shall draw such salary allowances as may be specified in the order of his appointment.

Leave

9. (1) A person who immediately before the date of assuming office as the Election Commissioner was in service of Government may be granted during the tenure of office but not thereafter, leave in accordance with the rules for the time being applicable to the service to which he belonged before such date and he shall be entitled to carry forward the amount of leave standing at his credit on such date.
- (2) Any other person who is appointed as the Election Commissioner may be granted leave in accordance with such rules as are for the time being applicable to a member of the Indian Administrative service.
- (3) The power to grant or refuse leave to the Election Commissioner and to revoke or curtail leave granted to him shall vest in the Governor;

Pension-

10. (1) A person who immediately before the date of assuming office as the Election Commissioner was in service of Government, shall be deemed to have been retired from service on the date on which he enters upon office as the Election Commissioner but his subsequent service as the Election Commissioner shall be reckoned as continuing approved service counting for pension in service to which he belonged.
- (2) Where an Election Commissioner demits office where in any manner specified in rule 6, he shall, on such demission, be entitled to—
- (a) a pension which is equal to the pension payable in accordance with such rules as are for the time being applicable to a member of the Indian Administrative service.
- (b) Such pension (including commutation of pension), family pension and gratuity as are admissible in accordance with such rules as are for the time being applicable to a member of the Indian Administrative Service.
- (3) Except where the Election Commissioner demits office by resignation, he shall be deemed, for purpose of these rules to have demitted his office if, and only if:—
- (a) he has completed the term of office specified in rule 6, or
- (b) he has attained the age of sixty two years, or
- (c) he is removed from office under rule 7.

11. Every person holding office as Election Commissioner shall be entitled to subscribe to the General Provident Fund (Central Services).

12. Save as otherwise provided in these rules, the conditions of service relating to travelling allowance, residence, conveyance facilities, sumptuary allowance, medical facilities and such other conditions of service as are, for the time being applicable to members of the Indian Administrative Service.

13. The conditions of service of the Election Commissioner shall not be varied to his disadvantage after his appointment.

JARNAIL SINGH,  
Commissioner (RD&PR), Govt. of Manipur.

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GOVERNMENT OF MANIPUR  
SECRETARIAT: LAW & LEGISLATIVE AFFAIRS DEPARTMENT.

NOTIFICATION  
Imphal, the 29th June, 1996.

No.17/29/94-DEV(P): In exercise of the powers conferred under section 98 of the Manipur Panchayati Raj Act, 1994, the Governor of Manipur is pleased to make the following Rules to amend the Election Commissioner of Manipur (Condition of Service) Rules, 1994, namely, -

THE ELECTION COMMISSIONER OF MANIPUR (CONDITION OF SERVICE) AMENDMENT RULES, 1996

1. (1) These rules may be called the Election Commissioner of Manipur (Condition of Service) Amendment Rules, 1996.

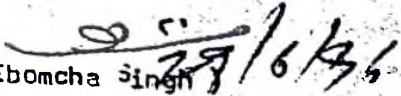
(2) It shall come into force from the date of its publication in the Official Gazette.

2. After sub-rule (2) of rule 3 of the Election Commissioner of Manipur (Condition of Service) Rules, 1994, the following new sub-rule (3) shall be inserted, namely, -

"(3) If -

- (a) the Election Commissioner is, by reason of leave, illness or other cause, temporarily unable to exercise the powers and perform the duties of his office, or
- (b) a vacancy occurs in the office of the Election Commissioner by reason of death, resignation or expiry of the term of his office, removal or otherwise,

then, the Governor shall, by notification, designate an officer of the State Government who shall act as the Election Commissioner during the period of such temporary inability or pending the appointment of a Election Commissioner, as the case may be."

  
( L. Ibomcha Singh  
Secretary (Law) to the Government of Manipur.

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Copy to:-

1. The Secretary to the Governor, Raj Bhavan, Manipur.
2. The Secretary to the Chief Minister, Manipur.
3. P.Ss. to All Ministers/MOS, Manipur.
4. P.S. to Chief Secretary, Govt. of Manipur.
5. All Principal Secretaries/Commissioners/Secretaries, Government of Manipur.
6. All Commissioners in 3(three) valley Districts, Manipur.
7. The Director(RD&PR)/(MAHUD), Manipur.
8. The Director, Printing & Stationery, Manipur for favour of publication in the Extra-Ordinary Gazette of Manipur. He is requested to send 20(twenty) copies of the publication to this Department.
9. File concerned.
10. Guard file etc.

*[Handwritten signature]*

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