

CG NAGAR PALIKA NIRVACHAN NIYAM 1994 SEC. 433, 355 ACT 1961,

Gi. 114-009/2003/20-01-03. ' 30-5-2001. " 101-34] 13 2007—47 23, 1929 13 2007 1956 23 1956) 433 10 (6) 1961 37 1961) 355 29 1994 t, 2. 3. 11 :— (1) 1956 204 (1) 204 (2) 11 11 (2) (3) (1) (2) 13 2007 1961 zwq, t 11 ag) iin. qziqvafr, t, 1908 (1908 i. 5) 29 2 30 3 (q) 2007 204 (3) 4. 5. 11 75 _ 34 (1) 12 Era, 75 aft- 1956 24 (3) 1961 47 (3) a-Tltq *711. 1994 1 8 9 25 75-q 75 YFA-26 204 (4) 75 754 75-Ä 13 2007 75 26 ift-wq 26, 75-q (iFi) v«q-27 q•riTtr. 6. 7. 76 (4) qn. "(5) tr QI, aQ ATä 24 25, 26, 27 25 (fiqq-75 üfigü) 19S6 24 (1961 47 (2) 13 2007 4ftfiqq, 1956 24 1961 47 1994 75-q fiqq -204 (5) 204 (6) 13 2007 26 2 3 13 2007 27 (Nqq-75 ä) ...qfl: *rrr. (fizNIT 204 (7) 204 (8) 13 2007 Raipur, the 13th April 2007 NOTIFICATION R No. 1545/884/18/07.—In exercise Of the powers conferred by sub-section (6) of Section I Oread with Section 433 - of the Chhattisgarh Municipal Corporation Act, 1956 (No. 23 of 1956) and sub-section (6) of Section 29 read with Section 355 of the Chhattisgarh Municipalities Act, 1961 (No. 37 of 1961), the State Government in consultation with ü:ne Staæ Election Commission hereby makes the following further amendments in the Chhattisgarh Nagar Palika Nirvachan Niyam, 1994, namely ANfENDMENT -In the said rules :— 2



3. In all the rules of the word 'Candidate' wherever they occur after the word "and the Mayor or resident concerned in relation to recall from his offices" shall be inserted. After clause (d) of rule 2, the following paragraph shall be inserted. "and includes the election in relation to recall the Mayor of a Municipal Corporation or the President of a Municipality or Nagar Panchayat from his office as the case may be." After rule I I-A the following rules shall be inserted. Requisition of Vehicles etc. for Election purposes— (1) (2) (3) District Election Officer may, if it appears to him in connection with an election under the Chhattisgarh Municipal Corporation Act, 1956 and Chhattisgarh Municipalities Act, 1961 that any vehicle, vessel or animal is needed or is likely to be needed for the purpose of transport of ballot boxes to or from any polling station or transport of members of the police force from maintaining law and order during the conduct of such election, or transport of any officer or other person for performance of any duties in connection with such election he may by order in writing requisition such vehicle, vessel or animal and may make such further orders as may appear to him to be necessary or expedient in connection with the requisition. The requisitioning shall be effected by an order in writing addressed to the person deemed by the District Election Officer to be the owner or person in possession of the vehicle; vessel or animal and such order shall be served on the person to whom it is addressed. Whenever any vehicle, vessel or animal is requisitioned under this rule, the period of such requisitioning shall not extend beyond the period for which such vehicle, or animal is required for any of the purposes mentioned in this sub-rule. Explanation—In this rule "Vehicle" means any vehicle or capable of being used for the purpose of road transport, whether propelled by mechanical power or otherwise." 11 -c. Payment of compensation— Whenever in pursuance of Rule I I -B any vehicle, vessel or animal is requisitioned there shall be paid to the owner thereof compensation, the amount of which shall be determined by the District Election Officer on the basis of the rate fixed for such vehicle, Vessel or animal by the Chief Election Officer of the State of Chhattisgarh for State Assembly Elections 13 2007 204 (9) Provided a person aggrieved by the amount of compensation determined by District Election Officer; may apply within thirty days from the date of the order determining the compensation to the Director, Urban Administration and Development Chhattisgarh for a review. of the Director, Urban Administration and Development Chhattisgarh shall be final." Manner of serving order or requisition of vehicles, vessels and animals—An order of requisition under sub-rule (1) or Rule 11-B shall be served 11-D. 11 .E (i) (2) Where a person to whom such order is addressed is a Corporation or firm, in the manner provided for the service of summons in Rule 2 of Order XXIX or Rule 3 of Order XXX, as the case may be, in the first Schedule to the Code of Civil Procedure Act, 1908 (No. V of 1908) and Where the person to whom such order is addressed is an individual (iii) Personally by delivering or tendering the order, or By registered post with acknowledgment due, or If a person cannot be found by leaving an authentic copy of the order with any adult male member of his family, or by affixing such copy on some conspicuous part of the premises in which he is known to have last resided or carried on business, or personally worked for gain, " Penalty for contravention of any order regarding requisition—If any person contravenes any order made under sub-rule (1) of Rule I I-B shall, on conviction, be punished with imprisonment for a term which may extend to rupees five hundred or with both. " 4.- 5. After sub rule (1) rule, 34, the following sub rule shall be inserted, namely :— "(A) The elected councillor of the ward concerned may also appoint one agent for each of the polling station of the ward such appointment shall be made by a letter signed by the councillor of the ward in writing in duplicate in

Form- 12" After rule 75, of Chapter VIII the following rule and chapter shall be inserted, namely :—

"Chapter VIM-A -Polling in relation to recall to recall of the Mayor/President form his office 75.,A. 75-B. Commencement of the process in relation to recall to recall of Mayoræresident form his Office—When a reference under sub-section (3) of section 24 of the Chhattisgarh Municipal Corporation Act, 1995 or under sub-section of Section 47 of fre Chhattisgarh Municipalities Act,' 1961 as the case may be, is received, the State Election Commission shall forthwith initiate the election process in Nlation to recall the Mayor or the President as the may be and shan compkete it within six months. Present Rules to remain applicable according situation—For tie purpose of chapter VIH-A, the Rules form chapter one to eight and chapter nine of the Chhattisgarh NagarPalika Nircachan Niyam, 1994 shan be applicable with such changes as the Commission may deem proper. 204 (10) IS-D. 75-E. 75-F. 75-G. 75-H. 75-I. 75-J. 13 2007 Nüeof schedule for—In dne ,schedule published by die -meön Coinmision, Oe Bection Offc&N.lby notice in 6tm 25. and ümeofpdUing; (2) . Specify me place, aid time of counting of or publication of notice unda Rule u.n&r.rule 75:C shall be published at least twenty days before the date prescribed for polling by. fixing one copy notice on æ notice boards of foliOwing omces :— (iii) Distict Elicdou (Nagar Palika) Returning Offiær (Concerned -Municipality) Municipality, and The Returning officer shall deliver a copy of the said mtice to the concerlEd Mayorærésident or to his agent. Publication of the of poling Returning offica shall in qccokdance with these ruk, pmvide sufficient" nuöers of polling stations and along with the notice i.issued uMa• Rule 75-C shall publish a •list åowing the polling • station and the polling Areas for which they shall -be set up. Allotnmt of to the direction of State Election Commission, the Returning shall symbols separately for recalling and for. continuing in office of die concerned Mayor/ President and shall publish me same in Form-26. The manner of publication of forth 26 under Rule 75-F—Form 26 shall be published along with the publication of the of election under Rule 75-C and Süch publication shall be made by fixing the notices on the notice boards of the following offices : (ii) (iii) Disbiect Election Officer (Muniéipåltiy) Retuming Officer (Concerned Municipality) Concerned Municipality, and 'The Returning Officer shall also deliver one copy of form 26 to the concerlEd MayodPresident orto his agent. Declaration of the •result of poll—The Returning Offic", as far aspossible, immediately aner counting of voes shall declare theresult of poll in form 27 and shall send its two duly sißl•ed &vies Nie Disu-ict Election Officer, out of which one shall be for record and tie other be forwarded by him to the State Commission. Noüfication of the result of election in recan of result of election in relation recall of Mayor/PresWent shall be notified. by the State Election Commission in- tie officiæl Gazette: Notifütöön ofV acancy—If, out of the total number of voets their votes, more than balfhave their vows in favour of recalling the concerned Mayor or the Resident, the office of the concerned Mayor or the President, as Ebe case may be, Shan be deemed to be vacant with effect form dae of declaraåon of the re. _dt and notice of such vacancy shall be notified by æ State Govanment in the official in the Gaiette. 13 200* Aner sub-rule (4) of rule 76, the foHowing sub tule shall be inser±d 204 61) 6. 7. "(5) apy in 6i.S rule, the Security deposit mide under Rule 26 shaL not renn•ned and shall to Govannmt, if a claim nrrefore is not prefen•ed by the person, making in or thr:ough his legal represenutive, as tie case may be within six months 'from the date of declaration of resült of eiection. 'A.fær appended form 24 of rule the following form 25, 26, 27 shall be iåserted, namely :— FORM 25 (See Rule 75-0 OFFICE OF THB DISTRICT ELECTION (MUNICæALITY) of election •im relation to tecail - of Mayor/'..... under sub-section (2) of section 24 of the Chhauisgarh No. Municip"l Corporation Act, 1956/under sub-section (2) of section 47 of fre Chhattisgarh Act, 1961 the Government of Chhattisgarh Department of Urban Adminisration and Deve!opment Department has made reference to the Commission to conductpolling in relation to recall oftheMayor of- Municipal Corporation.... President • .. the ground that of Municipality/Nagar Panchayat... Shri/Smt .. three fõurths of the Councillors have signed the motion for recalling. Whereas, under sub-section (3) of section 24 ofthe Chhattiswh Municipal Corporaüon Act, I sub-section (3) of Secü)n 47 of fie Chhattisgarh Act, 1961 the State Election Commission has directed me to arrange for polling, in relation to cecall of the said Mayor/President in, accordance With the rules; Therefor in exercise of me power conferred by Rule 75-C of Chhattisgarh Nagarpalika Nirvachan Myam, 1994, ...DistrictElection OffCer (MunicipaliY) Disüict..... hereby give notice for polling in relation to recall of the said Mayor/PresidMlt of Municipal Comoration/ Municipal CouncilfNagar Panchayat.....:.....as follows : (1) (2) (3) Place : The polling shall be held fie counting shall beheld on from.....A.M. to P M from....., Officer. A.Ä,L to M. Collectorßub Divisional

Officer (Revenue) shall be Returning Disa•ict -Election Officer (Municipality) District..... 204 (12)
 Place.. «q, 13 2007 FORM 26 (See Rule Polung in reration bling in relation to recall of the Mayor/President of Municipal Panchayat..... (2) Declaration of result of Polling
 (2) For recall (To vacate Office) Against recall (To continue hold office as before) Symbol (3) Returning
 Officer (Nagar Plika) Polling was held on....., Shri/Smt•..... Total — votes were in favour of
 recall and . found invalid. Therefore, ,, 13 2007 FORM 27 (See Rule 75-H) Declaration of result of Polling
 in relation to recall of Mayor/President (Name.... (seal — . ,, 204 (13) in relation to recall of the
 Mayor/President ...of Municipal Corporation/Municipal Council/Nagar Panchayat Votes
 were cast of which... , Votes; were against recall and..... were The Returning Officer hereby declare
 that more than half less than half of the total number of voters casting their votes have in favour of
 recalling the Mayor/President, consequently the Mayor/President is deemed to have vacated the
 office/shall continue to hold office as before. Place..... Date Signature (Returning Officer) •fQ•q

