

MANIPUR GAZETTE



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GOVERNMENT OF MANIPUR
SECRETARIAT : MAHUD DEPARTMENT

NOTIFICATION

Imphal, the 26th August, 1994

No. 2/7/94-MAHUD.—Whereas in exercise of the powers conferred by sub-section (1) of section 208 of the Manipur Municipalities Act, 1994, the State Government has made the draft Manipur Municipalities (Election of Councillors) Rules, 1994 and the said draft Rules is hereby notified for information of the general public;

Now, therefore, any person who is willing to raise any objections/suggestions to the said draft Rules may submit to the Secretary, Municipal Administration Housing & Urban Development, Government of Manipur, Imphal within 15 (fifteen) days from the date of publication of this Notification in the official Gazette and any objection/suggestion received after the said stipulated period shall not be entertained.

THE MANIPUR MUNICIPALITIES (ELECTION OF COUNCILLORS)
RULES, 1994.

A. LUIKHAM,
Secretary (MAHUD), Govt. of
Manipur.

**THE MANIPUR MUNICIPALITIES (ELECTION OF COUNCILLORS)
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THE MANIPUR MUNICIPALITIES (ELECTION OF COUNCILLORS)
RULES, 1994

CHAPTER—I

PRELIMINARY

1. Short title and commencement.—(1) These rules may be called the Manipur Municipalities (Election of Councillors) Rules, 1994.

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

2. Definition and Interpretation.—(1) In these rules, unless the context otherwise requires.—(a) “Act” means the Manipur Municipalities Act, 1994;

(b) “ballot box” includes any box, bag or other receptacle used for the insertion of ballot papers by electors;

(c) “elections” means election to the wards of the municipality;

(c) “elector” means any person entitled to vote an election of councillor;

(d) “electoral roll number” of a person means—

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

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

(iii) the number and name of the ward of the municipality to which the electoral roll relates;

(e) “form” means a form appended to these rules and includes a translation thereof in Manipuri;

(f) “section” means a section of the Act;

(g) Any expression which is not defined in these rules shall have the same meaning as in the Act.

(2) For the purpose of these rules a person who is unable to write his name shall, unless otherwise expressly provided in these rules, be deemed to have signed an instrument or other paper if—

(a) he has placed a mark on such instrument or other paper in the presence of the Returning Officer or the Presiding Officer or such other officer as may be specified in this behalf by the Election Commissioner ; and

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

16. Register of claims and objections:—A register of claims and objections shall be maintained by the Electoral Registration Officer or officer to whom claims and objections may be presented under sub-rule (1) of rule 14.

17. Inquiry into claims and objections:—

Notice of claims and objections:—

(1) The Electoral Registration Officer shall in the case of a claim cause a notice to be served in Form-4 on the claimant or his agent for hearing and shall commence the hearing of claims for inclusion of his name into the electoral rolls from the day fixed for hearing.

(2) (a) The objection against inclusion of any name in the electoral rolls shall be filed in duplicate in Form-5 giving the name and the address of the person objected against.

(b) The Electoral Registration Officer shall cause a notice in Form-6 along with a copy of the grounds for objection to be served on the objector against specifying the place, the date and the time fixed for hearing of such objection. All such services shall be done by post under "certificate of posting".

(3) The hearing shall continue from day to day but the hearing of any particular objection may be adjourned from time to time if the Electoral Registration Officer considers it to be necessary.

(4) The Electoral Registration Officer shall hold a summary inquiry into the claims and objections. The objector or his authorised agent may produce documents which are considered to be relevant in such inquiry by the Electoral Registration Officer.

(5) The Electoral Registration Officer shall, after the inquiry, pass orders on each of the claims or objections as the case may be either allowing or disallowing the same and the electoral rolls shall be amended in accordance with such orders.

(6) If the Electoral Registration Officer, on his own motion, is satisfied that the preliminary electoral roll is at variance with the relevant part of the electoral roll of the Assembly on account of any mistake, he amend the same so as to bring it in conformity with the said electoral roll and for that purpose may amend, delete or add any entry in the preliminary electoral roll.

Provided that the amendments made under sub-rule (5) and this sub-rule shall be authenticated by the Electoral Registration Officer.

18. Final Publication of electoral rolls:—The electoral rolls thus authenticated shall be called the final electoral rolls which after being printed with necessary re-numbering serially, shall be published by the Electoral Registration Officer not less than thirty days before the election in the same manner as to electoral rolls for preliminary publication. The Electoral Registration Officer shall display the final electoral roll for public inspection on the notice board of his Office and shall on the same day on which such final electoral roll is published give notice, by advertisement in any two local newspapers of the fact of publication and the places where the said electoral roll is displayed.

19. (1) Any person who requires printed copies of the final electoral roll shall be supplied with the same at the same rate at which a copy electoral roll or part of it of the Manipur Legislative Assembly is being sold.

(2) The Electoral Registration Officer shall supply, free of cost, two copies of the final electoral roll (as finally published along with the list of amendments if any) to every political party recognised for the purposes of the Representation of People Act, 1951 (43 of 1951).

(3) The Electoral Registration Officer shall send a copy of the final electoral roll to the State Election Commission.

20. Revision of electoral rolls:—(1) The electoral roll for every ward shall be revised by the Electoral Registration Officer as the Election Commission may direct from time to time.

Provided that if the electoral roll is not revised the validity or continued operation of the existing electoral roll shall not thereby be affected.

(2) The manner of revision of electoral rolls shall be same as that of preparation of electoral rolls under these Rules.

CHAPTER—III

SUPERINTENDENCE OF ELECTIONS AND ADMINISTRATIVE MACHINERY

21. Appointment of District Municipal Election Officer :—(1) For the conduct of elections to the municipalities of a district, the Election Commission shall designate the Deputy Commissioner of the district in which the wards of the municipality are located as the District Municipal Election Officer;

(2) The District Municipal Election Officer shall, subject to the superintendence, direction and control of the Election Commission, be in the overall charge of the conduct of elections to the municipalities in his district.

22. Returning Officers :—For the conduct of elections to a municipality, the Election Commission shall designate a Returning Officer who shall be an officer of Government.

23. Assistant Returning Officers :—(1) The Election Commission may designate one or more persons to assist any Returning Officer in the performance of his functions :

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

(2) Every Assistant Returning Officer shall subject to the control of the Returning Officer, be competent to perform all or any of the functions of the Returning Officer :

Provided that no Assistant Returning Officer shall perform any of the functions of the Returning Officer, which relate to the scrutiny of a nomination, unless the Returning Officer is unavoidably prevented from performing the said functions;

(3) Reference in these Rules to the Returning Officer shall, unless the context otherwise requires, be deemed to include an Assistant Returning Officer performing any function of the Returning Officer which he is authorised to perform under sub-rule (2).

Provided that the Returning Officer and Assistant Returning Officer shall work under the general direction and superintendence of the District Municipal Election Officer.

24. **General duty of the Returning Officer:**— It shall be the general duty of the Returning Officer at any election to do all such acts and things as may be necessary for effectually conducting the election in the manner provided by these rules or orders, made thereunder.

25. **Polling Stations for wards:**—The District Municipal Election Officer shall, with the previous approval of the Election Commission, select for each ward as many polling stations as he deems necessary and shall publish, a list of polling stations so selected and the respective polling areas covered by them.

26. **Presiding Officers and Polling Officers:**— (1) The Returning Officer shall appoint a Presiding Officer for each polling station and such Polling Officer or officers, as he thinks necessary, but he shall not appoint any person who has been employed by or on behalf of, or has been otherwise working for, a candidate in or about the election:

Provided that if a Polling Officer is absent from the Polling Station, the Presiding Officer may appoint any person who is present at the Polling Station other than a person who has been employed by or on behalf of, or has been otherwise working for, a candidate in or about the election, to be the Polling Officer during the absence of the former polling officer, and the Presiding Officer shall inform the Returning Officer accordingly:

Provided further that nothing in this sub-rule shall prevent the Returning Officer from appointing the same person to be the Presiding Officer for more than one polling station in the same premises.

(2) A Polling Officer shall, if so directed by the Presiding Officer perform all or any of the functions of a Presiding Officer under these rules or orders made thereunder.

(3) If the Presiding Officer is, owing to illness or other unavoidable cause, obliged to absent himself from the Polling Station, his functions shall be performed by such Polling Officer as has been previously authorised by the Returning Officer to perform such functions during any such absence.

(4) References in these rules to the Presiding Officer shall, unless the context otherwise requires, be deemed to include any person performing any function which he is authorised to perform under sub-rule (2) or sub-rule (3) as the case may be.

(5) The Returning Officer shall pay the Presiding Officers, Polling Officers and other polling staff such travelling allowance as may be admissible under the rules applicable to the respective services to which they belong.

27. **Duties of Presiding Officers**—The Presiding officer shall keep order at the polling station, see that the election is fairly conducted and regulate the number of voters to be admitted at any one time inside the polling station and shall exclude there from all persons other than —

- (a) polling officers;
- (b) public servants on duty in connection with the election;
- (c) persons authorised by the Election Commission;

(d) candidate, his election agents and one polling agent of each candidate appointed in writing by the candidate, and

(e) a child in arms accompanying a voter;

(f) a person accompanying a blind or infirm voter who cannot move without help; and

(g) such other persons as the Presiding Officer may from time to time admit for the purpose of identifying voters.

28. **Duties of a Polling Officer:**—It shall be the duty of the Polling Officer at a Polling Station to assist the Presiding Officer for such polling station in the performance of his functions.

CHAPTER—IV CONDUCT OF ELECTIONS

29. **Public notice of intended elections:**—(1) Subject to sub-rule (2) to (5) below, a public notice, in Form 7 of an intended election to a Municipality shall be given by the Election Commission mentioning therein the last date for filing of nominations, the date for scrutiny of the nominations, the last date for withdrawal of the candidature and the date of poll, if necessary;

(2) The last date for filing of nominations shall be the seventh day after the date of publication of the public notice under sub-rule (1) above or, if that day is a public holiday, the next succeeding day which is not a public holiday;

(3) The date for scrutiny of the nominations shall be the day next to the last date for filing nominations;

(4) The last date for withdrawal of candidature shall be the second day after the date of scrutiny of nominations;

(5) The date of poll shall not be earlier than 15 days of the last date for withdrawal of candidature;

(6) For the purposes of the election for which public notice is given, the electoral roll of the Municipality which is in operation on the date of such public notice shall be relevant and no additions to such roll shall be permitted till the poll is over.

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.

30. **Notice by the Returning Officer inviting nominations:**—Immediately on the issue of a public notice under Rule 29, the Returning Officer shall issue a public notice, in Form 8, inviting nomination of candidates for such election and specifying therein the time and the place at which the nomination papers are to be delivered, the time and the place for scrutiny of nominations, and the time and the place at which the notice of withdrawal of candidature are to be delivered.

31. **Nomination papers:**—(1) Every nomination shall be made in Form-9:

(2) Every nomination shall contain full particulars of the name, age, sex and address of the candidate, be subscribed by two persons—one as a proposer and the other as the secondor—who are entitled to vote at the election to that ward and whose names are included in the electoral roll for that ward and must bear the signature of the candidate in token of his willingness to be so nominated;

(3) Subject to the reservations in favour of Scheduled Castes, Scheduled Tribes and women, a person who is entitled to vote in the election to a ward of the Municipality and whose name is included in the electoral roll of that ward can contest election to that ward.

(4) More than one nomination paper may be filed on behalf of a candidate by different voters, but the total nomination papers filed on behalf of a candidate shall not exceed four. In case more than four nominations are presented, only the first four presented shall be considered and the rest summarily rejected;

(5) A voter cannot nominate, either as a proposer or secondor, more than one candidate. Where a voter has signed on nominations, as a proposer or secondor for more than one candidate, all such nominations other than the first one received by the Returning Officer shall be declared invalid;

(6) Every nomination paper subscribed and signed as aforesaid must be delivered to the Returning Officer in person by the candidate or the proposer or the secondor during office hours but before 3 O'clock in afternoon of the day fixed for the nomination of candidates at the place specified in this behalf in the notice issued by the Returning Officer under rule 30;

(7) The Returning Officer shall, on receiving a nomination paper, enter in the nomination paper its serial number and shall sign thereon a certificate stating the date on which and the time at which the nomination paper has been delivered to him;

(8) A candidate who desires to be considered as a Scheduled Caste or Scheduled Tribe, as the case may be, shall submit, along with his nomination paper, an authenticated, zerox copy of a Scheduled Caste/Scheduled Tribe certificate issued by a competent authority prescribed by the State Government to issue such certificates ;

In case any dispute regarding the status of a candidate being considered eligible to be elected against a reserved seat arises at the time of scrutiny of nominations, the Returning Officer may ask the candidate to produce the original of the certificate referred to above and/or any other documents in support of the claim of the candidate. After scrutiny of such evidence, the Returning Officer shall declare whether the candidate's claim for being eligible to be elected from a reserved seat is accepted or not.

32. Scrutiny of Nomination Papers :—On the date and time fixed for scrutiny of nomination papers under rule 29, the Returning Officer shall examine the nomination papers and decide all objections which may be made to any nomination and may, either on such objections or on his own motion, after such summary enquiry, if any, as he thinks necessary, declare invalid any nomination on any of the following grounds :

(i) that the candidate is not enrolled as a voter in the ward of the Municipality, to which he seeks election ;

(ii) that the candidate has not made or caused to be made the deposit referred to in rule 39 ;

(iii) that the candidate has not attained the minimum age required for being elected a councillor ;

(iv) that the candidate is disqualified under any provisions of the Act from being a councillor ;

(v) that the proposer or secondor has not been enrolled as a voter of the ward for which the nomination has been filed ;

(vi) that the signature of the candidate or the proposer or the secondor on the nomination paper is not genuine ;

(vii) that the signature of the proposer or the secondor on the nomination paper has been also affixed on another nomination paper which has been delivered to the Returning Office prior to this nomination paper.

33. Classification of validly nominated candidates.—The validly nominated candidates shall be classified into the following categories namely:—

(a) “general woman candidate”—one who is entitled to be elected against a seat reserved for a general woman and an unreserved seat but none other,

(b) “Scheduled Caste woman candidate”—one who is entitled to be elected against a seat reserved for a general woman or a seat reserved for a Scheduled Caste woman or a seat reserved for Scheduled Castes and an unreserved seat but none other;

(c) “Scheduled Tribe woman candidate”—one who is entitled to be elected against a seat reserved for a general woman or a seat reserved for a Scheduled Tribe woman or a seat reserved for Scheduled Tribe and an unreserved seat but none other;

(d) “Scheduled Caste male candidate”—one who is entitled to be elected against a seat reserved for Scheduled Caste and seat reserved for Scheduled Caste and an unreserved seat but none other;

(e) “Scheduled Tribe male candidate”—one who is entitled to be elected against a seat reserved for Scheduled Tribes and an unreserved seat but none other.

(f) “General male candidate”—one who is entitled to be elected against an unreserved seat for none other.

34. List of validly nominated candidates.—Immediately after all the nomination papers have been scrutinised and decisions accepting or rejecting the same have been recorded, a list of validly nominated candidates along with their classifications shall be prepared by the Returning Officer in Form 10 and displayed for the information of the public in his Office.

35. Notice of withdrawal.—Any candidate validly nominated may withdraw his nomination by a notice in writing in Form 11 and delivering it himself in person to the Returning Officer before 3 O'clock in the afternoon on the day fixed under rule 29 (4) that he is not to contest the election. The Returning Officer shall note thereon the date and time at which it was delivered. A candidate who has tendered a notice of withdrawal in the aforesaid manner shall not be allowed to cancel the withdrawal.

Provided that where the candidate is on account of being in jail or in police custody, is unable to personally deliver his withdrawal application, he may cause it to be delivered on his behalf by any person authorised by him.

36. Uncontested Election.—(1) If the number of valid nominations, after withdrawals, if any, is only one for a ward, the Returning Officer shall declare the validly nominated candidate elected unopposed to fill the seat in that ward.

Explanation.—For the purpose of this rule, it is hereby clarified that a person shall not be deemed to have been nominated to a reserved seat unless he is eligible to be elected against such reserved seat.

(2) If, after the last date fixed for withdrawal of nomination is over, there is no valid nomination for one or more wards, it shall be deemed that no councillor has been elected for such wards. The Returning Officer shall report such cases to the Election Commission which shall call upon such wards to elect a person if it is satisfied that on being called upon again there will be no such failure on the part of the ward.

37. Symbols to Contesting Candidates.—(1) The Election Commission shall, by notification in the Official Gazette, specify the symbols that may be chosen by candidate at elections to the Municipalities and the restrictions to which their choice shall be subject to.

(2) The day immediately following the last date for withdrawal of the candidates, the Returning Officer shall proceed to allot symbols to the contesting candidates in following manner.

(3) For the candidates set up by a party which is a recognised political party in the State of Manipur under the Election Symbols (Reservation and Allotment) Order, 1968, the Returning Officer shall allot the symbol reserved for that party under the said order.

Provided that such a political party can set up only one candidate per seat in any ward. The party should specify clearly who its candidate is for the seat reserved for women, or Scheduled Castes, or Scheduled Tribes or the unreserved seat as the case may be.

Explanation.—To be considered a candidate set up by a recognised political party, a candidate should produce a letter to that effect signed by the President of the State Unit of that party in Manipur or any person authorised by him in this behalf before the last date for withdrawal of nominations specified in rule 37 is over.

(4) Where more nomination papers than one are delivered by or on behalf of a candidate, the choice of symbols made in the nomination paper first delivered, and no other choice of symbols shall be taken into consideration even if that nomination paper has been rejected.

(5) The Returning Officer shall consider the choice of symbols expressed by the contesting candidates in their nomination papers and shall,

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

(b) if more contesting candidates than one have indicated their preference for the same symbol, decide by lots to which of such candidates the symbols will be allotted.

(6) The symbol allotted to a woman candidate shall be enclosed in a circle.

(7) The symbol allotted to a candidate belonging to Scheduled Castes or Scheduled Tribes shall be enclosed in a rectangle.

(8) The symbol allotted to a woman candidate belonging to Scheduled Castes or Scheduled Tribes shall be enclosed in a circle inside a rectangle;

(9) The allotment of any symbol to a candidate by the Returning Officer shall be final except where it is inconsistent with any general directions issued by the Election Commission in this behalf in which case the Election Commission may revise the allotment in such manner as it thinks fit.

38. List of Contesting Candidates.—(1) Immediately after the allotment of symbols to contesting candidates is over, the Returning Officer shall prepare, in Form 12, a list of contesting candidates in alphabetical order in Manipuri or English language, giving the names of all the contesting candidates and the symbols allotted to them. The alphabetical order shall be determined with reference to the surnames of the candidates having surnames and the names of the other candidates, as the case may be.

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

Provided that if a candidate considers that his name is incorrectly spelt or is otherwise incorrectly shown in his nomination paper or is different from the name by which he is popularly known, he may, at any time before the list of contesting candidates is prepared, furnish in writing to the Returning Officer the proper form and spelling of his name and the Returning Officer shall, on being satisfied as to the genuineness of the request, make the necessary correction or alteration in the list in Form 12 and adopt that Form and spelling in the list of contesting candidates.

(3) If two or more candidates bear the same name, they shall be distinguished by the addition of their occupation or residence or in some other manner as the Returning Officer deems fit.

(4) The Returning Officer shall, as soon as practicable, supply a copy of the list of contesting candidates to each such candidate or his election agent.

(5) The Returning Officer shall, as soon as possible, cause the list of contesting candidates to be published in the Official Gazette and shall also cause it to be displayed in his office, the offices of the Assistant Returning Officer, the Municipality and such other places he may deem fit.

39. Deposit and Refund.—(1) On or before the last date for filing nominations fixed under sub-rule (2) of rule 29, each candidate shall deposit or cause to be deposited with the Returning Officer the sum of five hundred rupees in cash, and no candidate shall be deemed to be duly nominated unless such deposit has been made.

Provided that where the candidate is a woman or belongs to the Scheduled Caste or Scheduled Tribes the amount of deposit shall be reduced to two hundred and fifty rupees,

Provided further that where a candidate's claim of belonging to the Scheduled Caste or Scheduled Tribe has been rejected and he is declared to be a general candidate under sub-rule (8) of rule 31, the candidate shall deposit or cause to be deposited immediately with the Returning Officer, in cash, the deficit amount of Rs. two hundred and fifty.

(2) The deposit shall be returned if—

- (i) the candidate is declared or is deemed to be duly elected; or
- (ii) the candidate withdraws his nomination as per the provisions of these rules; or
- (iii) the nomination of the candidate is declared invalid; or
- (iv) the candidate dies before the commencement of the poll; or
- (v) the candidate fails to be elected but secures valid votes in excess of the number specified in sub-rule (3).

(3) If a candidate is not elected, and the number of valid votes polled by him does not exceed one sixth of the total number of valid votes polled, the deposit shall be forfeited to the Government.

(4) The deposit shall, if it is not forfeited, be returned as soon as may be after the declaration of the result of the election.

Provided further that where a candidate dies before the deposit is returned it shall be returned to his legal heirs.

40. Election Agent.—(1) A contesting candidate may appoint any person as his Election Agent by giving a notice in Form 13. The notice of such appointment shall be given by forwarding the same in duplicate to the Returning Officer who shall return one copy thereof to the Election Agent after affixing thereon his seal and signature in token of his approval of the appointment;

(2) The revocation of the appointment of an Election Agent under Sub-rule (1) shall be made in Form 14.

CHAPTER—V

POLL

41. Poll.—If the number of contesting candidates is more than one in a ward, a poll shall be taken on the date mentioned under Rule 29.

42. Hours of poll.—The Election Commission shall fix the hour at which polling shall commence and the hour at which it shall close. The hours fixed for poll shall be published by notification in the Official Gazette.

43. Polling Agents.—(1) A candidate or his election agent may, subject to such general or special direction as the Election Commission may issue in this behalf from time to time, appoint at every polling station of the ward from which such candidate is contesting the election, polling agents to remain present on his behalf in the polling station at the time of the poll:

(2) The number of polling agents that may be appointed under sub-rule (1) shall be one agent and two relief agents per polling station;

(3) Every such appointment shall be made in Form 15 and shall be made over to the Polling Agent for production at the polling station.

(4) No polling agents shall be admitted to the polling station unless he has delivered to the Presiding Officer, the instrument of his appointment under sub-rule (1) after duly completing and signing before the Presiding Officer the declaration contained therein;

(5) The revocation of the appointment of a polling agent shall be made in Form 16 and laws with the Presiding Officer.

44. Arrangements at polling station—(1) There shall be displayed outside each polling station

(a) a notice specifying the polling area the voters of which are entitled to vote at the polling station, the number of votes each voter has, how he should mark the ballot paper and other instructions, if any, to the voter regarding how to vote; and

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

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

(3) The Returning Officer shall provide at each polling station sufficient number of ballot boxes, copies of the relevant part of the electoral roll, ballot papers, instruments for stamping the distinguishing mark on ballot papers and such other articles and materials necessary for voters to vote.

(4) Where a polling station is for both men and women, the Presiding Officer may direct that there shall be separate queues for men and women and that they be admitted into the polling station alternatively in separate batches.

45. Ballot boxes.—Every ballot box shall be so constructed that the ballot papers can be introduced therein, but cannot be withdrawn therefrom without the box being unlocked. It shall be of such design as may be approved by the Election Commission.

46. Preparation of ballot boxes for poll.—(1) Where a paper seal is used for securing a ballot box, the Presiding Officer shall affix his own signature on the paper seal and obtain thereon the signature of such of the Polling Agents present as are desirous of affixing the same.

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

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

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

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

(a) the serial number, if any, and name of the ward;

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

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

(d) the date of poll.

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

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

47. **Marked copy of electoral roll.**—Immediately before the commencement of the poll the Presiding Officer shall demonstrate to the Polling Agent and others present that the marked copy of the electoral roll to be used during the poll does not contain any entry regarding the ballot papers issued to voters.

48. **Form of ballot papers.**—(1) Every ballot paper shall have a counterfoil attached thereto, and the said ballot paper and the counterfoil shall be in Form 17;

(2) The names of the candidates shall be shown on the ballot paper in the same manner and arrange in the same order in which they appear in the list of contesting candidates.

(3) The particulars on the ballot paper shall be in both English and Manipuri languages.

(4) The ballot papers shall be serially numbered, the serial numbers being printed on the counterfoil and on the front of the ballot paper;

(5) The symbols allotted to the candidates under rule 37 shall be shown along side the name of the candidate on the ballot paper.

(6) The space allotted to each candidate on the ballot paper shall have the same dimensions.

(7) The line, or the shaded area separating the space provided for different candidates shall be the same on the ballot paper.

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

(9) The Election Commission shall prescribe the size, colour and other necessary specifications of the ballot paper for election to the Municipality.

49. **Procedure for issue of ballot paper to a voter :—**(1) Every ballot paper before it is issued to a voter, and the counterfoil attached thereto shall be stamped on the back with such distinguishing mark as the Election Commission may direct, and every ballot paper, before it is issued, shall be signed in full on its back by the Presiding Officer.

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

(a) record on its counterfoil the serial number of the voter in the electoral roll 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 the marked copy of the electoral roll to indicate that a ballot paper has been issued to him, without however recording therein the serial number of the ballot paper issued to that voter ;

Provided that no ballot paper shall be delivered to a voter unless he has put the signature or thumb impression on the counterfoil of that ballot paper :

(3) (a) Before issuing a ballot paper to a voter, the Presiding Officer shall cause a mark to be put on the left forefinger of the voter with an indelible ink :

Provided that where such a mark already exists on the left forefinger of the voter, it shall be deemed that he had cast his vote already at the election and shall not be given any ballot paper.

Provided further that no ballot paper shall be given to a voter unless he has allowed a mark to be put on his left forefinger with an indelible ink.

(b) Any reference in this sub-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 on 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 of the right hand, and shall in the case the fingers of both the hands are missing, be construed as a reference to such extremity of the left or right arm as he possesses.

(4) It shall not be necessary for any Presiding Officer or Polling Officer or any other Officer to attest the thumb impression of the voter on the counterfoil;

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

50. Voting.—(a) Same as hereinafter provided, all voters voting at an election shall do so in person at the polling station provided for them under the rules.

(b) Vote shall be given in person and no votes shall be given through proxy.

(c) No vote shall be received from any person whose name is not enrolled in the electoral roll as a voter of the ward to which the election is being held.

51. Procedure for voting and secrecy of voting.—(1) Every voter to whom a ballot paper has been issued shall maintain secrecy of voting within the polling station and for that purpose observe the voting procedure hereinafter laid down.

The voter on receiving the ballot paper shall forthwith

(a) proceed to one of the voting compartments;

(b) there make mark on the ballot paper with the instrument supplied for the purpose on or near the symbol of the candidate, or, where the election is being held for more than one seat in the ward, the candidates, to 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; and

(f) quit the polling station.

(3) Every voter shall vote without undue delay.

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

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

(6) After the ballot paper has been taken back, the Presiding Officer shall record on its back the words "Cancelled: voting procedure violated" and put his signature below those words.

(7) All the ballot papers on which the words "Cancelled: voting procedure violated" are recorded, shall be kept in a separate cover which shall bear on its face the words "Ballot papers voting procedure violated".

(8) Without prejudice to any other penalty to which a voter, from whom a ballot paper has been taken back under sub-rule (5), may be liable, the vote, if any, recorded on such ballot paper shall not be counted.

52. Recording of votes of blind or infirm voters:—(1) If the Presiding Officer is satisfied that owing to blindness or other physical infirmity, a voter is unable to recognize the symbols on the ballot paper or to make a mark thereon without assistance, the Presiding Officer shall permit the voter to take with him a companion of not less than eighteen years of age to the voting compartment for recording the vote on the ballot paper on his behalf and in accordance with his wishes, and, if necessary, for folding the ballot paper so as to conceal the vote and inserting it into the ballot box:

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

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

(2) The Presiding Officer shall keep a record in Form 18 of all cases under these rules.

53. Assistance to voter :—The Presiding Officer shall give such assistance as may be required to any voter who is by reason of infirmity or, illiteracy unable to vote in the manner prescribed.

54. Identity of voter:—At any time before a ballot paper is delivered to a voter, the Presiding Officer or Polling Officer may, of his own accord, if he has reason to doubt the identity of the voter or his right to vote at such polling station, and shall, if so required by a candidate or polling agent, satisfy himself by putting to the voter such questions as he may deem necessary, that such person is identical with the voter to whom such entry relates.

55. Closing of poll :—(1) The Presiding Officer shall close a polling station at the hour fixed in that behalf under Rule 42 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.

56. Number of votes :—Every voter shall be entitled to give only one vote at an election for a ward.

57. Challenged votes.—(1) Any polling agent may challenge the identity of a person claiming to be a particular voter by first depositing a sum of Rs. 20/- in cash to 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 personation ;

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

(c) enter his name and address in the list of challenged votes in Form 19 ; and

(d) require him to place his signature in the said list.

(3) The Presiding Officer shall thereafter hold a summary enquiry 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 on oath ; and

(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 the challenge has been established, he shall debar the person challenged from voting.

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

58. Tendered votes.—(1) If a person representing himself to be a particular voter applies for a ballot paper after another person has already voted as such voter, he shall on satisfactorily answering such questions relating to his identity as the Presiding Officer may ask, be entitled, subject to the following provisions of this rule to make a ballot paper (hereinafter in these rules referred to as “a tendered ballot paper”) in the same manner as any other voter ;

(3) Every such person shall, before being supplied with a tendered ballot paper, shall sign his name against the entry relating to him in a list in Form 20 ;

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

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

(b) such tendered ballot paper and its counterfoil shall be endorsed on the back with the words “tendered ballot paper” by the Presiding Officer in his own hand and be signed by him ;

(5) The voter after marking the 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 specifically kept for the purpose.

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

(2) If any voter after obtaining the 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 the ballot papers cancelled under sub-rules (1) and (2) above shall be kept in a separate packet.

60. Voting by officers on election duty.—(1) A Presiding Officer, polling officer or any other person who is on duty at a polling station at which he is not entitled to vote may make an application to the Returning Officer in Form 21 to allow him to vote at the polling station at which he is on duty. If on such application the Returning Officer certifies, in Form 22, that the applicant is entitled to vote at the election for the ward in connection with which he is employed or for any other ward, he be allowed to record his vote at that polling station. The name of the polling station at which he would otherwise have been entitled to vote shall be entered in the counterfoil of the ballot paper together with his number in the electoral roll for that ward in which that polling station is situated.

(2) Such ballot paper shall be placed in an envelop and sealed by the Presiding Officer and returned with the certificate referred to in sub-rule (1) to the Returning Officer who shall cause such ballot paper to be included among the valid ballot papers of the appropriate ward.

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

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

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

62. Sealing of polling materials and other papers.—The Presiding Officer of each polling station, as soon as practicable after the close of the poll, shall in the present make up into separate packets and seal with his seal and the seal of such candidates or agents as may be decided to affix their seals :—

- (a) the unused ballot papers,
- (b) the tendered ballot papers,
- (c) the spoilt and returned ballot papers,
- (d) the marked copy of the list of voters,
- (e) the counterfoils of the ballot papers,
- (f) the tendered votes,
- (g) the list of challenged votes,
- (h) the votes by officers on election duty.

The Presiding Officer shall after sealing all the packets endorse on each packet a description of its contents.

63. Accounts of ballot papers.—(i)(a) The Presiding Officer shall, at the close of the poll, prepare the ballot paper account in Form 23 showing the number of ballot papers given to him, and accounting for them under the heads of ballot papers.

- (i) in the ballot box,
- (ii) unused,
- (iii) spoilt and returned, and
- (iv) tendered.

(b) The Presiding Officer shall place the ballot paper account in a separate envelope and endorse on it the words "ballot paper account".

(2) Where any ballot papers are given to him for use by election duty staff at his polling station who are voters of a different ward, the Presiding Officer shall, at the close of the poll, also prepare a ballot paper account in Form 24 showing the number of ballot papers given to him for use by election duty staff, and accounting for them under the heads of ballot papers given, ballot papers returned. The Presiding Officer shall place this ballot paper account in a separate envelope and endorse on it the words "ballot paper account for staff on election duty". He shall transmit this envelope to the Returning Officer of the ward to which the ballot paper relates.

Provided that he shall prepare separate accounts for ballot papers for separate wards.

64 Transmission of ballot boxes etc. to the Returning Officer.—(1) The Presiding Officer shall then deliver or cause to be delivered to the Returning Officer at such place as the Returning Officer may direct:—

- (i) the ballot boxes,
- (ii) the ballot paper account,
- (iii) the sealed packets under rule 62,
- (iv) all other papers used at the poll.

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

65. Removal from polling station for misconduct.—If any person misconducts himself at a polling station, or fails to obey the lawful orders of the Presiding Officer or Polling Officer performing the duties of the Presiding Officer, he may immediately, by order of the Presiding Officer or such Polling officer, be removed from the polling station by any police officer or by any other person authorized in writing by the Presiding Officer or such polling officer to remove him, and the person so removed shall not, except with the permission of the Presiding Officer or such Polling Officer, be allowed again to enter the polling station during the day.

Provided that this power shall not be exercised so as to prevent any voter who is otherwise entitled to vote at any polling station from having an opportunity of voting at such polling station.

66. Postponement of poll in emergencies.—The Election Commission may, for sufficient cause to be recorded in writing, postpone the date or extend the period fixed for polling in case of emergencies such as disturbance of the public peace, natural calamity etc. Where a poll is so postponed, the Election Commission shall endeavor to conduct the poll as soon as practicable.

67. Adjournment of poll.—(1) If at any election it is not possible to take the poll at any polling station, or the proceedings at any polling station are interrupted or obstructed by riot, violence, disturbance of the public peace, natural calamity, or any other sufficient cause, the Presiding Officer for such polling station shall forthwith inform the Returning Officer concerned.

(2) On receipt of a report from the Presiding Officer under sub-rule (1) the Returning Officer immediately proceed to the polling station and on being satisfied that the poll could not be continued, shall announce adjournment of the poll to a date to be notified later and shall report the circumstances to the Election Commission.

(3) The Returning Officer shall, as soon as may be, with the previous approval of the Election Commission, announce the date on which, the hours during which and polling stations at which the poll shall recommence and shall not count the votes cast at any such election until such adjourned poll shall have been completed.

68. Procedure on adjournment of poll.—(1) If the poll at any polling station is adjourned under rule 67, the provisions of rules 61 to 64 shall, under rule 67, the provisions of rules 61 to 64 shall, as far as practicable, apply as if the poll was closed at the hour fixed in that behalf under rule 42;

(2) When an adjourned poll is recommenced under sub-rule (3) of rule 67, the voters who have already voted at the poll so adjourned shall not be allowed to vote again.

(3) The Returning Officer shall provide the Presiding Officer of the polling station at which such adjourned poll is held, with the sealed packet containing the marked copy of the electoral roll and new ballot boxes.

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

(5) The provisions of rules 42 to 65 shall apply *mutatis mutandis* in relation to the conduct of an adjourned poll as they apply in relation to the poll before it was so adjourned,

69. Fresh poll in case of obstruction or damage of ballot boxes.—(1) Returning Officer shall forthwith report the matter to the Election Commission, 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 lost, or damaged, or tampered with to such an extent that the result of the poll at the polling station cannot be ascertained, or

(b) any such error or irregularity in procedure is likely to vitiate the poll is committed at polling station.

(2) Thereupon, the Election Commission shall, after taking all material circumstances into account,

(a) either declare the poll at that polling station to be void, appoint the day and fix the hour for taking a fresh poll at that polling station and notify the day so appointed and the hour so fixed in such as it may deem fit, or

(b) if satisfied that the result of a fresh poll at that polling station will not in any way affect the result of the election, or that the error or irregularity in procedure is immaterial, issue such directions to the Returning Officer as it may deem appropriate for the further conduct and completion of the election.

(3) Where a report has been sent to the State Election Commission under sub-rule (1), the Returning Officer shall not commence counting of votes till he gets a clearance to do so from the State Election Commission.

(4) The provisions of rules 42 to 65 shall apply *mutatis mutandis* in relation to the conduct of a re-poll as they apply in relation to the originally scheduled poll.

70. Countermanding of poll on the death of candidate before poll.—

If a candidate, set up by a recognized political party :—

(a) dies at any time after 11 a m. on the last date for making nominations and his nomination is found valid on scrutiny under rule 32; or

(b) whose nomination has been found valid on scrutiny under rule 32 and who has not withdrawn his candidature under rule 35 dies, and in either case, a report of his death is received at any time before the publication of the list of contesting candidates under rule 38; or

(c) dies as a contesting candidate and a report of his death is received before the commencement of the poll;

the Election Commission shall, upon being satisfied about the fact of the death of the candidate, by order, countermand the poll in the ward and shall commence all proceedings with reference to the election anew in all respects as if for a new election;

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

Provided further that no further nomination shall be necessary in the case of a 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 35 before the countermanding of the poll shall be ineligible for being nominated as a candidate for the election after such countermanding.

Explanation (1).—For the purposes of this rule “recognized political party” means a political party recognized by the Election Commission under the Election Symbols (Reservation and Allotment) Order, 1968 for the State of Manipur.

Explanation (2).—Election Commission referred to in Explanation (1) above is the Election Commission of India constituted under Article 324 of the Constitution of India.

CHAPTER—VI
SCRUTINY AND COUNTING OF VOTES AND DECLARATION
OF RESULTS

71. Appointment of date, time and place of counting of votes.—(1) The Returning Officer shall, at least one week before the date, or the first of the dates fixed for the poll, appoint the place or places where the counting of votes will be done, and the date and time at which the counting will commence and shall give notice of the same in writing to each candidate or his election agent:

Provided that if for any reason that the Returning Officer thinks it necessary so to do, he may alter the date, time and place or places so fixed or any of them after giving notice of the same in writing to each candidate.

72. Counting agents.—(1) A candidate, or his election agent may, subject to such general or special direction as the State Election Commission may issue in this behalf from time to time, appoint counting agents to remain present on his behalf at the time of counting of ballot papers.

(2) The number of counting agents that a candidate may appoint under the above sub-rule shall not exceed the number of counting tables provided by the Returning Officer at the place of counting.

(3) Every appointment of a counting agent shall be made in Form 25 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 71.

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

(5) The revocation of appointment of a counting agent made under sub-rule (1) shall be made in Form 26 and lodged with the Returning Officer.

(6) In the event of any such revocation before the commencement of the counting of votes, the candidate or his election agent may make a fresh appointment in accordance with sub-rule (2).

73. Appointment of Counting Supervisors and Counting Assistants.—(1) The Returning Officer may, with the previous approval of the district municipal election officer, appoint as many counting supervisors and counting assistants as may be needed by him to assist him in the counting.

(2) No person who has been employed by or on behalf of or has been otherwise working for, a candidate in or about the election shall be appointed under sub-rule (1).

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

(a) counting supervisors and counting assistants,

(b) persons authorised by the State Election Commission,

(c) public servants on duty in connection with the election.

(d) candidates, their election agents and not more than one counting agent per counting table.

(2) The Returning Officer shall decide which counting agent or agents shall watch the counting at any particular counting table or group of counting tables.

(3) Any person who, during the counting of votes misconducts himself or fails to obey the lawful directions of the Returning Officer may be removed from the place where the votes are being counted by the Returning Officer or any person authorized in this behalf by the Returning Officer or by any police officer.

75. Maintenance of secrecy of voting.—(1) Every officer, clerk, agent or other person who performs any duty in connection with the recording or counting of votes of an election shall maintain and aid in maintaining the secrecy of voting and shall not (except for a purpose authorized by or under any law) communicate to any person any information calculated to violate such secrecy.

(2) Any person who contravenes the provisions of sub-rule (1) above, shall on conviction be punished in accordance with the provisions of the law.

76. Scrutiny and opening of ballot boxes.—(1) The Returning Officer may have the ballot box or boxes used at more than one polling station opened and the ballot papers found in such boxes counted simultaneously.

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

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

(4) If the Returning Officer is satisfied that any ballot box has in fact been tampered with, he shall not count the ballot papers contained in that box and shall follow the procedure laid down in rule 69.

77. Counting and scrutiny of votes:—(1) The ballot box or boxes relating to each polling station or the envelopes containing the ballot papers, as the case may be, shall be opened one after another and the ballot papers therein taken out and counted and the number thereof recorded in a statement.

(2) The Returning Officer shall not open the sealed packets of the tendered votes, the marked copy of the electoral roll, or the counterfoils of the ballot papers. The Returning Officer shall verify the statement submitted by the Presiding Officer under rule 63 in Form 23, and Form 24, if any, by comparing it to the number of counted ballot papers, spoilt and returned ballot papers, ballot papers dealt with under rule 60, the unused ballot papers in his possession and the tendered votes list. He shall then re-close and re-seal each packet which has been opened by him and shall record on each packet the description of its contents and the date of election to which they relate.

(3) The Returning Officer shall then mix together all the ballot papers so taken out and distribute them in convenient bundles to the counting supervisors and counting assistants for counting.

Provided that no envelope containing the tendered ballot papers shall be opened and no such votes shall be counted;

(4) After the ballot papers have been so distributed, they shall be scrutinized and counted. The candidates or his counting agent may be given a reasonable opportunity to inspect the ballot papers without actually handling them.

78. Rejection of ballot papers.—(1) The Returning Officer shall reject the ballot paper if—

- (i) it bears any mark or writing by which the voter can be identified ;
- (ii) it is void for uncertainty;
- (iii) no vote is recorded thereon;
- (iv) the number of votes recorded thereon exceeds the number of seats to be filled;
- (v) it bears the mark elsewhere than the space provided;
- (vi) it bears a mark made otherwise than with the instrument supplied for the purpose;
- (vii) the mark indicating the vote thereon is placed in such a manner as to make it doubtful to which candidate the vote has been given;
- (viii) it is a spurious ballot paper;
- (ix) it is so damaged or mutilated that its identity as genuine ballot paper cannot be established;
- (x) it bears a serial number or is of the design different from the serial number or as the case may be, design of the ballot paper authorized for use at a particular polling station;
- (xi) it does not bear both the mark and the signature which it should have borne under the provisions of rule 49.

Provided that if the Returning Officer is satisfied that any such defect as is mentioned in (x) and (xi) has been caused by any mistake or failure on the part of the Presiding Officer or Polling Officer the ballot paper shall not be rejected merely on the ground of such defect.

Provided further that the 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 ballot paper is marked.

(2) Before rejecting any ballot paper under sub-rule (1) the Returning Officer shall allow each counting agent present a reasonable opportunity to inspect the ballot paper but shall not allow him to handle any ballot paper.

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

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

(5) The decision of the Returning Officer as to the rejection of ballot paper or otherwise shall be final.

(6) Every ballot paper which is not rejected under this rule shall be counted as valid vote.

79. Counting to be continuous.—The Returning Officer shall as far as practicable proceed continuously with the counting and shall, during any interval when the counting has to be suspended, keep the ballot paper packets and all other papers relating to election sealed with his own seal and the seal of such candidate or election agent as may desire to affix their seal and take sufficient precaution for their safe custody during such interval.

80. Preparation of result sheet :—After the completion of the counting, the Returning Officer shall prepare in Form 27 the result sheet containing—

- (i) the names of candidates for whom valid votes have been given ;
- (ii) number of valid votes given for each candidate ;
- (iii) number of votes declared invalid ;
- (iv) number of tendered votes given.

81. Announcement of result and recounting of votes:—(1) After the preparation of the result sheet as per rule 80 the Returning Officer shall announce the total number of votes polled by each candidate:

(2) After such announcement has been made the candidate or his counting agents 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 recounting:

(3) On such application being made the Returning Officer shall decide the matter and may allow the application in whole or in part or may reject it in toto if it appears to him to be frivolous and unreasonable:

(4) Every decision of the Returning Officer under sub-rule (3) shall be in writing and containing the reasons therefor;

(5) If the Returning Officer decides under sub-rule (3) to allow the recounting of votes either wholly or in part he shall do recounting according to rule 73 and amend the result sheet to the extent necessary after such recounting and 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 under sub-rule (5) in case a recount has been ordered under sub-rule (3) Returning Officer shall complete and sign the result sheet and no application for recounting shall be entertained thereafter;

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

82. Declaration of results :—(1) When the counting of votes has been completed, the Returning Officer shall proceed to declare the result of the election in the following manner :—

(2) He shall first decide the result of the seat reserved for women by declaring elected to that seat the woman who has secured the greatest number of valid votes amongst women eligible to be elected to that seat.

(3) He shall then decide the result of the seat reserved, if any, for Scheduled Castes or Scheduled Tribes in that order by declaring elected to that seat the reserved for woman, who has secured the highest number of valid votes amongst persons eligible to be elected to that reserved seat.

(4) He shall then decide the result of the unreserved seat or seats as the case may be, by declaring elected the person or, where there are more than one such seat, the persons not exceeding the number of such seats, other than the persons who have already been declared elected to the reserved seats, who has or have secured the highest number of valid votes.

(e) "pleader" means any person, entitled to appear and plead for another in a civil court and includes an advocate, a vakil and attorney of a High Court.

94. Election Petition:—(1) The election of a councillor shall not be called in question except by a petition to be filed before the Tribunal within thirty days from the date of publication of the result of the election under these rules.

(2) The election petition:—

(a) shall contain a concise statement of the material facts on which the petitioner relies;

(b) shall with sufficient particulars, set forth the ground/grounds on which the election is called in question, and

(c) shall be signed by the petitioner and verified in the manner laid down in the Code of Civil Procedure, 1908 (5 of 1908), for the verification of pleadings.

(3) Any schedule or annexure to the petition shall also be signed by the petitioner and verified in the same manner as the petition.

Provided that the petitioner alleges any corrupt practice in the election petition, he shall in addition to complying with the provisions of Section 215 of the Act set forth full particulars of that corrupt practice and such statements shall be accompanied by an affidavit in support of such statements.

95. Petition to be dismissed :—If the provisions of Section 215 of the Act and rule 94 are not complied with, the Tribunal shall dismiss the petition;

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

96. Procedure before the Tribunal:—(1) As soon as the Tribunal receives the petition, it shall serve on each respondent a notice in such form as it thinks fit directing the respondent to appear before the Tribunal and answer the claim made in the petition on a day to be specified therein.

(2) Any candidate not already a respondent shall, upon an application made by him to the Tribunal within fourteen days from the date fixed for the respondents to appear and subject to the provision of rule 103 be entitled to be jointed as respondent.

97. Appearance before the Tribunal:—Any appearance application before the Tribunal may be made or done by the party in person or by a pleader duly appointed to act on his behalf.

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

98. Power of the Tribunal:—The Tribunal shall have the powers which are vested in a Civil Court while trying a suit in respect of the following matters :—

(a) discovery and inspection;

(b) enforcing the attendance of witness and requiring the deposit of their expenses;

(c) compelling the production of documents;

(d) examining witnesses on oath;

- (e) granting adjournments;
- (f) reception of evidence taken on affidavit; and
- (g) issuing commissions for the examination of witness.

99. **Documentary evidence.**—Notwithstanding anything contained in any other law to the contrary, no document shall be inadmissible in evidence at the trial of an election petition on the ground that it is not duly stamped or registered.

100. **Secrecy of voting not be infringed.**—No witness or other persons shall be required to state for whom he has voted in an election.

101. **Order as to costs.**—The Tribunal may, while making an order also fix thereby total amount of costs payable:

Provided that where a petition is dismissed, the returned candidate shall be entitled to the costs incurred by him in contesting the petition and accordingly the Tribunal shall make an order of costs in favour of the returned candidate.

102. **Communication of order to the Election Commission and transmission of the records of the case.**—The Tribunal shall, after announcing the order made by it, send a copy of the order and the records of the case to the Election Commission.

103. **Deposit of security.**—(1) The petitioner shall enclose with the petition receipt showing that a deposit of five hundred rupees has been made by him with the Election Commission or any officer designated by it for the purpose as security for the costs of the petition.

(2) No person shall be entitled to be jointed as a respondent unless he has given such security for costs as the Tribunal may direct.

104. **Costs.**—Costs, including pleader's fee, shall be in the discretion of the Tribunal and shall be paid out of the security deposit provided for in rule 103.

105. **Payment of costs out of security deposit and return of such deposit:**—

(1) If there is any order as to costs under the provisions of this chapter and there is a direction for payment of costs by any party to any person, such costs shall, if they have not been already paid, be paid in full, or so far as possible, out of security deposit made by such party under this chapter on an application made in writing in that behalf within a period of six months from the date of the order of the Tribunal to the Election Commission by the person in whose favour the costs have been awarded.

(2) If there is any balance left out of the said security deposit after payment under sub-rule (1) of the costs referred to in that sub-rule, such balance or where no costs have been made within the said period of six months, the whole of the said security deposit may, on an application made in that behalf in writing to the Election Commission by the person by whom the deposit has been made, or if such person dies after making such deposit, by the legal representative of such person, be returned to the said person or to his legal representative, as the case may be.

106. **Corrupt practice.**—In addition to the corrupt practices specified in Section 215 of Act the following shall be deemed to be corrupt practice—

The obtaining or procuring or abetting or attempting to obtain or to procure by a candidate or his agent or by any other person, with the consent of a candidate any assistance (other than the giving of vote) for the furtherance of the prospects of that candidate's election from any person—

(a) in the service of the Municipality; or
 (b) in the service of the Government and belonging to any of the following classes; namely:—

- (i) gazetted officers;
- (ii) stipendiary judges and magistrates;
- (iii) members of the Armed Forces of the Union;
- (iv) members of police force;
- (v) excise officers;
- (vi) revenue officers;
- (vii) Such other class of persons in the service of the Government as may be notified by the State Government.

Explanation:—For the purposes of this rule, a person shall be deemed to assist in the furtherance of the prospects of a candidate's election if he acts as a polling agent or a counting agent of that candidate.

CHAPTER—IX RESERVATION FOR SCHEDULED TRIBES, SCHEDULED CASTES AND WOMEN

107. Reservation of seats for Scheduled Tribes and Scheduled Castes in a Municipal Council or Nagar Panchayat :—(1) Out of the total number of seats to be filled by direct election in a Municipality the State Government shall, by notification under Section 17(1) of the Act, in the *official gazette*, reserve such number of seats for Scheduled Tribes and Scheduled Castes 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 Tribe or of the Scheduled Caste bears to the total population of that Municipality.

(2) When the number of seats to be reserved for Scheduled Tribes or Scheduled Castes worked out under sub-rule (1) in a Municipality 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 Municipality.

(3) The reservation of seats for Scheduled Tribes or Scheduled Castes in a Municipality shall be rotated among the Wards where the proportion of the Scheduled Tribes or Scheduled Castes population in the ward to the total population of the ward is not less than the proportion of Scheduled Tribes or Scheduled Castes to the total population of the Municipality.

(4) When the number of seats to be reserved for Scheduled Tribes or Scheduled Castes in a Municipality is less than the number of seats among which the reservation for Scheduled Tribes or Scheduled Castes is to rotate, the seats to be reserved at the first duration of a Municipality after the commencement of the Act shall be chosen by draw of lots from the seats among which the reservation is to rotate by the State Government.

Provided that the representatives of recognized political parties in the State of Manipur shall be invited to such draw of lots.

(5) When the number of seats to be reserved for Scheduled Tribes or Scheduled Castes is equal to the number of seats among 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 duration of Municipality after the commencement of the Act shall be by draw of lots from the seats among which the reservation is to rotate excluding the seats reserved earlier under sub-rule (4).

Provided that the number of seats available for draw of lots 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 duration, all such seats shall be reserved for Scheduled Tribes or Scheduled Castes as the case may be during that duration of the Municipality:

Provided further that the number of seats among 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 balance seat to be reserved for Scheduled Tribes or Scheduled Castes shall be chosen by draw of lots from the seats previously reserved for Scheduled Tribes or Scheduled Castes.

(7) The reservation of seat for Scheduled Tribes or Scheduled Castes in the third duration of Municipality shall be by draw of lots from the seats among 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 duration of Municipality.

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

(8) After all the seats among which the reservation for Scheduled Tribes or Scheduled Castes is to rotate has been reserved in the consecutive durations of the Municipality the reservation for Scheduled Tribes or Scheduled Castes in the next duration shall be the repeat of the cycle of reservation as provided in sub-rules above.

108. Reservation for women belonging to Scheduled Tribes or Scheduled Castes:—Not less than one third of the seats reserved for Scheduled Tribes or Scheduled Castes in a Municipality under Rule 110 shall be reserved for women belonging to Scheduled Tribes or as the case may be, the Scheduled Castes where the number of seats reserved for Scheduled Tribes or 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 where the number of seats reserved for Scheduled Tribes or Scheduled Castes in a municipality is not divisible by three, than 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 reservation of seats for women belonging to Scheduled Tribes or Scheduled Castes among the seats reserved for Scheduled Government by draw of lots and such reservation shall be notified in official gazette.

109. Reservation for 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 the Municipality shall be reserved for women. Where the number of such seats is not divisible by three, the same will be increased by such numbers to make it divisible by three and one third of such increased number of seats shall be reserved for women in three consecutive durations of the Municipality.

(2) The reservation of seats for women shall be rotated among the wards in a municipality over three durations of the municipality. For the first duration of the municipality the State Government shall choose by draw of lots from all seats excluding seats reserved for Scheduled Tribes and Scheduled Castes for reservation of seats for women. For the second duration of the municipality, the State Government shall choose by draw of lots from all seats excluding previously reserved seats for women or reserved seats for Scheduled Tribes & Scheduled Castes for reservation of women. For the third duration the reservation for women will be from among the seats which had not been previously reserved for women. The same cycle of reservation for women shall repeat from the fourth duration onwards.

Provided that the shortfall, if any, in the seats to be reserved for women in the third duration of the Municipality 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 duration of the Municipality excluding the seats reserved for Scheduled Tribes or Scheduled Castes.

110. Reservation of the office of Chairperson of the Municipality.—The office of the Chairperson of the municipality shall be reserved for women or Scheduled Tribes or Scheduled Castes once in three consecutive durations of the Municipality and the reserved duration shall be chosen by the States Government by draws of lots from the said three durations.

Provided that the reservation in the office of the chairperson of Municipality for women or Scheduled Tribes or Scheduled Castes shall be decided by draw of lots by the concerned Deputy Commissioner from among the seats reserved for women, Scheduled Tribes and Scheduled Castes after the results of general elections are declared.

CHAPTER—X

ELECTION OF CHAIRPERSON AND VICE-CHAIRPERSON OF MUNICIPAL COUNCIL AND NAGAR PANCHAYAT

111. Election of the Chairperson of Municipal Council or Nagar Panchayat.—(1) The Sub-Divisional Officer of the sub-district in which the Municipal council or Nagar Panchayat is situated shall convene the first meeting of the elected councillors of the Municipal Council or Nagar Panchayat, as the case may be, by issue of a notice in Form 29 to them fixing the time, date and place of the meeting for election of the Chairperson of the Municipal Council or Nagar Panchayat. He will call upon the councillors to nominate candidates for the election to the office of the Chairperson.

Explanation.—Sub-Divisional Officer means the Revenue Officer of the Sub-Division wherein the Municipality is situated having powers and duties under the Manipur Land Revenue and Land Reforms Act, 1960.

(2) A candidate for the office of the Chairperson shall be proposed by at least one of the elected councillors and seconded by another elected councillor of the Municipal Council or Nagar Panchayat as the case may be. All nomination papers duly filled in shall be delivered to the Sub-Divisional Officer before 3 p.m. of the day before the day fixed for meeting to elect the Chairperson of the Municipal Council or Nagar Panchayat. The nomination paper shall be in Form 30.

(3) Immediately after 3 p.m. of the day before the day fixed for meeting to elect the Chairperson, the Sub-Divisional Officer shall scrutinise the nomination papers and prepare a list of validly nominated candidates.

(4) The candidate for the office of the Chairperson may withdraw his candidature till 10 a.m. of the day fixed for meeting to elect the Chairperson by delivering a letter in writing to the Sub-Divisional Officer. Immediately after 10 a.m. the Sub-Divisional Officer shall prepare a list of contesting candidates for the office of the Chairperson. If there is only one contesting candidate he shall forthwith declare him elected as the Chairperson of the Municipal Council or Nagar Panchayat as the case may be. If there are more than one candidate he shall take election by secret voting of the councillors. The time of voting shall be notified to the elected councillors in the notice referred to at sub-rule (1). The counting of votes shall be taken up by the Sub-Divisional Officer immediately after the closing of voting hour. He shall declare the result forthwith electing the candidate who secure the maximum votes.

Provided that the meeting for election of the Chairperson of the Municipal Council or Nagar Panchayat shall be presided over by a person to be appointed by the State Government under Section 10 (3) or 24 (3) of the Act.

Provided further that the election to the office of the Chairperson of Municipal Council or Nagar Panchayat shall be subject to the provisions of reservation for women, Scheduled Tribes and Scheduled Castes given in Rule 110.

112. Election of the Vice-Chairperson of the Municipal Council or Nagar Panchayat.—The councillors shall either at the meeting referred to in sub-rule (1) of Rule 111 or at any subsequent meeting elect one among themselves other than the Chairperson to be the Vice-Chairperson of the Municipal Council or Nagar Panchayat, as the case may be. Such election shall be by secret voting. However the nomination of the candidate for the office of the Vice-Chairperson shall be made at the meeting itself if the councillors by resolution decide to elect the Vice-Chairperson along with the Chairperson. If the councillors decide to elect the Vice-Chairperson at a later meeting other than the meeting referred to at sub-rule (1) of Rule 111, the nomination and voting for election of the Vice-Chairperson shall be done at the said meeting.

Provided that the election to the office of the Vice-Chairperson shall also be conducted by the Sub-Divisional Officer.

CHAPTER—XI MISCELLANEOUS

113. Extension of time for completion of election.—It shall be competent for the Election Commission for reasons which it considers sufficient to extend the time for the completion of any election by making necessary amendments in the notification issued by it in this regard.

114. Staff of Government and every local and statutory authority to be made available for election work.—Every officer of the State Government, and every local and statutory authority in the State of Manipur shall, when so requested by the Election Commission shall make available to it such staff as may be necessary for the performance of any duties in connection with an election.

115. Requisitioning of premises, vehicles etc., for election purposes.— (1) If it appears to the Returning Officer that in connection with an election under these rules:—(a) any premises are needed or are likely to be needed for the purpose of being used as a polling station or any other purpose in connection with the election; or

(b) any vehicle, vessel or animal is needed or is likely to be needed for the purpose of transport of ballot boxes, ballot papers and other election materials to or from any polling station or transport or any officer or other person performing any duty in connection with such election or transport of members of the police force for maintaining order during the conduct of such election.

the Returning Officer may by order in writing addressed to the person who in his opinion is the owner or is in possession of the property requisition such premises or such vehicles, vessels or animals, as the case may be, and may make such further orders as may appear to him to be necessary or expedient in connection with the requisition :

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 under this rule.

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

(3) Where any premises have been requisitioned under sub-rule (1) the owner of the person in possession of the premises shall deliver possession thereof to the Returning Officer or to any person authorised by him in this behalf at the time specified for the purpose in the order of requisitioning and if any person refuses or fails to deliver possession the Returning Officer may take possession of premises and may for that purpose use such force as may be necessary.

(4) Whenever any premises or any vehicle, vessel or animal are requisitioned under this rule, there shall be paid to the person in actual possession of the premises immediately after completion of the election or where no person was in actual possession to the owner of the premises or as the case may be, to the owner of the vehicle, vessel or animal, such compensation as the Returning Officer deems reasonable.

Provided that where any person does not accept the amount of compensation as reasonable, the Returning Officer shall refer the matter to an arbitrator for his decision and decision of the arbitrator shall be final.

(5) Any premises requisitioned under this rule shall be released from requisition immediately on the expiry of the period for which it was requisitioned and the possession thereof shall be delivered to the person from whom the possession was taken, or if there were no such person, to the person who in the opinion of the Returning Officer is owner and such delivery of the possession shall be full discharge of the Returning Officer from all liabilities in respect of such delivery.

Provided that where the person to whom the possession of any premises is to be given under this rule cannot be found or has no agent or any other person to accept delivery on his behalf the Returning Officer shall cause a notice declaring that such premises are released from requisition to be affixed on some conspicuous part of the premises and thereupon the premises shall cease to be subject to requisition and be deemed to have been delivered to the person entitled to possession thereof.

(6) The State Government may by order in writing direct that any powers conferred or any duty imposed on the Returning Officer by this rule shall under such conditions, if any as may be specified in the direction be exercised or discharged by such officer or class of officers as may be so specified.

116. **Delimitation of Wards:—**(1) Any change in the boundary of the Wards in a Municipality shall be proposed to the State Government by the Deputy Commissioner of the District concerned after consultation with that Municipality to concerned.

(2) On receipt of the proposal for change of the boundaries of the wards in a Municipality from the Deputy Commissioner under sub-rule (1), the State Government shall publish in Official Gazette the proposed changes in the boundaries of the wards of the Municipality. Any objection to the proposed changes of boundaries shall be made only by the voters of the wards which are affected by the proposed changes and such objection shall be made in writing to the Secretary, MAHUD, Government of Manipur.

(3) After consideration of objection, if any, received within the time stipulated in the notification under sub-rule (2) the State Government shall notify the boundaries of the wards in a Municipality. The boundaries of the wards so notified shall be final until revised by the State Government under the provisions of the Act and these rules.

117. **Repeal of corresponding rules.—**The Election of Commissioners of Municipal Boards Rules are hereby repealed.

Provided that the Manipur Election of Commissioners of Municipal Boards shall continue to govern the election to Moreh Small Town Committee.

FORM 1
ELECTORAL ROLL
[See Rule 9 (3)]

Electoral roll— — — — —
 Name of District— — — — —
 Name of Sub Division— — — — —
 Name of the Municipal Council/Nagar Panchayat— — — — —
 Name and No. of the Municipal Ward— — — — —
 Name of Leikai/locality— — — — —

Sl. No.	House No.	Name of voter	Father/Mother Husband	Male/Female	Age
1	2	3	4	5	6

Electoral Registration Officer

FORM 2
(See Rule 13)

CLAIM/APPLICATION FOR INCLUSION OF NAME

To
The Electoral Registration Officer,
— — — — —

Sir,
I request that my name be included in the list of voters for Ward No — —
— — of the Municipal Council/Nagar Panchayat of — — — — —

1. My name in full is — — — — —
2. My Father's/Mother's/Husband's name is — — — — —
3. My place of residence is — — — — —
4. Serial No. of part of electoral roll — — — — —
5. Particulars of residence with reference to which entry in electoral roll is claimed,
 Town — — — — —
 Street/Leikai — — — — —
 House No. — — — — —
 Post office — — — — —
 Police station — — — — —
 District — — — — —

6. I hereby declare that to the best of my knowledge and belief
 - (i) I am a citizen of India.
 - (ii) My age on the 1st day of January last was — — — — —
years and — — — — — months.
 - (iii) I am ordinarily resident at the address mentioned in item 5
above on the 1st day of January, 19 — — —
 - (iv) I have not applied for inclusion of my name in any other electoral
rolls of the Municipality.
 - (v) My name has not been included in any other electoral roll of
the Municipality.

I request that my name be registered in the electoral roll for the Ward
No — — — mentioned above.

Signature of thumb impression
of claimant/applicant.

Postal address — — — — —

Date — — — — —

AUTHORITY

I hereby authorise — — — — —
son/daughter of — — — — — to present, this claim on my behalf.

Signature or thumb impression
of claimant/applicant.

Date — — — — —

Signature or thumb impression of agent
Postal address — — — — —

Electoral Registration Officer

FORM NO. 3
CLAIM FOR EXCLUSION OF NAME
(See Rule 13)

To
The Electoral Registration Officer,

Sir,
I request that my name be excluded from the list of voters for war
No. ----- of the Municipal Council/Naga
Panchayat of -----

1. My name in full is -----
2. My father's/Mother's/Husband's name is -----
3. My place of residence is -----
4. Serial No. of part of electoral roll -----
5. Particulars of residence with reference to which entry in electoral roll
in claimed.
Town -----
Street/Leikai -----
House No. -----
Post office -----
Police station -----
District -----

6. I hereby declare that to the best of my knowledge and belief
- (i) I am a citizen of India.
 - (ii) My age on the 1st day of January last was -----
years and ----- months.
 - (iii) I am ordinarily resident at the address mentioned in item 5 above
on the 1st day of January, 19 -----
 - (iv) I have not applied for inclusion of my name in any other
electoral rolls of the Municipality.
 - (v) My name has not been included in any other electoral roll of
the Municipality.

My name has been included at Sl. No. ----- of Part -----
of the electoral roll of Ward No. ----- of the Municipality of
----- and I request that the same may be
excluded from that list.

Date -----
Signature or thumb impression
of claimant/applicant.
Postal address -----

AUTHORITY

I hereby authorise -----
son/daughter of -----
claim on my behalf. ----- to present, this

Date -----
Signature or thumb impression
of claimant/applicant.
Signature or thumb impression
of agent.
Postal address of agent -----

FORM 4
NOTICE FOR HEARING OF CLAIMS AND OBJCETIONS

[Rule 17 (1)]

(To be filled in by the claimant)

To

Name of the claimant — — — — —
Son/Wife/Daughter of — — — — —
Full address of the claimant — — — — —

(To be filled in by the office of the Electoral Registration Officer)

Reference

Claim No. — — — — — of — — — — —
Son/wife/daughter of — — — — —
resident of — — — — —
for inclusion of his/her name in the electoral for — — — — —
ward. Take notice that the claim will be heard at — — — — —
(place) at — — — — — O'clock on the — — — — — day of — — — — —
19 — — — — — you are directed to be present at the hearing with such evidence
as you may like to adduce.
Place — — — — —
Date — — — — —

Electoral Registration Officer

FORM 5

[Rule 17 (2) (a)]

OBJECTION TO INCLUSION OF NAME OR ANY OTHER PARTICULAR

1. Name of ward — — — — —
2. Serial No. of part of electoral roll — — — — —
3. Particulars of entry objected to — — — — —
 - (i) Serial No. of entry — — — — —
 - Name of the person in the entry objected to — — — — —
 - Father's/Mother's/Husband's name — — — — —
 - Age — — — — —
 - Address — — — — —
4. Particulars of objector :—
 - (i) Serial No. of entry — — — — —
 - Name of the person in the entry objected to — — — — —
 - Father's/Mother's/Husband's name — — — — —
 - Age — — — — —
 - Address — — — — —
5. I object to the entry the particulars of which are mentioned at Item 3 above on the following ground :—
 - (a) — — — — —
 - (b) — — — — —
 - (c) — — — — —

DECLARATION

I hereby declare that the particulars mentioned above are true to the best of my knowledge and belief.

Date - - - - Signature or thumb impression of objector
Postal address - - - - -

(To be filled in the office of the Electoral Registration Officer)

Objection No. - - - - -
File No. - - - - -
Date of hearing and adjournment, if any - - - - -
Decision of Electoral Registration Officer - - - - -

Signature of the Electoral Registration Officer

Note - Any person who makes a false declaration or gives information which he knows or believes to be false or does not believe to be true is liable to be punished under Section 199 and or Section 182 of the Indian Penal Code.

FORM 6
NOTICE TO OBJECTOR
[See Rule 17(2)(b)]

To
Name of the objector - - - - -
Son/Wife/Daughter of - - - - -
Full address of the objector - - - - -

(To be filled in by the office of the Electoral Registration Officer)

Reference
Objection No. - - - - -
Regarding inclusion of the name and/or other particulars of - - - - -
son/wife/daughter of - - - - -
resident of - - - - -
in the electoral for - - - - - ward. Take notice that the claim will be
heard at - - - - - (place) at - - - - - O'clock on
the - - - - - day of - - - - - 19 - - - - - you are directed
to be present at the hearing with such evidence as you may like to adduce.
Place - - - - -
Date - - - - -

Electoral Registration Officer.

CERTIFICATE OF SERVICE OF NOTICE ON OBJECTOR

(When served on the objector at the time of filing objection)

Received notice of date of hearing. _____

Date— — —

Objector.

(When served by messenger)

(To be filled in by the Serving Officer)

Certified that the notice on the objector has been duly served by me this
 — — — day of — — — on (Name) — — —
 — — — personally/by affixation on residence.

Place — — —

Date— — —

Serving Officer.

N.B.—If this notice is served by post, attach the receipt here.

FORM 7

PUBLIC NOTICE OF ELECTION

[See Rule 29(1)]

Election to the Municipal Council/Nagar Panchayat of — — — — —

Ward number — — — — —

Notice is hereby given that :—

* (1) An election is to be held to fill the following vacancies to the Municipal Council/Nagar Panchayat of — — — — — or

* (1) An election is to be held to fill the following vacancies to the Municipal Council/Nagar Panchayat of — — — — —

Sl. No.	Ward Number	Particulars of the seat
1.		
2.		
3.		
4.		
etc.		

The schedule for the election is as follows :

- (a) Last date for filing nominations — — — — —
- (b) Last date for withdrawal of nominations — — — — —
- (c) Last date for withdrawal of nominations — — — — —
- (d) Date for Poll — — — — —
- (e) Hours of Poll — — — — — a.m. to — — — — — p.m.

By order of the State Election Commission

Date — — — —
 Place — — — —

Secretary, State Election Commission

* Score out the words not applicable.

FORM 8

PUBLIC NOTICE OF ELECTION

(See Rule 30)

Election to the Municipal Council/Nagar Panchayat of _____
Ward Number _____

Notice is hereby given that :—

(1) An election is to be held to fill the following vacancies from the Ward
Number _____

*The seat is reserved for Women/Scheduled Tribes/Scheduled Castes

*The seat is unreserved.

*Score out the words not applicable.

(2) Nomination papers may be delivered by a candidate or his proposer or
secondor to me at my office at the following address _____
_____ between 10.30 a.m. and 3.00 p.m. on any
day (other than a public holiday) not later than the _____

(3) Forms of nomination paper may be obtained at the place and times
aforesaid;

(4) The nomination papers will be taken up for scrutiny at my office
at _____ hours on _____

(5) Notice of withdrawal of candidature may be delivered by a candidate, or
where the candidate is in jail or police custody, by any person authorized by him
in this behalf in person to me at my office during office hours but before 3 p.m.
on _____

(6) In the event of the election being contested, the poll will be taken
on _____ between the hours of _____ and _____

Place _____
Date _____

Returning Officer

FORM 9

[See Rule 31 (I)]

NOMINATION PAPER

Election to the Municipal Council/Nagar Panchayat of _____

Ward Number _____

1. I nominate as a candidate for election to the Municipal Council/Nagar Panchayat of _____ from Ward Number _____ the following person :

Name _____

Father's/Husband's name _____

Sex _____

Postal address _____

His name is entered at Sl. No. _____ in the electoral roll for Ward Number _____

2. My name is _____ and it is entered at Sl. No. _____ in the electoral roll for Ward Number _____

Date _____

(Signature of the proposer)

3. I second the nomination of the above mentioned person as a candidate

4. My name is _____ and it is entered at Sl. No. _____ in the electoral roll for Ward Number _____

Date _____

(Signature of the seconder)

5. I, the above mentioned candidate, assent to the nomination and hereby declare—

(a) that I have completed _____ years of age ;

(b) that I am set up at this election by _____ party ;

(c) that the symbols I have chosen are
(i) _____ and (ii) _____

(d) that my name and my father's/husband's name have been correctly spell out above in English/Manipuri and I request that my name may be entered as such on the ballot paper.

(e) that to the best of my knowledge and belief, I am qualified and not also disqualified for being elected to the Municipal Council/Nagar Pachayat of _____

6. * I further declare that I am a member of the _____ tribe/caste which is a Scheduled Tribe/Scheduled Caste in Manipur state. I am enclosing herewith an authenticated xerox copy of the tribe/caste certificate issued by _____

Date _____

(Signature of the candidate)

* Score out this paragraph, if not applicable.

* Score out the words not applicable.

(To be filled in by the Returning Officer)

1. Serial No. of nomination paper is — — — —
2. This nomination was delivered to me at my office at — — —
(hour) on — — — (date) by the *candidate/proposer/secondor

Date — — — —

Returning Officer.

ACKNOWLEDGEMENT

(To be filled in by the Returning Officer and given to the person presenting the nomination paper)

1. Serial number of the nomination paper — — — —
2. This nomination was delivered to me at my office at — — — —
(hour) on — — — — (date) by the *candidate/proposer/secondor

Date — — — —

Returning Officer

FORM 10
(See Rule 34)

LIST OF VALIDLY NOMINATED CANDIDATES

Election to the Municipal Council/Nagar Panchayat of — — — — —

Ward Number — — — — —

Sl. No.	Name of the candidate	Address	Party affiliation	Category of the candidate.
1	2	3	4	5
1.				
2.				
3.				
4. etc.				

Place — — — — —

Date — — — — —

Returning Officer.

FORM 11

(Rule 35)

NOTICE OF WITHDRAWAL OF CANDIDATURE

Election of the Municipal Council/Nagar Panchayat of — — — — —

Ward Number — — — — —

To — — — — —

The Returning Officer

Ward Number — — — — —

Sir,

I — — — — — a candidate validly nominated at the above election do hereby give notice that I withdraw my candidature.

Place — — — — —

Date — — — — —

Signature of validly nominated candidate

(To be filled in by the Returning Officer)

This notice was delivered to me at my office at — — (hour) on — —

* (1) by the candidate personally, or

* (2) by Shri/Smt — — — — — person duly

authorized by the candidate as the candidate is in jail/police custody proof of which has been given to me.

Date — — — — —

Returning Officer

* Score out the words not applicable.

ACKNOWLEDGEMENT

(To be filled in by the Returning Officer and given to the person presenting the notice of withdrawal)

The notice of withdrawal of candidature by Shri/Smt — — — — —

— — — — — a validly nominated candidate at the election of

Ward Number — — — — — was delivered to me by —

— — — — — at my office at — — — — — (hour) on — — — — —

(date).

* (1) by the candidate personally, or

* (2) by Shri/Smt. — — — — — person duly

authorized by the candidate as the candidate is in jail/police custody proof of which has been given to me.

Date — — — — —

Returning Officer

FORM 12

[See rule 38(1)]

LIST OF CONTESTING CANDIDATES

Election to the Municipal Council/Nagar Panchayat of — — — —
 Ward Number — — — —

Sl. No.	Name of the candidate	Address	Party affiliation	Category of the candidate	Symbol allotted
1	2	3	4	5	6
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8. etc.					

Place — — — —
 Date — — — —

Returning Officer.

FORM 13

APPOINTMENT OF ELECTION AGENT

[See Rule 40(1)]

Election of the Municipal Council/Nagar Panchayat of — — — —
 Ward Number — — — —

To

The Returning Officer
 Ward Number — — — —

Sir,

I, — — — — of — — — —
 a candidate at the above election, do hereby appoint Shri/Smt. — — — —
 — — — — of — — — — as my
 election agent from this date for the above election.

Yours faithfully,

Place — — — —
 Date — — — —

Signature of the candidate.

I accept the above appointment.

Place — — — —
 Date — — — —

Signature of the Election Agent.

Date — — — —
 Place — — — —

Signature and seal of
the Returning Officer.

FORM 14
REVOCATION OF APPOINTMENT OF ELECTION AGENT
(See Rule 40 (2))

Election of the Municipal Council/Nagar Panchayat of _____
Ward Number _____

To
The Returning Officer
Ward Number _____

Sir,

I _____ a candidate at the above election, hereby revoke the appointment of Shri/Smt _____ my Election Agent with immediate effect.

Yours faithfully,

Place _____
Date _____

Signature of the candidate.

FORM 15
APPOINTMENT OF POLLING AGENT
[See Rule 43(3)]

Election of the Municipal Council/Nagar Panchayat of _____
Ward Number _____

I, _____ candidate/the election agent of _____ who is candidate at the above election to hereby appoint Shri/Shrimati _____ (name and address in full) as a polling agent to attend polling station number _____ polling station name _____ on the day of the poll.

Place _____
Date _____

Signature of the candidate/election agent

I agree to act as such Polling Agent.

Place _____
Date _____

Signature of Polling agent.

Declaration of Polling agent to be signed before Presiding Officer.

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

Date _____

Signature of the Polling Agent,

Signed before me

Date _____

Presiding Officer.

*** to be handed over to the polling agent for production at the polling station.**

FORM 18

MSDA LIST OF BLIND AND INFIRM VOTERS

[See Rule 52 (2)]

Election to the Municipal Council/Nagar Panchayat of _____
Ward Number _____
Polling Station Number _____
Polling Station Name _____

Sl. No. of the voter in electoral roll.	Full name of voter	Full name & Address of the companion	Signature of companion
1	2	3	4
1.			
2.			
3.			
4.			

Date

Signature of Presiding Officer

FORM 19
LIST OF CHALLENGED VOTES
(See Rule 57(2)(c))

Election to the Municipal/Council Nagar Panchayat of --- from Ward No. ---
 Ward Number ---
 Polling Station Number --- Polling Station Name ---

Serial No.	Name of the voter	Sl. No. of voter's name in the electoral roll	Signature or thumb impression of the person challenged.	Address of the person challenged	Name of identifier if any	Name of challenger.	Order of Presiding Officer.	Signature of challenger on receiving the refund of deposit.
1	2	3	4	5	6	7	8	9
1.								
2.								
3.								
4.								
5.								
etc.								

Date --- Signature of the Presiding Officer.

FORM 20
LIST OF TENDERED VOTES
[See Rule 58(3)]

Election to the Municipal Council/ Nagar Panchayat of ---
 Ward Number ---
 Polling Station Number ---
 Polling Station Name ---

Sl. No. of voter in the electoral roll	Name & address of the voter	Sl. No. of the tendered ballot paper	Signature or thumb impression of the voter
1.	2	3	4
5			
1.			
2.			
3.			
4.			

Date --- Signature of the Presiding Officer.

FORM 21

[See Rule 60(I)]

APPLICATION FOR ELECTION DUTY CERTIFICATE

Election to the Municipal Council/Nagar Panchayat of _____

_____ Ward Number _____

To

The Returning Officer,
Ward Number _____

Sir,

I intend to cast my vote in person at the ensuing election to the above ward. My name is entered at Sl. No. _____ of the electoral roll for the above ward.

I have been posted on election duty at Polling Station Number _____
Polling Station Name _____ of Ward Number _____

I request that an Election Duty Certificate in Form 22 may be issued to enable me to vote at the polling station where I will be on duty on the polling day. It may be sent to me at the following address:

Date _____

Yours faithfully,

FORM 22

[See Rule 60(I)]

ELECTION DUTY CERTIFICATE

_____ Election to the Municipal Council/Nagar Panchayat of _____
_____ Ward Number _____

Certified

that Shri/Shrimati _____ is a voter in the Ward No. _____ his serial number being _____

that by reason of his being on election duty he is unable to vote at the polling station where he is entitled to vote and

that he is therefore hereby authorised to vote at

Polling Station Number _____

Polling Station Name _____

where he is to be on duty on the date of poll.

Date _____

Place _____

Signature and seal of
the Returning Officer

FORM 23

[See Rule 63 (1)(a)]

BALLOT PAPER ACCOUNT

Election to the Municipal Council/Nagar Panchayat of _____
 _____ Ward Number _____
 Polling Station Number _____
 Polling Station Name _____

	Serial Nos.		Total Nos
	From	To	
1. Ballot paper received	—	—	—
2. Ballot papers unused (i.e. not issued to voters)—	—	—	—
(a) with the signature of the Presiding Officer	—	—	—
(b) without the signature of the Presiding Officer	—	—	—
Total (a + b)	—	—	—
3. Ballot papers used at the Polling Station [(1)–(2) = (3)]*			—
4. Ballot papers used at the polling station but NOT INSERTED INTO THE BALLOT BOX :			
(a) Ballot papers cancelled for violation of voting procedure*	—	—	—
(b) Ballot papers cancelled for other reasons*			—
(c) Ballot papers used as tendered ballot papers*			—
*Total : (a + b + c)			—
5. Ballot papers to be found in the ballot box [(3)–(4) = (5)]*			—

Date _____

Signature of the Presiding Officer _____

*Serial numbers need not be given

FORM 24
[See Rule 63 (2)]

ELECTION DUTY STAFF BALLOT PAPER ACCOUNT

Election to the Municipal Council/Nagar Panchayat of _____

*Ward Number _____

(* Mention here the ward number of the ward from which the election duty staff are entitled to vote and are voting).

* Poling Station Number _____ Poling Station Name _____

Ward Number _____

(* Mention here the particulars of the ward from where the election duty staff are actually voting)

	Serial No. From To	Total Nos.
1. Ballot papers received	_____	_____
2. Ballot papers used	_____	_____
3. Ballot papers spoiled	_____	_____
4. Ballot papers unused	_____	_____

Date _____

Signature of the Presiding Officer.

FORM 25

APPOINTMENT OF COUNTING AGENT

[See Rule 72(3)]

Election to the Municipal Council/Nagar Panchayat of _____

Ward Number _____

To

The Returning Officer,
Ward Number _____

Sir,

I _____ a candidate/the election agent of Shri/Shrimati _____ who is a candidate at the above election, do hereby appoint the following persons as my counting agent to be present during the counting of votes.

Sl. No.	Name of the counting agent.	Address of the counting Agent.
1.	_____	_____
2.	_____	_____
3.	_____	_____

Signature of candidate/election agent.

We agree to act as counting agents

Sl. No.	Name of the counting agent	Signature of the counting Agent.
1.	_____	_____
2.	_____	_____
3. etc.	_____	_____

FORM 28
CERTIFICATE OF ELECTION

(See Rule 85)

Election of the Municipal Council/Nagar Panchayat of _____
_____ Ward Number _____

I, Returning Officer for Ward Number _____ for the election to the Municipal Council/Nagar Panchayat of _____ hereby certify that I have on the _____ day of _____ 19____ declared Shri/Shrimati _____ of _____ sponsored by _____ (name of the recognized political party) to have been duly elected by the said ward in the election to be a councillor of the Municipal Council/Nagar Panchayat and that in token thereof, I have granted to him this certificate of election.

Place _____

Signature and seal of the

Date _____

Returning Officer.

FORM 29

[See Rule 115(1)]

**NOTICE FOR MEETING TO ELECT CHAIRPERSON OF
MUNICIPAL COUNCIL/NAGAR PANCHAYAT**

To

Shri/Shrimati _____
Councillor of Ward Number _____
of Municipal Council/Nagar Panchayat of _____

Sir/Madam,

It is hereby to inform you that a meeting elect the Chairperson of the Municipal Council/Nagar Panchayat of _____ shall be held on _____ at _____ at _____ (Name of the place of the meeting) _____ under the provisions of the Manipur Municipalities Act, 1994 and under Rule No. 115.

You are, therefore, requested to kindly attend the meeting for the election of the Chairperson of the above mentioned Municipal Council/Nagar Panchayat.

Poll for election of the Chairperson shall be taken from 2 p.m. to 3 p.m. on the day and place mentioned above if the election is contested.

Yours faithfully,

(Sub-Divisional Officer)

Copy to:—The person appointed by the State Government under Section 10(3) or Section 24(4) of the Manipur Municipalities Act, 1994 for presiding over the meeting mentioned above.

FORM 30

[See Rule 115 (2)]

NOMINATION PAPER FOR ELECTION OF CHAIRPERSON

Election of Chairperson of the Municipal Council/Nagar Panchayat of — — —

1. I nominate as a candidate for election of the Chairperson of the Municipal Council/Nagar Panchayat of — — — — — the following councillor:

Name — — — — —
Father's/Husband's name — — — — —
Sex — — — — —
Postal address — — — — —

He is elected as councillor from Ward No. — — — —

2. My name is — — — — — and I have been elected as a councillor from Ward Number — — — —

Date — — — —

(Signature of the proposer)

3. I second the nomination of the above mentioned person as a candidate

4. My name is — — — — — and I have been elected as a councillor from Ward No. — — — —

Date — — — —

(Signature of the secondor)

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

(a) that I have been elected as a councillor.

(b) that my name and my father's/husband's name have been correctly spelt out above in English/Manipuri and I request that my name may be entered as such on the ballot paper for election of Chairperson

6. @* I further declare that I am a member of the — — — — — tribe/caste which is a Scheduled Tribe/Scheduled Caste in Manipur state. I am enclosing herewith an authenticated Xerox copy of the tribe/caste certificate issued by — — — — —

7. @* I further declare that I belong to general woman.

I declare that the above statements made by me are true to the best of my knowledge and belief.

Date — — — —

(Signature of the candidate)

* Score out this paragraph, if not applicable.

* Score out the words not applicable.

(To be filled in by the Sub-Divisional Officer)

1. Serial No. of nomination paper is — — — — —
2. This nomination was delivered to me at my office at — — — — (hour) on — — — — (date) by the candidate/proposer/secondor

Date — — — —

Sub-Divisional Officer

ACKNOWLEDGEMENT

(To be filled in by the Sub-Divisional Officer and given to the person presenting the nomination paper)

1. Serial Number of the nomination paper — — — — —
2. This nomination was delivered to me at my office at — — — — (hour) on — — — — (date) by the * candidate/proposer/secondor.

Date — — — —

Sub-Divisional Officer.

