

HARYANA MUNICIPAL CORPORATION ELECTION RULES, 1994

HARYANA GOVT. GAZ. (EXTRA.), AUG. 4, 1994. 1916 SAKA) (SRVN. 13, 1.994, 32 585 1994, ftfää ; fatf* qrr (q) t, firr 586 HARYANA GOVT. GAZ. (EXTRA.), AUG. 4, 1994 (SRVN. 13; (1916 SARA) 1994 ; (61) •Erqq" t, fr qrtr 33 ; (t) xrrfirfi" t; (e) qqrft zrr qgr 341 (6) 'Garr" 77 HARYANA •GOVT. GAZ. (EXTRA.), AUG. 4, 1994 1916 SAKA) (SRVN. 13 11 587 3. 4, 5, 6. 11 i fktg i G) f±faq . fr,rg t; qtt 588 7

9. HARYANA GOVT.GAZT. (EXTRA.), AUG. 4,' 1994. (SRVN. 13, 1916 SAKA) fqq EfIT OTT l' FT aik f?rfq Otr t fqq 1 Orr ; (T) qcFfT HARYANA GOVT. GAZ. AUG. u, 1994 • .gg5 (3) (4) (5) (6) (7) (SRVN. 13, 1916 SAKA) Otr I eTö I fir t Qqr (8) frqzfi (6) qr 10

11. HARYANA GOVT.GAZ. (EXTRA.), ÅUG. 4, 1994 (SRVN. 13, 1916 SAKA) (ii) (1) ?rqr 10 , q•rftff qftqå;t qtr. HARYANA GOVT. (SRVN. GAZ. (EXTRA.), AYG. 4, 1994 591 1916 SAKA) 13, f*Rrfrtrrq ftü 12. 13. Fftfhatt (2) fig (1) €«, qr Ü(iftm 0, &rrx 4 11 FifrürqrülT, 11 11 qrä, qr Åxqr qra-r I 92 HARYANA GOVT. GAZ. (EXTRA.), AUG 4, 1994 (SRVN. 13; 1916 SAR fr@T t, €7), qce(q) (q) 14

15. Frrq 21 *Tfr; 593 HARYANA GOVT.GAZ. (EXTRA.), AUG.—, 1994 SRVN. '13, 1916 SAKA) Trrr ft-g frfäqr . tTX (I) 13 1 4 16. (i) fir 17. 1 594 HARYANA GOVT. GAZ. (EXTRA.), AUG. 4, 1994 (SRVN. 13, 1916 SAKA) 9 srrfäqrEt 10 (E) (2) xxrrfrTä äTRT 18. 17 19. Tr 111 20. qft-ä q-fä (2) 24 Oqr vq f*tr p-ft•a• HARYANA GOVT. GAZ. (EXTRA.), AUG. 4, 1994 (SRVN.A3, 1916 SAKA) 59B 21. ftfq (ii) ; (iii) ; (iv) (vi) , (vii) ; (viii) (X) Oft I ft-q-a f*qr qrgm•, (xi) frq•r I fälffi I * frtg 596 HARYANA, GöVn GAZ (EXTRA.), AtjG. 4, 1994 (SRVN. 13, 1916 SAKA) qqä * * QTFii rr, vqefr fifi j föfq f*tr 22. 21 (Q) t, åfzr, KARYKNA •GOVT. GAZ. (EXTRA.). AUG. 4, 1994 \$91 (SRVN. 13, 1916 SAKA) 21 23. (1) Or, 8 q•rt I (1) 23 24. (2) 22 gfäTrer 7Tfä qMr fäq 598 Vfvr HARYANA GOVT. GAZ. (EXTRA.), AUG. 4, 1994 (SRVN. 13, 1916 SAKA) f*tr 25. (1) ft: 24 3qrF fü ;rtt 2 soo Gt ärzr fN ä, q•fäq: HARYANA GOVT. GAZ. (EXTRA.), AUG. 4, 1994 (SRVN. 13, 1916 SAKA) 599 xrrfr t, ; ZZT gafiar«, xrrft t; 29 * (T) qrå t; (q) * fäg O, az•r t, qrtr t, fif7fa q•rzt 26. 24 (1) * *TQT, 600 HARYANA GOVT. GAZ. (EXTRA.). AUG. 4, 1994 (SRVN. 13. 1916 SAKA) 27. qfm•Er, 21 tfrf#z frfq Trqiqzr 24 t, 28. (1) 22 frfq 27 q%är t, fir•. fTfq (q) 24 25 f+ir 600 HARYANA GOVT. GAZ. (EXTRA.), AUG.: 4, 1994 (SRVN. 13, 1916 SAKA) 27. frf#ü 21 fifq Trtü 28. (1) 22 üffirü * , t, 21 I RTT, 23 (T) 24 25 * fTt (3) qr fffir (3) (2) (T) (3) ft-€r f*tr fir ET?T, HARYANA GOVT. GAZ. (EXTRA.) AUG. 4, 1994 (SRVN. 13, 1916 SAKA) 601 qrqxrr, fi•oizr I t, .fäg 21 OT äTRT giz cnf« fqi f*qi q arqtü 29. ä, «r faiü fafqa 21 fafq 602 HARYANA GOVT. GAZ. (EXTRA.). AUG. 4, 1994 (SRVN. 13, 1916 SAKA) 30. (1) 31 * tra, 7rEr afz O, gfäi•rÜ {TXT f*qii fq« (3) å•rer fqzrr I 31. (1) 29 Gfr dqr fT*r (2) 33 t, f-qg I 21 HARYANA GOVT. GAZ. (EXTRA.), AUG. 4, 1994 603 (SRVN. 13, 1916 SAKA) 33. 34. 31 * 35. (1) fafq 21 * (3) rfäqrü Pezrfä O, * qq-a mtr« 604 fWTF•q HARYANA GOVT. GAZ. (EXTRA.), AUG. 4. 1994 (SRVN. 13, 1916 SAKA) (4) fFti 48 36. 37. (1) Rf«t xf«qi Orr ft•frrBat Qtf trfir, 38. Rf«qt, qq, 39. fafq« HARYANA GC.VT. GAZ. (EXTRA.), AUG. 4, 1994 (SRVN. 13, 1916 SAKA) qrä 40. qqe-T I 41. 60S (Q) (g) fh-a•fTT fufqtT QT qfä%TO (2) 43 (1) Rf«r * frqt, Qfeqt 606 göEz HARYANA GOVT. GAZ. (EXTRA.), AUG. 4, 1994 (SRVN. 13, 1916 SAKA) fQg I 43. frg (1) afä*rtr (q) (z:) 45. i: qå HARYANA GOVT. GAZ. (EXTRA.), AUG. 4, 1994 (SRVN. 13, 1916 SAKA) 46. * t, fäfirfiz•æt I 607 0, mrtQOr qr qfäü Orr, fG Qqr tr t, 47. (2) XTfir * föR qqq 608 HARYANA GOVT. GAZ. (EXTRA.), AUG. 4, 1994 (SRVN. 13, 1916 SAKA) far t I OTtt, 1 48. a-qr 1 (3) ft:Er a, fizrr qqr 49. (1) 1860 (1860 45) 171 171 rafq HARYANA GOVT. GAZ. (EXTRA.), AUG. 4, • 1994 (SRVN. 13, 1916 SAKA) 50. 51. I 609 52. (1) q«, fücz fiqui *fqrz fmq frag fqü;n, Rfä%ä *fmrtr Rfä•ra 53. 610 HARYANA GOVT. GAZ. (EXTRA.), AUG. 4, 1994 (SRVN. 13. 1916 SAKA) fr:qr (6) ffiQ[" für t" QTüfrGtrr (7). frsqrr" xf*qr für 54. (1) * fqq 18 HARYANA GOVT. GAZ (EXTRA.), AUG. 4, 1994 (SRVN. SAKA) 611 xüqr (2) f*QR 56. (1) 'If*fd" f*qj (3) vqfÄ'(1) (2) 56. (1) mfq 'q 612 HARYANA GOVT. GAZ. (EXTRA.). AUG. 4. 1994 (SRVN. 13, 1916 SAKA) 57. (1) (3) zrq I (3) 35 (1) * fig, faz avr * HARYANA GNVt. GAZ. (EXTRA.). AUG. 4, 1994 (SRVN. 13, SAKA) 58. 60 fir-qi: 66 59. (1) qr X4?r *ifsz 60 (1) 21 fäfi fzg (qaQE-zÜ) (2) (q) (q) 613 614 HARYANA GOVT. GAZ. (EXTRA.). AUG. 4, 1994 (SRVN. 13. 1916 SAKA) (T f«fr a, a; qr (q) 52 t, Tfz fir f\$ f\$tr srfä%Tër giz t, f*QT" (5) (6) HARYANA GOVT. GAZ. (EXTRA.), AUG. 4, 1994 (SRVN. 13, 1916 SAKA) 615 t, qtz• 61 (1) 0, RtrT, aztr, ftzf*r 62. (2) sti«-q qi qt, ftzrf« 0, tLdia:• qr qf«rer, a, Orr (4) ftqfä 616 HARYANA GOVT. GAZ. (EXTRA.), AUG. 4, 1994 (SRVN.. 13, 1916 SAKA)

(q) fig N T (5) qi .63 63. f*QT i 64. 63 • ETTRT 14 . HARYANA GOVT. GAZ. (EXTRA), AUG. 4, 1994. (SRVN. 13, 1916 SAKA) 65. qrzl qfxgrrq f« 68 I 66. (e) (s) (7) aqr•, (3) fifi 617 f«ff« 618 HARYANA GOVT. GAZ. (EXTRA), AUG. 4, 1994 (SRVN

13. SAKA) 67.(r) fh•qq 66 66 fq•qzrä war yfäQt 68. (1) fT.fid f«ft fazrq at 1 2, gfs fq•ry afz f7f*T fqr a HARYANA GOVT. GAZ. (EXTRA), AUG. 4, 1994 (SRVN. (3, 1916 SAKA) 619 69. fqg qfafi•« 70. fgaaz qr q•Rfraa far a, Oar (1) füffq 71. 48 (2) 33ü (4) 56 mi, qrfäqi Rf*rxri fqqt *fmtn 620 HARYANA GOVT. GAZ. (EXTRA). AUG. 4, 1994 (SRVN. 13, 1916 SAKA) (1) Jaf< Rttqfir7, fq•üq f-n*t fzm I 74. aq-r 75. (1) i; HARYANA GOVT GAZ. (EXTRA), AUG. 4, 1994 (SRVN. 13, 1916 SAKA) 621 Güq.z., (.3) gr«ä * firfq S: 76. 22 \ 622 HARYANA GOVT GAZ. (EXTRA). AUG. 4, 1994 (SRVN. 1936 SAKA) i) #jfq f*4i a, 77, \$1fu#ÄR, h 961 fü« V<lfqfa aqr Qrä I HARYANA GOVT. GAZ (EXTRA), AUG. 4, 1994 (SRVN. 13. 1916 SAKA) 623 KCE--T ffä 78. (1) füi.- 79. (1) Rfä\fö f« fül t, 81 t fü zrfrT ö, t, älfqq Qff«r qfiq:r HARYANA GOVT. GAZ. (F.XTRA.). AUG. 4, 1994 (SRVN. 13, 1916 SAKA) t...tä (3) Zi 1908 (1 908 5) HARYANA GOVT GAZ. (EXTRA), AUG. 4, 1994 (SRVN. 13, 1916 SAKA) * qréf t I 79 82. 83. (i) •arf#a (2) qrfqmv 625 626 HARYANA GOVT GAZ. (EXTRA AUG. 4. 1994 (SRVN. 13, 1916 SAKA) 84. (1) 63 85. HARYANA GOVT GAZ. (EXTRA.), AUG. 4, 094 (SRVN. 1916 SAKA) 86. qq åqr 87. 88. fä'tr 89. 627 rfyrä« 628 HARYANA GOVT GAZ. (EXTRA.), AUG. 4, 1994 (SRVN 1916 SAKA) fir — 7JR—— - (iii) , (iv) — HARYANA GOVT. GAZ. (EXTRA.), AUG. 4. 1994 (SRVN. 13, 1916 SAKA) fat. fafi— 629 * *iftq trqT t, 9(2) 6), 15] qrfi) HARYANA GOVT. GAZ. (EXTRA.), AUG. 4. 1994 (SRVN. 13, 1916 SAKA) qrfü fäfq—— fäfq, : —gf< srf*K qqrF frq•r I HARYANA GOVT. GAZ. (EXTRA.), AUG. 4, 1994 (SRVN. 13, 1916 SAKA) 9(3) 14 15] fizz fqmN 631 6 Q.L±nJ.1B 8 z 9 1 Q 1.&.12 W±.FJns Fib .b_l.bkhe IPhJ h.l.2EJ — x«q-l —fir*) 2 1 8 3 4 5 6 xrfäTrü 7 crt i, 8 9 f&fq 12 634 qtr«a, H.ARYANA GOVT. GAZ. (EXTRA.). AUG. 4, 1994 (SRVN. 13. 1916 SAKA) 14 15) fai« (x äx x qq7T q•ré g?iV) HARYANA GOVT. GAZ. (EXTRA.), AUG. 4, 1994 (SRVN. {3, 19i6 SAKA) 24 «rpx) — ————qrtf 635 ————. *rfr ftg (aft«r« Fr«) 6.46 HARYANA GOVT. GAZ. (EXTRA.), AUG. 4, 1994 (SRVN. 13. 1916 SAKA) (Ftæfi7T •trgm) fäfi—— Rzfh7T f*TR, 994 * 27 * fitzfriT âTM—— æ:to— fx•æfiq 4 HARYANA GOVT. GAZ. (EXTRA.), AUG. 4, 1994 (SRVN. 13, 1916 SAKA) *rßzr 40 üqq-- --a—— ————f«rü—— — *ifrit *tqm f*qqf g94 I 637 47 (2) xrfir HARYANA GOVT. GAZ. (EXTRA.), AUG. 4, 1994 (SRVN. 13, 1916 SAKA) 54 (2)]. [tfäg 54 (2)] 1 2 3 639 5, 640 (1) (2) (3) (5) (6) HARYANA GOVT. GAZ. (EXTRA.), AUG. 4. 1994 (SRVN. 13, 1916 SAKA) (QÄg 58) HARYANA Govr. GAZ. (EXTRA.), AUG. 4, 1594 (SRVN. 13, 1916 SAKA) 61' (2) 62 641 1. 2. 3. 4. 11, — 111. 4. iii 6 642 1. 2. 3. 4

5. HARYANA GOVT.GAZ. (EXTRA.), AÜ.; 4 (SRVN. 13, 1916 SAKA) (Qfqg 63) HARYANA GOVT GAZ. (EXTRA.). AUG. 4, *1994 1916 SAKA) (SRVN. 13, 643 [Autho*ised English Trauslation] HARYANA GOVERNIENT LOCAL GOVERNMENT DEPARTMENT Notification The 4th August, 1994 No S.O.641H.ord. 41941S of the powers conferred by section 32 of the Haryana Municipal Corporation Ordinance, 1994 and in consultation with the State Election Commission and all other powers enabling him in this behalf, the Governor of Haryana hereby makes the following rules to provide for and to regulate the matters for the purpose of holding elections of the members, namely PART 1 1. These rules tray be called •thé Municipal Corporation Election Rules, 1994

2. In these rules, unless the context otherwise requires,—(a) "agent" means any person appointed in writing by a candidate at an election to be agent for the purposes of these rules with the acceptance in writing by such person for such appointment; (b) "backward classes" means such cla»es of citizens as may be by the Government from time to time; (c) "Constituency" means a Class or ward, for - the representa-tion of which a member or members is or are to be or has or have been electccb under these rules; (d) "election" means the election of a member, Mayor, Senior Deputy Mayor or Depuy • Mayor of the Corporation; (e) "elector" in relation to a ward, means a person whose name is.entered in the' electoral roll of that Ward for the time Wng in force and who is not subject to any disqualifica- tion for voting; (f) "form" means the form appended to these rules. (g) "Gazetted Officer" means a Government employee belong, ing to any Indiaa Administrative Service or State Service or any other Government employee holding a post which has been declared by competent authority to be a, gazetted GiPost; Shott title. Definitions. W. 644 HARYANA GOVT GAZ. (EXTæA.). A'UG. 4, 1994 (SRVN. 13, 1916 SAKA) (h) "newly constituted Corporation" means a Corporation of which the mezbgers have been elected at a general cl,ction or nominated or appointed at thc time of a genera) election, but have not yet taken their

seats; (i) "Ordinance" means the Haryana Municipal Corporation Ordinance, 1994; Roll of Corporation. Preparation of fresh roll. (j) "oath of allegiance" means the oath or affirmation of allegiance prescribed by section 33 of the Ordinance; (k) "Revising Authority" means such person as the Deputy Commissioner may appoint in respect of ward (or part of a ward for the purpose of receipt and disposal of claims and objections in respect of preparation or revision of rolls; (l) "roll" means the electoral roll of persons entitled to vote at a Corporation election under these rules; (m) "Scheduled Castes" means such castes, races or tribes or parts of or groups within such castes, races or tribes as have been specified under article 341 of the Constitution of India to be Scheduled Castes; (n) "section" means a section of the Ordinance; (o) "treasury" means a Government treasury or sub-treasury or a bank to which the Government treasury business has been made over; (p) "Tribunal" means the Municipal Corporation Elections Tribunal consisting of person or persons appointed by the State Government under rule 77 of these rules to hold any enquiry in respect of an election petition under the Ordinance; (q) words and expressions used herein and not defined in these rules shall have the same meaning as are assigned to them in the Ordinance.'

PART III

3. The rolls of each ward of Corporation shall be prepared by the Deputy Commissioner in the manner specified in rules 4 to 6 of these rules.

4. (1) The Deputy Commissioner shall, under the superintendence, direction and control of the State Election Commissioner, cause to be prepared rolls of each ward of the Corporation in accordance with these rules.

(2) The roll shall be prepared in Hindi and in such other language or languages and in such form as the State Election Commissioner may direct.

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5. A person shall be disqualified for registration in a roll if he (a) is not a Citizen of India; or (b) is of unsound mind and stands so declared by a competent Court; or (c) is for the time being disqualified for voting under the laws relating to corrupt practices and other offences in connection with elections including Parliamentary and State Assembly elections; or (d) is less than eighteen years of age on the qualifying date.

-Disqualifications for registration in roll.

Qualifications for registration in roll.

Explanation:— "Qualifying date" in relation to the preparation or revision of electoral roll means the first day of January of the year in which it is so prepared or revised.

6. (1) Subject to the provisions of rule 5, every person who is not less than 18 years of age on the qualifying date and is ordinarily resident in a ward shall be entitled to be registered in the roll for that ward.

(2) A person shall not be deemed to be ordinarily resident in a ward merely on the ground that he owns or is in possession of dwelling-house therein. A person absenting himself temporarily from his ordinary residence shall not by reason thereof cease to be ordinarily resident therein.

(3) No person shall be entitled to be registered in the roll for more than one ward and no person shall be registered in the roll for any ward more than once.

(4) A member of Parliament or of the Legislature of a State shall not during the term of his office cease to be ordinarily resident in the constituency in the electoral roll on which he is registered as an elector at the time of his election as such member, by reason of his absence from that constituency in connection with his duties as such member.

(5) If in any case a question arises as to where a person ordinarily resides at any relevant time, the question shall be determined with reference to all the facts of the case.

7. As soon as the roll of a ward is ready, the Deputy Commissioner Preliminary shall publish it as draft together with a notice intimating the date by Publication of which objections or claims with regard to the roll may be presented to the Revising Authority specified therein. A copy of the roll of each ward and the notice shall be pasted at the office of the Deputy Commissioner at the office of the Corporation and at such other place(s) as the Deputy Commissioner may determine: Provided that a period of not less than ten days shall be allowed for filing claims and objections.

646 ELARYANA GOVT GAZ. (EXTRA), AUG. 4, 1994 (SRVN, 13, 1916 SAKA) Appointment of Revising Authority Manner of making and lodging claims and objections. 38. The Deputy Commissioner may appoint any Magistrate of the first class to be a Revising Authority for the purpose of hearing claims and objections relating to roll and may specify the ward or wards for which he shall be the Revising Authority. 9. (1) Every claim shall be—

- (a) in form 'A'; (b) signed by the person desiring his name to be included in the roll; and (c) countersigned by another person whose name is already included in the roll of the ward in which the claimant desires his name to be included. (2) Every objection to the inclusion of name in the roll shall be— (a) in form B (in duplicate); (b) Preferred only by a person whose name is already included in that roll; and (c) countersigned by another person whose name is already included in the roll in which the name objected to appears. (3) Every objection to a particular or particulars in an entry in the roll shall be— (a) in



form- C; and (b) preferred only by a person to whom that entry relates. (4) Every claim or objection shall be addressed to the Revising Authority and shall be presented, or be sent by registered post to him. (5) The Revising Authority shall maintain a register of claims in form I-A and register of objections in form I-B, entering therein the particulars of every claim or objections, as the case may be, as and when it is received. (6) Any claim or objection, which is not lodged within the periods or in the form and manner herein specified or is lodged by a person not entitled to lodge the same, shall be rejected. (7) If an objection or claim is presented by a person to a Revising Authority who is not authorised to receive it, such Revising Authority shall at once return it to the person presenting it for presentation to the appropriate Revising Authority. (8) Where a claim or objection is not disposed of under sub-rule (6) or sub-rule (7) and the period prescribed for the presentation of claims and objections has expired, the Revising Authority shall forthwith post HARYANA GOVT GAZ. (EXTRA.), AUG. 4, 1994 (SRVN. 13, 1916 SAKA) 647 at his office a list of all claims and objections received together with a notice showing the date on which and the place at which such claims and objections will be heard. One copy of the objection shall be served on the person regarding whom it is made. 10. (1) On the date and at the place fixed under rule 9, the Revising Authority shall hear and decide the claims and objections according to their merits after hearing the parties concerned or their authorised agents and, in the case of a claim any person who objects to the admission of such a claim and after considering such evidence as may be produced or may appear necessary to him. He shall— (i) reject any claim or objection which does not comply with any of the provisions of these rules or pass such orders as he may deem fit; (ii) dismiss any case in which the claimant or objector is not present or is not represented— (2) Any person aggrieved by any such order may, within three days from the date of the order apply to the Deputy Commissioner for revision and the Deputy Commissioner may, as far as practicable within a week, confirm such order or set it aside or pass such other order with respect to the claim or objection as he may deem fit. (3) No appeal shall lie from the order passed under the provisions of sub-rule (1) or sub-rule (2) and the orders passed thereunder shall be final. 11. (1) The Revising Authority, as soon as he has disposed of all the claims and objections presented to him, shall forward a list of such claims and objections along with his orders thereon to the Deputy Commissioner who shall cause the roll to be corrected, in accordance with the orders passed by the Revising Authority or by him in revision under sub-rule (2) of rule 10 as the case may be and shall republish the roll so corrected or if he deems fit, shall republish the preliminary roll published under rule 7 together with list of additions and corrections prepared in accordance with the said orders. (2) Any roll republished under the provisions of sub-rule (1), with or without a list of additions and corrections, into force from the date of such republication. 12. (1) The roll shall unless otherwise directed by the State Election Commissioner, be revised in the prescribed manner before each general election to a Corporation and for any ward before bye-election to fill a casual vacancy in such a ward : Provided that if for any reason the electoral roll is not revised the validity or continued operation of the existing electoral roll shall not thereby be affected. Disposal of claims and objections Final Publication of roll, Revision of roll. of 648 HARYANA GOVT GAZ. (EXT RA.), AUG, 4, 1994 (SRVN. 13, 1916, SAKA) Corrected roll. errors in roll, Inclusion names in roll finally published. Manner of the for Making application for inclusion of name in roll, (2) The roll for every ward shall be revised under sub-rule (1) either intensively or summarily or partly intensively and as the State Election Commissioner may direct. (3) Where the roll or any part thereof is to be revised intensively it shall be prepared afresh and rules 4 to 11 shall apply in relation to such revision as they apply in relation to the first preparation of a roll. (4) When the roll or any part thereof is to be revised summarily, the Deputy Commissioner shall cause to be prepared a list of amendments to the relevant parts of the roll on the basis of such information as may be readily available and publish the roll together with the list of amendments in draft, and the provisions of rule 7 to 11 shall apply in relation to such revision as they apply in relation to the first preparation of a roll. (5) Where at any time, between the publication of draft of the revised roll, under sub-rule (3) read with rule 7 or of the roll and the list of amendments under sub-rule (4) and the final publication of the same under rule 11, any names have been decided to be included in the roll for the time being in force under rule 14, the Deputy Commissioner shall cause the name to be included in the revised roll unless there is in his opinion any valid objection to such inclusion. 13. the Deputy Commissioner on an application made to him or on his own motion, is satisfied after such enquiry as he thinks fit, that any entry in the roll of a ward— (a) is erroneous or defective ; (b) should be transposed to another place in the roll on the ground

that the person concerned has changed his place of ordinary residence within the ward or (c) should be deleted on the ground that the person concerned is dead or has ceased to be ordinarily resident in the ward or otherwise not entitled to be registered in that roll, the Deputy Commissioner shall, subject to such general or specific directions, if any, as may be given by the State Election Commissioner in this behalf; amend, transpose or delete the entry : Provided that before taking any action on any ground under Clause (a), Clause (b) or clause (c) the Deputy Commissioner shall give the person concerned a reasonable opportunity of being heard before taking the proposed action

14. Any person whose name is not included in the roll of a ward as finally published under } , may apply in form A, B C or D as may be appropriate for the inclusion of his name in that roll. 15, (1) An application under rules 13 or 14 shall be made to the Deputy Commissioner in duplicate in such one of the forms A, B C or D as may be appropriate be accompanied by a fee Of ten rupees: 649 HARYANA GOVT GAZ. (EXTRA.), AUG. 4, 1994 (SRVNe 13, 1916 SAKA) Provided that such application shall be addressed to the Deputy Commissioner and presented to him at any time not later than four days from the date of publication of the election programme under rule 21 excluding the date of publication. (2) The fee specified in sub-rule (1) shall be— (a) paid by means of non-judicial stamps; or (b) deposited in a treasury or the State Bank of India in favour of the Deputy Commissioner; or paid in cash against proper printed receipt to the Deputy Commissioner in this behalf; and shall not be refundable. (3) Where the fee is deposited under clause (b) of sub-rule the applicant shall enclose with the application a treasury receipt and where the fee is paid in cash under clause (c) of sub-rule (2), the applicant shall enclose with the application, the proper printed receipt issued by the Deputy Commissioner in his behalf in proof of the fee having been deposited or paid in cash by him. (4) The Deputy Commissioner shall immediately on receipt of such application, direct that one copy thereof be pasted in some conspicuous place in this office together with a notice inviting objections to such application within a period of four days from the date of such pasting. (5) The Deputy Commissioner shall, after the expiry of the period specified in sub-rule (4), consider the objections, if any, received by him and shall, if satisfied that the applicant is entitled to be registered in the roll, direct his name to be included therein before the last date for making nomination for election to that ward : Provided, that if the applicant is registered in the roll of any other ward, the Deputy Commissioner shall inform the Revising Authority concerned of that other ward and the latter shall on receipt of such information, strike off the name of the applicant from that roll. 16. (1) Where an application made under rules 13 or 14 is rejected, Appeal. an appeal shall lie, within a period of seven days from the next day of the date of rejection of such application, to the State Election Commissioner. (2) Every appeal under sub-rule (1) shall be (a) in the form of memorandum signed by the applicant; (b) accompanied by a copy of the order appealed against; and (c) accompanied by a fee of five rupees which shall be paid by means of non-judicial stamps or in cash. (3) The decision in appeal shall be final. 650 HARYANA GOVT GAZ. (EXTRA.), AUG. 4, 1994 (SRVNe 13, 1916 SARA) Custody and preservation of rolls and connected Inspection roll and connected papers. Disposal of roll and connected Notification of symbols. (4) The Deputy Commissioner shall cause such amendments to be made in the roll as may be necessary to give effect to the decision of the State Election Commissioner. 17. (1) After the roll for a Municipal area or any of its ward has been finally published, the following papers shall be kept in the office of the Deputy Commissioner or at such other place as the State Election Commissioner may by order specify until the expiration of one year after the completion of the next intensive revision of that roll— (a) one complete copy of the roll and complete manuscript roll and duplicating pasting files; (b) all claims and objections to the draft roll; (c) all applications submitted to the Revising Authority under rule (d) all applications submitted to the Deputy Commissioner under rule 10; (e) all applications submitted to the Deputy Commissioner under rule 14; (f) all decisions and directions of the Revising Authority; (g) all appeals submitted to the State Election Commissioner against the orders of the Deputy Commissioner. (2) One complete copy of the electoral roll for each ward duly authenticated by the Deputy Commissioner shall be kept at such place as the State Election Commissioner may specify for a period of six years from the date of its final publication

18. Every person shall have the right to inspect the election papers referred to in rule 17 and to get attested copies thereof on payment of such fee as may be fixed by the State Election Commissioner

19. The papers referred to in rule 17. shall on the expiry of the period specified therein, be disposed of in such manner as the State Election Commissioner may, in consultation with the State Government, direct

PART III 20. (1) The State Election Commissioner shall by notification in the Official Gazette, publish list of symbols along with the restrictions, if any, subject to which those may be chosen by at the election and may, in the like manner, add to or vary such list. (2) In each ward every nomination paper delivered under rule 24 shall also contain a declaration specifying the particular symbol which the candidate has chosen for his first preference, out of the list of symbols for being in force under sub-rule (J) and also specifying two other symbols out of that list which he has chosen for his second and third preference, respectively. HARYANA GOVT GAZ. (EXTRA.), AUG. 4, 1994 (SRVN. 13; 1916 SAKA) 651 Provided that the choice to be made by a candidate under this sub-rule shall be subject to such restrictions as the State Election Commissioner may think fit to impose in that behalf.

21. (1) The State Election Commissioner shall frame a programme for elections hereinafter referred to as the "election programme" of a Municipal area. (2) The election programme shall be published at least 10 clear days before the first day fixed for making nominations and it shall specify the date or dates on, by or within which— (i) the nomination papers shall be presented : Provided, that a period of not less than five days shall be given for presentation of nomination papers ; (ii) the list of nomination papers shall be posted (iii) the nomination papers shall be scrutinised applications for the revision of the orders of the authority scrutinising the nomination papers may be made Deputy Commissioner . Provided that a period of not less than three days shall be allowed for filing of revision application ; (iv) the revision application filed under clause (iv) shall be decided ; (v) a candidate may withdraw his candidature (vi) the list of contesting candidates shall be posted (vii) the list of polling stations shall be posted (ix) the poll shall be held • Provided that the date of poll shall not be earlier than the twentieth day after the last date fixed for the withdrawal of candidatures ; (x) the ballot papers shall be counted (here time and place fixed for the purpose shall also be specified ; and (xi) the result of election shall be declared ; (3) The State Election Commissioner shall authorise the Deputy Commissioner to designate a Returning Officer who shall be an officer of the Government. Election programme and of Returning Officers. Date to be fixed for nomination of candidates and scrutiny of returns. Duration of the election process. 652 HARYANA GOVT. GAZ. (EXTRA), AUG. 4, 1994 (SRVN. 13, 1916 SAKA) (4) The Deputy Commissioner may appoint one or more Assistant Returning Officers to assist Returning Officers in the performance of his functions. (5) 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 nomination papers • unless the Returning Officer is unavoidably prevented from performing the said functions. (6) The election programme shall be published at least ten clear days before the first date for making nominations, by posting a copy of it at the office of the Deputy Commissioner, at the office of the Corporation and at such other conspicuous places in the Municipal areas as may be determined by the Deputy Commissioner in this behalf. The last date for making nomination papers, their scrutiny and withdrawal shall not be a public holiday. If in any case the last date happens to be a public holiday such nominations, scrutiny or withdrawal shall take place, on the next succeeding day which is not a public holiday. (7) Subject to the provisions of sub-rule (6) the State Election Commissioner may, by an order, amend, vary or modify the election programme at any time : Provided that unless the State Election Commissioner directs, no such order shall be deemed to invalidate any already taken before the date the order

22. The Returning Officer shall on the date specified in rule 21, by notices posted at his office and at the office of the Corporation and at such other places as he may determine (a) invite nomination papers of every eligible person (b) fix the date, time and place where and how the nomination paper shall be delivered (c) specify the authority to whom nomination papers shall be delivered and (d) fix the date, time and place for the scrutiny of nomination papers, of candidates. Explanation dates fixed under clauses (b) and (d) shall be the same as specified under rule 21 in this behalf.

23. (1), A person shall be disqualified for being chosen as, and for being a member of the Corporation if he incurs any of the disqualification as mentioned in section 8, HARYANA GOVT GAZ, (EXTRA.), AUG. 4, 1994 1916 SAKA) (SRVN. 13, 643 (i) No person shall be eligible for election as a member of the Corporation who, in the case of a seat reserved for Scheduled Caste, Backward Classes or a woman, is not a member of any of these categories.

24. (1) Any person, not ineligible for membership of the Corporation under the provisions of rule 23 or of any other rules or of the Ordinance or of any other Act, may be nominated as a candidate for election. On or before the date specified for the nomination of candidates under rule 22 between the hours of eleven O' clock of the forenoon and three O' clock of the afternoon or such other hours as the Returning Officers may fix to suit local requirements, each candidate shall, either in person or by his proposer or, by an agent and unless such agent is a legal practitioner, his authorisation as such duly verified by a magistrate, sub-registrar of the registration department, Lambardar, deliver to the Returning Officer at the specified place, a nomination paper completed in



form 1 appended to these rules and subscribed by the candidate himself- as assenting to the nomination and by an elector as proposed. Nomination of a candidate. (3) In a ward where a seat is reserved for the Scheduled Castes or backward classes or for woman a candidate shall not be deemed to be qualified to be Chosen to fill that seat unless his nomination paper contains declaration by him and verified by any of the authorities mentioned in sub-rule (2) that the candidate is a member of the Scheduled Caste, backward class or a women for which the seat has been so reserved. The declaration should also specify the particular caste of which the candidate is a member. (4) Nothing in this rule shall prevent any candidate from being nominated by filing more than one nomination paper for election in the same ward. Provided that not more than four nomination papers shall be presented by or on behalf of any candidate or accepted by the Returning Officer for election in the same ward. (5) On the presentation of a nomination paper, the Returning Officer shall satisfy himself that the names, electoral roll numbers of the candidate and his proposer as entered in the nomination paper are the same as those entered in the roll. Provided that the Returning Officer may — (a) permit any clerical error in the nomination paper in regard to the said names or numbers to be corrected in order to bring them in conformity with the corresponding entries in the roll; and (b) where necessary direct that any clerical or printing error in the said entries shall be overlooked. 634 HARYANA GOVT GAZ. (EXTRA.), AUG. 4, 1994 (SRVN, 13, 11916 SAKA) Deposit to be 25. (1) The nomination paper of a candidate shall not be deemed valid by candidate to have been duly delivered unless at the time of delivery of the same under rule 24, the candidate has either deposited or causes to be deposited a sum shown in the table below with the Deputy Commissioner in cash or enclosed with the nomination paper a receipt showing that the said sum has been deposited in the treasury, or Government promissory notes of equal value at the market rate of the day. TABLE If the candidate is not a member of Scheduled Caste, backward class or a woman Rs. 500.00 Provided that where a candidate has filed more than one nomination paper for election in the same ward, not more than one deposit shall be required of him under this sub-rule. (2) The deposit made under sub-rule (1) shall be returned to the person by whom it was made if— (a) the nomination paper in respect of which it has been made is rejected; or (b) the candidate on whose behalf the deposit has been made, withdraws his candidature within the time specified under rule 29; or (c) the candidate dies before the commencement of the poll; or (d) the candidate has been elected, or the number of votes polled for him exceeds one-eighth of the total number of votes polled. (3) In all other cases, the deposit referred to in sub-rule (1) shall be forfeited to the Government. Explanation.—For the purpose of clause (d), the number of votes polled shall be deemed to be the number of ballot-papers other than rejected ballot-papers counted. (4) The deposit shall if it is not forfeited under sub-rule (3), be returned to the candidate or the person, who has made the deposit in his behalf, as the case may be. In case the person who made the deposit dies, the deposit shall be returned to his legal representative; HARYANA GOVT GAZ. (EXTRA.), AUG. 4, (SRVN. '13, 1916 SAKA) Provided that, if a candidate has filed nomination paper 1994 655 at an election in more than one ward, not more than one of the deposits made by him or on his behalf shall be returned and the remainder shall be forfeited to the Government

26. The Returning Officer shall, on receiving the nomination papers under sub-rule (1) of rule 24 inform the person or persons delivering the same, of the date, time and place fixed for the scrutiny of nominations and shall enter on the nomination paper its serial number, and shall sign thereon a certificate stating the date on which had the hour at which the nomination paper has been delivered to him and shall, as soon as may be thereafter, cause to be affixed in some conspicuous place in his office a notice of the nomination containing description similar to those contained in the nomination paper, both of the candidate and of the proposer. 27. The Returning Officer shall, on the date specified under rule 21 in this behalf post at his office and at the Corporation office a list of all the candidates whose nomination papers have been presented under rule 24, together with descriptions, similar to those contained in the nomination papers, both of the candidates and of the proposers. 28. (1) On the date fixed for the scrutiny of nominations under rule 22, the candidate, one proposer and one other person duly authorised in writing by the candidate, but no other person, may at such time and place as the Returning Officer may appoint and all reasonable facilities shall be given to them for examining the nomination papers of all candidates whose names are included in the list of candidates posted under rule 27. (2) After the procedure laid down under sub-rule (1) is over, the Returning Officer shall examine the nomination

papers and shall, decide all objections which may be made to any nomination and may, either on such objection Or on his owli motion, after such summary enquiry, if any, as he may deem necessary, reject any nomination if he is satisfied that (a) the candidate was on the date fixed for the nomination of candidates ineligible for election under the povisions of rule 23 or of any other rules ovofthe Ordinance or any other Act and had not before that date been exemoted by the Govern- ment from any disqualificgion imposed upon him ; (b) the proposer was n •t qualified to suoscribe the nomination paper under these rules ; V) there has been any failure to comply with any of the provisiOns of rule .24 or rule 25 ; (d) the canaidate or any proposer is not identical with the person whose • number on the roli is given in the nominatiom paper as the number of such candidate or proposer, as the case may be ; and g.) the signaturesofany candidate or of any proposer are not genuine or has been obtained by force or by fraud. Notice nominations, of time and place for scrutiny. List of nomi- nations to be posted. Scrutiny of nominations. 656 HARYANA GOVT GAZ. (EXTRA.), AUG. 4, 1994 (SRVN. 13, 191CSAKA) Withdrawal of candidature. Assignment of Symbols to candidates. (3) Nothing contained in clause (b), (c) or (e) cf sub-rule (2) shall be deemed to authorise the rejection cf the nomination of any candi- date on the ground of any irregularity in respect ofa nomination paper if the candidate has been duly nominated by means of another nomi- nation paper in respect of which no irregularity has been committed. (4) No nomination shall be rejected under clause (d) of sub-rule (2) if a summary enquiry is sufficient to establish the identity of the candidate or the proposer. (5) The Returning Officer shall endorse on each nomination paper his decision accepting or rejecting it. • In casea nomination paper is rejected, he shall record in writing a brief statement of his reasons for such rejection. An attested copy of the decision accepting or rejecting a •nomination paper. shall be supplied by the Returning Officer on the same day on an application having been made by a person who is en- titled to be present at the time of scrutiny of nomination paper. (6) Any person aggrieved by any order passed under this rule may, within •the date specified under rule 21: in this behalf, present in person or by counsel or by a duly authorised agent appointed by means of authority in writing and verified by a -magistrate, sub-registrar of the registration department, Lambardar, to the Deputy Commissioner an application for revision of such order. f) On receipt of a revision application under sub-rule (6), the Dep y: Commissioner may, after •hearing the applicant or his counsel, confirm the order already passed or after sending b}' registered post notices to 'the parties concerned intimating the date on which such appli- cation will be • heard after heating any represemtation which the applicant or the other parties may make, confirm the said •order or may Set 'it aside and pass such other order as he may' deem fit. (d) Immediately after all the nomination papers have been scru- tinized and decisions accepting or rejecting the same have been recorded the Returning Officer shall prepare a list of valid nominated candi-, dates that is to say candidates whose -nominations have been found valid and affix it to the notice board

20. Any candidate may withdraw his candidature by notice in writing and delieryed to' the.Returning Officer before ' three O'clock in the afternoon or such other hours as the Returning Officer may fix to suit local requirements on or before the date specified under rule 21 in this behalf and no person who has thus withdrawn his candidature shall be allowed 'to cancel his withdrawal or to be renominated as a candidate for the same• election in the same ward. 30. (1) If in any' ward a poll becomes necessary, under _ rule 32, the Returning Officer shall before prepariãg a list of contesting candidates under rule 31, consider the choice of symbols .éxpressed by the contesting candidates in their nomination papers' and shall, sub- . ject to any general or' special directions issued -in this behalf by the State Election Commissioner, assign a' different symbol' to each con- testing candidate in conformity, as far as practicable, with his or her choice. If more contesting candidates than one have indicated their preference for Che same symbol, the Returning Officer shall decide by •lot to, which of such candidates the symbol will be• assigned. HARYANA GOVT GAZ. (EXTRA.), AUG. 4, 1994 (SRVN. 13, 1916) SAKA) 657 (2) The assignment by the Returning Offiber •of any symbol to a candidate shall be final except where it is inconsistent .with any directions, issued by the State Election Commissioner in which case the State Election Commissioner may revise the assigment in such manner as it thinks fit. (3) Every candidate or his or her agent shall forthwith be in- formed of the symbol assigned to him or her and be supplied with a specimen thereof by the Returning Officer. 31. (1) Immediately after the expiry of the period within which candidatures may be withdrawn under rule 29, the Returning Officer shall prepare in Hindi and. in such other language or languages as may be. prescribed by the • State Election Commissioner a list of contesting candidates, that is to say, candidates who were included in the list of validly nominated candidates, and who have not withdrawn

their candidature . within the prescribed period and cause it to be posted at some conspicuous places in his office and at the Corporation office. (2) The said list shall contain the names in Hindi in alphabetical order and addresses of the contesting candidates as given in the nomination papers together with the symbols assigned to each candidate, if poll is necessary, under rule 33. 32. (1) If there is only one candidate in any ward, the Returning Officer shall declare such candidate to be duly elected, to fill the vacancy. (2) If there is no candidate to be elected the State Election Commissioner shall frame fresh election programme under rule 2 [to elect person to fill the vacancy

33. If the number of contesting candidates in any ward, is more than one, a poll shall be taken

34. If a candidate dies before the poll and after. the date fixed for the nomination of. candidates and his nomination is or has been accepted as valid by the Returning Officer, all proceedings with reference to the election of a member in the ward or wards in which he was a candidate shall be commenced as if for a fresh election . Provided that no fresh nomination shall be necessary in the case of a candidate whose name is entered on a list of contesting candidates posted under the provisions of rule 31.

35. (1) The Returning Officer shall provide such number of polling stations as he may deem necessary and shall on the date specified under rule 21 in this behalf post at his office and at the office of the Corporation a list showing the polling stations so provided, the polling area or the group of voters for which they have respectively been provided and the hours during which they shall remain open for the poll, List of contesting candidates. Candidate deemed to be elected if the number is one. Poll to be taken if number of candidates is more than number of vacancies. Death of a candidate before List of polling stations to be published, Polling officers to be appointed and ban on meetings. Design of ballot boxes. Form of ballot papers. Material to be supplied at polling station. HARYANA GOVT GAZ. (EXTRA.). AUG. 4. 1994 (SRVN. 13, 1916 SAKA) (2) No person shall be permitted to vote except at the polling station of the area to which according to the poll he belongs and within the period for which the polling station remains open. (3) The Returning Officer shall appoint a Presiding Officer for each polling station and such number of polling officers as are considered and if before or at the time of the poll the Presiding Officer or the Polling Officer refuses to act or becomes incapable of acting as such, the Returning Officer shall appoint another person to act as Presiding Officer or Polling Officer, as the case may be, and the Returning Officer may, at any time, if he thinks fit, appoint any other person so to act in place of any person previously appointed. (4) The Presiding Officer shall in addition to performing any of his duties imposed upon him by these rules be in general charge of all at the polling station and may issue orders as to the arrangement; in which persons shall be admitted to the polling station and manner; generally for the preservation of peace and order at or in the vicinity of the Polling Station. (5) No person shall convene, hold or attend any public meeting in the Corporation limits in any area or in which Poll is to be taken. during the period of forty-eight hours ending with the hour fixed for the conclusion of the poll for any election in the polling area

36. Every ballot box shall be of such design as may be approved by the ion 37.(1) Every ballot paper shall have a counter-foil attached [hermo and the said ballot paper and the counter-foil shall be in such form. and the particulars therein shall be in Hindi and in such other language or languages as the State Election Commissioner may (2) The names of the candidates shall be arranged on the ballot paper in the same order in which they appear in the list of contesting (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, 38. The Deputy Commissioner 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, articles necessary for electors to mark the ballot papers and any other article necessary during the process of HARYANA GOVT GAZ. (EXTRA.), AUG. 4, 1994 (SRVN. 13, 1916 SAKA) 659

39. (1) Outside each polling station there shall be displayed prominently — (a) a notice specifying the polling area the electors of which are entitled to vote at the polling station and where the polling area has more than one polling station, the particulars of the electors so entitled ; and (b) a copy of the list of contesting candidates. (2) At each polling station, there shall be set up one or more voting compartments in which electors can record their votes screened from observation. 4). (1) The number of polling agents that may be appointed shall be one agent and two relief agents. (2) Every such appointment shall be made in



form 2 and shall be made over to the polling agent for production at the polling station. (3) No polling agent shall be admitted into the polling station unless he has delivered to the presiding officer the instrument of his appointment under sub-rule (2) after duly completing and signing before the Presiding officer the declaration contained therein



41. The Presiding Officer shall regulate the number of electors to be admitted at any one time inside the polling station and shall exclude therefrom (a) (b) (d) (e) (f) all persons other than polling officer public servants on duty in connection with the election ; persons authorised by the State Election Commissioner , candidates and one polling agent of each candidate a child in arms accompanying an elector ; a person accompanying a blind or infirm elector who cannot move without help ; and such other persons as the Returning Officer or the Presiding Officer may employ under sub-rule (2) of rule 42 or rule 43.

Arrangements at polling stations. Appointment of Polling agents. Admission to polling stations. Facilities for women electors, 42. (1) Where a polling station is for both men and women electors, the Presiding Officer may direct that they shall be admitted into the polling station alternately in separate batches. (2) The Returning Officer or the Presiding Officer may appoint a woman to serve as an attendant at any polling station to assist women electors and also to assist the Presiding Officer generally in taking the poll. (HARYANA GOVT. GAZ. (EXTRA.), AUG. 4, 1994 (SRVN. 13, 1916 SAKA) the poll in respect of women electors, and in particular, to help in searching any women elector in case it becomes necessary. Staff for 43. The Presiding Officer may employ at the Polling station such Identification of person as he thinks fit to help in the identification of the electors or electors. to assist him otherwise in taking the poll. Preparation of ballot boxes for Poll. Marked copy of electoral roll. Identification Of electors. 4 (1) The Presiding Officer shall secure and seal the ballot book 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. (2) Every, ballot box used at a polling station shall bear labels, both inside and outside, marked with- (a) name of Corporation , (c) (d) (e) ward number Polling station number ; serial number of the ballot box (to be filled in at the end of the poll on the label outside the ballot box only) , the date of the poll and place of the poll. (3) 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 (2). (4) The ballot box shall then be closed, sealed and secured and placed in full view of the Presiding Officer and the polling agents.

Immediately before the commencement of the poll, the Presiding Officer shall also demonstrate to the polling agents and other present that the marked copy of the roll to be used during the poll does not contain any mark against any elector entered therein. 46. (1) As each elector enters the polling station, the Presiding Officer or the Polling Officer authorised by him in this behalf shall check the elector's name and other particulars with the relevant entry in the roll and then call out the serial number, name and other particulars of the elector. (2) In deciding the right of a person to obtain a ballot paper the Presiding Officer or the Polling Officer, as the case may be, shall overlook merely clerical or printing errors in an entry in the roll, if he is satisfied that such person is identical with the elector to whom such entry relates.

HARYANA GOVT GAZ. (EXTRA.), AUG. 4, 1994 (SRVN. 13, 1916 SAKA) 661 47. (1) Any polling agent may challenge the identity of a person claiming to be a particular elector by first depositing a sum of five rupees in cash with the Presiding Officer for each such challenge. (2) On such deposit being made, the Presiding Officer shall— (a) warn the person challenged of a penalty for perjury: (b) read the relevant entry in the electoral roll in full and ask him whether he is the person referred to in that entry; (c) enter this name and address in the list of challenged votes in

Form 3 ; and (d) require him to affix 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 questions necessary for the purpose of establishing his identity and require him to answer them on oath and (c) administer an oath to the person challenged and any other person offering to give evidence in connection with the challenge. (4) If, after the enquiry, the Presiding Officer considers that the challenge has not been established, he shall allow the person challenged to vote ; and if he considers that the challenge has been established, he shall debar the person challenged from voting. (5) If the Presiding Officer is of the opinion that the challenge is frivolous or has not been made in good faith, he shall direct that the deposit made under sub-rule (1) be forfeited to the Government, and in any other case, he shall return it to the challenger at the conclusion of the enquiry. 48. (1) Every elector about whose identity the Presiding Officer or the Polling Officer, as the case may be, is satisfied, shall allow his left forefinger to be inspected by the Presiding Officer or Polling Officer and an indelible ink mark to be put on it. (2) If any elector refuses to allow his left forefinger to be inspected or marked in accordance with sub-rule (1) or has already such a mark on his left forefinger or does any act with a view to removing the ink mark, he shall not be supplied with any ballot paper or allowed to vote. 49. (1) Only an elector is entitled to vote in the election. (2) No person shall vote in more than one ward and if a person votes in more than one ward his votes in all such wards shall be void. (3) No person shall be qualified for voting if he has been convicted of an offence punishable with imprisonment under section 171-E or 171-F of the Indian Penal Code (Act 45 of 1860) , unless a period of six years has elapsed from the date of conviction or the Government has, for reasons to be recorded in writing, removed such disqualification in any particular case.

50. The voting shall be by marking the ballot paper.⁵¹ • Voting shall be in person and not by proxy.

52. (1) Every ballot paper before it is issued to an elector, and the counterfoil attached thereto shall be stamped on the back with such distinguishing mark as the State Election Commissioner 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 an elector, the Polling Officer shall record on its counterfoil the electoral roll number of the elector as entered in the marked copy of the electoral roll of the concerned ward of the Corporation, obtain the signature or thumb impression of the elector on the said counterfoil and mark the name of the elector 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 elector : Provided that no ballot paper shall be delivered to an elector unless he has put his signatures or thumb impression on the counterfoil of the ballot paper: Provided further that it shall not be necessary for the Presiding Officer or Polling Officer or any other Officers to attest the Signatures or the thumb impression of the elector on the counterfoil. serial (3) No person in the polling station shall note down the number of the ballot papers

issued to particular electors. HARYANA GovT. GAZ. (EXTRA.), AUG. 4. 1994 (SRVN. 13, 1916 SAKA) 663 53. (1) Every elector to whom a ballot paper has been issued under these rules, shall maintain secrecy of voting within the polling station and for that purpose observe the VQting procedure laid down.

(2) The elector on receiving the ballot paper shall forthwith— (a) proceed to one of the voting compartments; (b) make a mark on the ballot paper with the instrument supplied for the purpose on or near the symbol of the candidate for whom he intended to vote; fold the ballot paper so as to conceal his vote; if required, show to the Presiding Officer the distinguishing mark on the ballot paper; insert the folded ballot paper into the ballot box; and (f) quit the polling station. (3) Every elector shall note Without undue delay. (4) No elector shall be allowed to enter a voting compartment when another elector is inside it. (5) If an elector 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 signatures below these 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 paper; Voting procedure violated". (8) Without prejudice to any other penalty to which an elector, from whom a ballot paper has been taken back under sub-rule (5), may be liable, to the vote, if any recorded

on such ballot paper shall not be counted. 54. (1) If the Presiding Officer is satisfied that owing to blindness or other physical infirmity, an elector is unable to recognise the symbols on the ballot paper or to make a mark thereon without assistance, the Presiding Officer shall permit the elector 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 the companion shall be a person of not less than eighteen years of age and shall be a resident of the constituency in which the elector is entitled to vote. 664 HARYANA GOVT. GAZ. (EXTRA.), AUG. 4, 1994 (SRYN. Pr•ovided more than one

act* as the companion of -tauon on I he same day: Provided fur! her per: on permitted to act as the companion of an day and:' rule, the person shall be required i o declare 1 h? he vote recorded by him on behalf of the and he no:. already as lhe companion of any other elector at any p.)lline sit! ion on [hat day.

(2) The Presiding Officer shall keep record in form 4 of all case under this rule. (3) The Presiding Officer shall be so by the companion of an elector. explain him in the conditions for the recording of Spoilt and tampered ballot-papers. Tenders votes. such manner. it be given another ballot paper: if deal with his ballot paper, in which used as double paper, may, on finding him of [his inadvertence and the paper lost and the counterfoil of such ballot, marked "Spoilt_ cancelled" by the Presiding officer, the ballot paper decided not to use it, he shall return to the Officer, and ballot paper so returned and the counterfoil panel shall be marked as "Returned: Cancelled" by the officer shall be kept in a separate box for a ballot elector, he shall. (1) or sub-ff:

te (2) n. {np himself to be a p: r!icular elector ner person has already yoted a; such i a no qae:'orily-
 .answenng such questions relat Ing to his identity as (he Presiding Officer Ina y ask. be entitled. subject Io
 the following provisions of th?s rule, to make a ballot paper (hereinafter in these rules referred as a ballot
 paper") in tke same manner as any other elec!or may choose. (2) Every such before being supplied with a

ballot paper sign his name the entry relating to Bim in a list in

form 5. (3) A tendered ballot paper shall be the same as the ballot paper used at the polling station; it has to be serially numbered and its coverfoil shall be endorsed the back with the words "Tendered ballot paper" by the Presiding Officer in his own hand and signed by him. HARYANA GOVT. GAZ. (EXTRA.) AUG. 4, 1994 665 (SRMN. 13, 1916 SAKA) (4) The elector, after marking a tendered ballot paper in the voting compartment and folding it, shall instead of putting it into the ballot box, give it to the Presiding Officer, who shall place it in a cover specially kept for the purpose. 57. (1) Except as provided in sub-rule (3), the Presiding Officer, shall close the polling station at the hour fixed in that behalf under sub-rule (1) of rule 35 and shall not thereafter admit any elector into the polling station: Provided that all electors present at the polling station before it is closed shall be allowed to cast their votes. (2) If any question arises whether an elector was present at the polling station before it was closed it shall be decided by the Presiding Officer and his decision shall be final. (3) If for any reason it was not possible to open the polling station at the hour fixed under sub-rule (1) of rule 35 or if by reason of disorder at the polling station, or for any other reason the Presiding Officer has considered it necessary to stop the polling for a certain time, the Presiding Officer shall keep the polling station open for a period equal to the period that elapsed between the hour appointed for the opening of the polling station and the hour at which it was actually opened or the time during which polling was stopped, as the case may be. (4) If polling is to take place on more than one day at any polling station in respect of the election in any one ward the Presiding Officer shall in the presence of candidates or their agents, who may be present, close the slit of each ballotbox and where a box does not contain any mechanical device for closing the slit, seal up the slit and secure the ballot boxes used at the polling station during the day and shall then hand them over to the officer in charge of the police station for safe custody. 58. Immediately after the close of poll at a polling station and before commencement of counting of votes under rule 60 it taken, the Presiding Officer shall prepare an account of ballot in form 6 showing total number of ballot papers received, used and unused, including tendered and also the number of ballot papers found in the ballot boxes. This account shall be forwarded to the Deputy Commissioner along with the packets stated in rule 66. 59. (1) If at any election any ballot box used at a polling station or at any other place fixed for the poll is unlawfully taken out of the custody of the Presiding Officer or is accidentally or intentionally destroyed or lost, or damaged or tampered with and the Returning Officer is satisfied that in consequence thereof the result of the poll at that polling station or place cannot be ascertained, he shall report the facts to the State Election Commissioner who, shall— (a) declare the polling at that polling station to be void; Closing of poll. ballot papers. 666 4 Counting of Votes HARYANA GOVT GAZ. (EXTRA.) AUG. 4, 1994 (SRVN. 13, 1916 SAKA) (b) appoint a day and fix the hours for taking a fresh poll at the polling station; and (c) notify the day so appointed and the hours so fixed by him, in the manner provided in these rules. (2) The provisions of these rules shall apply to every fresh poll as they apply to the original poll. 60. (1) On the date and time specified under rule 21 and subject to such general or special directions, if any, as may be given by the State Election Commissioner in this behalf, the Presiding Officer in the presence of the Polling Officers and of such candidates or their agents, if any, as may be present, shall have the ballot papers taken out of the ballot boxes used at the Polling station, get them mixed together and then arrange in convenient bundles and scrutinised. (2) The Presiding Officer shall reject a ballot paper. (a) if it bears any mark or writing by which the elector can be identified; or (b) if it bears no mark to indicate the voter or it bears a mark made otherwise than with the instrument supplied for the purpose; or (c) if votes are given on it in favour of more than one candidate; or (d) if the mark indicating the vote thereon is placed in such manner as to make it doubtful to which candidate the vote has been given; or (e) if it is a spurious ballot paper; or (f) if it is so damaged or mutilated that its identity as a genuine ballot paper cannot be established; or (g) if it bears a serial number, or is of a design different from the serial numbers, or, as the case may be, design, of the ballot papers authorised for use at the particular polling station; or (h) if it does not bear both the distinguishing mark and the signature which it should have Borne under the provisions of sub-rule (1) of rule 52. Provided that where the Presiding Officer is satisfied that any such defect as is mentioned in clause (g) or clause (h) has been caused by the mistake or failure on his own part or that of a Polling Officer, the ballot paper shall not be rejected merely on the ground of such defect HARYANA GOVT GAZ, (EXTRA.) AUG. 4, 1994 (SRVN. 13, 1916 SAKA) 661 Provided further that a ballot paper shall not be rejected merely on the ground that the mark indicating the Vote is indistinct or made more than

once, if the reason that the vote shall before a particular candidate clearly appears from the way the paper is marked. (3) Before rejecting any ballot paper under sub-rule (2) the Presiding Officer shall allow each candidate or his agent present a reasonable opportunity to inspect the ballot paper but shall not allow him to handle it or any other ballot paper. (4) The Presiding Officer shall endorse on every ballot paper which he rejects, the word "Rejected" and, the Bounds of rejection in abbreviated form in his own hand and shall initial such endorsement. (5) All ballot papers rejected under this rule shall be bundled together. (6) Every ballot paper which is not rejected under this rule shall be counted as one valid vote:

Provided that no cover containing tendered ballot paper shall be opened and no such paper shall be counted. (T) If under any circumstances the counting of ballot papers of any ward of the is postponed, the 'Ballot Boxes used in each ward of the Corporation shall be kept in safe custody by the Deputy

Commissioner as per the directions of the State Election Commissioner. (1) The Officer shall, as far as practicable, proceed continuously with the counting of the Votes and shall during any intervals when the counting has to be suspended, keep the ballot papers, packets and other documents relating to the election sealed with his own seal and the seals of such candidates or agents as may desire, to affix their seals and shall cause adequate precautions to be taken for their safe custody. (2) After the counting of all ballot papers contained in all the ballot boxes used at a polling-station has been completed, the Presiding Officer shall fill in and sign the result of counting, in form 7, announce the particulars and unless there is recounting of votes shall transmit the same to the Returning Officer. 62. (1) After the announcement under sub-rule (2) of rule 61 a candidate or in his absence his agent may apply in writing to the Presiding Officer or the Returning Officer to recount the votes either wholly or in part stating the grounds on which he demands such recount. (2) On such an application being made, the Presiding Officer or the Returning Officer, as the case may be, shall decide the matter and may allow the application in whole or in part or may reject it in toto if it appears him to be frivolous or un-reasonable. C.uti v W. nanu. us. Renant of votes. 668 HARYANA GOVT GAZ. (EXTRA.), AUG. 4, 1994 (SRVN. 13, 1916 SAKA) Declaration of results and procedure in case of tie. Preparation of Return and notification of the Official Gazette, Notice of seat in case of election to more than one seat. (3) Every decision of the Presiding Officer or the Returning Officer as the case may, under sub-rule (2) shall be in writing contain the reasons therefor. (4) If the Presiding Officer or the Returning Officer, as the case may be, under sub-rule (2) to allow a recount of votes either wholly or in part, he shall; (a) arrange recounting of the ballot papers in accordance with his decisions, (b) amend the result sheet in form 7 to the extent necessary after such recount; and (c) announce the amendments so made by him and transmit the same to the Returning Officer. (5) No application for recount shall be entertained after the declaration of results under rule 63

- 63. When the counting of votes has been completed and if no fresh poll is required to be held in that ward the Returning officer shall forthwith consolidate the account of ballot papers in**



form 8 and declare the result in the following manner .(a) The candidate who is found to have obtained" the •largest number of valid votes Shall be declared to have been elected. (b) If, aftei• consolidating the result in form 8, a tie is found to existi>t between the condidates, and the addition of one vote will entitled any of those candidates to be declared elected, the Returning Officer shall forthwith decide between those- .candidates by lot, and the candidate on whom the lot falls shall be considered to have received an additional vote and shall be declared to be duly elected

64. When the result has been declared under rule 63 the Retur- ning Officer shall forth with prepare a return showing the names of the candidates, the number of votes recorded for each and the names of the .candidates declared to have been elected and shall forth with post a copy of thereturn in a conspicuous place at his office and send a copy thereof to the Deputy Commissioner. The Deputy Commise sioner shall immediately forward the names of the candidates elected to the State Election Commissioner, who shall notify the same in the official Gazette: as required under the provision of section
14



65. Any candidate who is elected in more than one ward shall by notice in writing signed by him and delivered to the Deputy Commissioner within seven days of the publication of the •of election in the official Gazettee, choose for which of these wards he shall serve, if he does not deliver such notice within the aforesaid HARYANA GOVT GAZ.' (EXTRA.), AUG. 4, 1994 (SRVN. 13, 1916 SAKA) 669

#riod; the Deputy Commissioner shall within fourteen days from the date of the publication of the result declare for which ward he shall serve. Such choice oi declaration, as the case may be, shall be final.'

Raulting vacancy or vacancies in the ward or wards not chosen or declared, shall be filled under Rule 68.

66. (f) The Presiding Officer shall seal up in separate packets on the outside of Thich shall be endorsed a description of their contents and forward to the Deputy Commissioner (a) (c) (d) (f) (g) (h) (i) (J) (k) The marked copy of the roll , the counterfoils of the used ballot papers ; the ballot papers signed ir full by the Presiding Officer but not issued to the voters the uoissued ballot papers , the ballot papers cancelled for violation of voting procedure ; any other cancelled ballot papers , the CQver containing the tendered ballot papers and the tendered votes list the list of challenged votes ; account of ballot . papers . , the ballot papers • •counted as valid ; and any other packet(s) prescribed by the State Election Commissioner.

Election pap to Di putY Commi"tvn r. Oastody of election papers. (2) The Presiding Officer shall allow candidate or his agent, who may so desire, to affix his seal on each or any of the said packets.

67. (I) The Deputy Commissioner shall retain the packets forwarded to him under the provisions of rule 66 in his coustody until the expiry of one year from the date of. the election and shall then, subject •to any direction to the contrary made by the State Election Commissioner or a Compe!ent court 01 a person or Persons appointed to hold an enquiry into an election under Part.V of these rules, cause them to be destroyed. (2) A

candidate may apply to the Deputy Commissioner for inspection or supply of certified copies of any documents relating to an election other than bal 16t papers, counter-foils of the used ballot papers and the marked copy of the roll referred to in rule 66, on payment of a fee at the same rate as is charged in the

State for, the inspection of a document

forming part of a record of a case dealt with by a 610 HARYANA GOVT GAZ. (EXTRA.), AUG. 4, 1994 (SRVN. 13, 1916 SAKA, Filling of casual vacancies. Appointment of Officers to perform functions Of Deputy Commissioner. Final Authority for interpretation of these rules. Oath of allegiance and term Of office of Mayor etc. Revenue Officer or for supply of a copy of an order by a Revenue Officer, as the case may be, and such copies shall be supplied in accordance with the procedure to be followed for a similar application in respect of a case dealt With by a Revenue Officer. 68 (1) Election to fill a casual vacancy shall be conducted and completed within six months from the date of occurrence of the vacancy in the manner prescribed in these rules for a general election and the programme of the election shall be framed as soon as may be convenient and the electoral roll in force under the provisions of rule 1 or 12, as the case may be, shall be deemed to be the roll for the purpose of holding the election, Provided that no election shall be held to fill casual vacancy occurring within six months prior to the holding of a general election. (2) Every person elected or nominated to fill Casual vacancy shall be elected or nominated to serve for the remainder of his predecessor's term of office, if the vacancy be a vacancy reserved for any category, the vacancy shall be filled from the same category

69. If on account of illness, absence from head Quarters or any other reason, the Deputy Commissioner is unable to perform any of his functions under these rules he may by order in writing appoint any Assistant Commissioner or Extra Assistant Commissioner to perform such functions on his behalf

10. If any question arises regarding the interpretation of these rules, otherwise than in connection with an election petition which has actually been presented, it shall be referred by the person interested or the official to the Deputy Commissioner who if he thinks, fit, may refer it to the Government whose decision shall be final.(f) The Divisional Commissioner within a period of fourteen

71. days of the publication of the notification of the names of the members elected to the Corporation convene the first meeting of the newly constituted Corporation at the 48 hours notice to be delivered at their Ordinary place of residence. The notice shall clearly state that the Oath of allegiance will be administered to the members present and that election of Mayor, Senior Deputy Mayor and Deputy Mayor shall be held in this meeting to be presided over by Divisional Commissioner. (2) The Divisional Commissioner shall administer the oath of allegiance to the members present as prescribed in (3) The Oath of shall be administered to a member who was not present at the meeting convened under sub rule (2) or to a member nominated to fill a casual vacancy, subsequently by the Mayor. (4) Notwithstanding anything contained in section 36, for election of the Mayor, Senior Mayor and Deputy Mayor, the Divisional Commissioner shall nominate a member who is not a candidate to preside over the meeting to elect such members for the Mayor, Senior Deputy Mayor and Deputy Mayor. HARYANA GOVT GAZ. (EXTRA.) AUG. 4, 1994 (SRVN. 13, 1916 SAKA) 671 (5) The term of the office of Mayor, Senior Deputy Mayor and Deputy Mayor shall be one year and the Mayor shall be elected from the elected members of the Corporation every year by rotation and by lots from general categories, Scheduled Castes and women for the first three years and from general categories and women for the next two years; of the office of 3 new Mayor Provided that the election shall be held one month before the expiration of the term of office of the outgoing Mayor, who shall cease to function as such on the completion of his one year tenure. 72. (1) If only one candidate for the each office of the Mayor, Senior Deputy Mayor and Deputy Mayor is proposed, such candidate shall be declared to have been duly elected. If the number of proposed candidates is more than one, the voting shall be by ballot. The elector shall be required to vote writing 'Yes' or 'No' on the ballot paper. The candidate getting the maximum number of votes shall be declared to have been elected. Special ballot paper shall be used for such voting, each bearing an Official mark to be placed thereon by the Divisional Commissioner. (2) All ballot used for such voting shall, immediately after the counting of votes has been completed be enclosed in the stout by the Officer who presided at the meeting in view of the election to which it pertains and shall be inscribed thereon and such envelope shall addressed be enclosed in an envelope which shall be signed and delivered to the Divisional Commissioner. The Divisional Commissioner shall preserve the inner envelope intact until the expiry of one year from the date of the election, and shall then, subject to any direction to the contrary made by the State Election Commissioner, or a competent court or a person or persons, an enquiry into an election under Part V of these rules, cause it to be destroyed with its contents. If during the election of Mayor, Senior Deputy Mayor and Deputy Mayor, it appears that there is an equality of votes between the candidates at such election and that the addition of vote would entitle any of the candidates to be

elected as Mayor, senior Deputy Mayor and Deputy Mayor, the person presiding over the meeting shall decide between them by lot to draw in the presence of the candidate, and the candidate on whom the lot falls shall be deemed to have received an additional vote.

74. With the sanction of the State Government the amount of honorarium and other facilities such as residential accommodation, telephone conveyance etc. may be fixed and paid to the Mayor of the Corporation out of the Corporation fund. 75. (1) The Divisional Commissioner, on written requisition made by the Corporation, on his satisfaction, shall convene a meeting by giving not less than 14 days clear notice in writing to consider the requisition, Election of Mayor etc. Procedure in case of the equality of votes. Payment of honorarium etc. to Mayor out of Corporation fund. Removal of Mayor, Senior Deputy Mayor and Deputy Mayor, 672 HARYANA GOVT GAZ. (EXTRA.) AUG. 4, 1994 (SRVN 13, 1916 SAKA) Corrupt practices. (2) A member holding office as Mayor or Senior Deputy Mayor or Deputy Mayor shall be removed from his office by a resolution of the Corporation passed by a majority of not less than two thirds of the total members of the Corporation by voting by ballot. (3) The Divisional Commissioner shall record and sign the resolution in the Proceeding Book of the Corporation. (4) The Divisional Commissioner shall have no right to vote at such meeting: Provided that no meeting for the purpose shall be convened unless a period of six months has elapsed since the date of last meeting convened for removal particulars Mayor or Senior Deputy Mayor or Deputy Mayor

76. In addition to the corrupt practices given in Section 22 of the Ordinance, the following shall be deemed to be corrupt practices for the purposes of these rules (D The promotion of, or attempt to promote, feelings of enmity or hatred between different classes of the residents of the Corporation on ground of religion, race, caste, community or language by a candidate or his agent or any other person with the consent of a candidate or his election agent for the furtherance of the election of that candidate or for prejudicially affecting the election of any candidate (2) The procuring or abetting or attempting to procure by a candidate or his agent, or any other person with the connivance of a candidate or his agent, a ballot paper in the name of any other person, whether living or dead or in a fictitious name; or by a person for a ballot paper in his own name when by reason of the fact that he has already voted in the same or some other ward, he is not entitled to vote, (3) The removal of a ballot, paper from the polling station during polling hours by a candidate or his agent, or by any other person with the connivance of a candidate or his agent (4) The obtaining or procuring or abetting or attempting to obtain or procure by a candidate or his agent or, by any other person with the consent of a candidate or his agent, any assistance other than the giving of vote for furtherance of the prospects of that candidate election, from any person in the service of the Government other than village Revenue Officers known as Lambardars whose duty is to collect land revenue and who are remunerated by a share of, or commission: on the amount of land revenue collected by them but who do not discharge any police functions. HARYANA Govt. GAZ. (EXTRA.) AUG. 4, 1994 (SRVN. 13, 1916 SAKA) 63 manation.—A person serving under the Government of the State of Haryana shall include a Patwari, a Chaukidar or any other village officer employed in the State, whether the office he holds is a whole time office or not but shall not include any person (other than any such village officers as aforesaid) who has been declared by the Government to be a person to whom the provision of this clause shall not apply.. n. (1) The Government shall appoint a Tribunal to hold an enquiry in accordance with the provisions of these rules. (2) In the case of a one man tribunal, the appointment shall be made from amongst : (a) Subordinate Judges of the 1st Class belonging to the State Judicial or (b) persons who may have from the State Judicial Service as a District Judge. (3) In the case of multi Member Tribunal - at least one member shall be appointed from amongst the category persons mentioned in sub-rule (2) and the remaining members of the Tribunal may be appointed from amongst advocates duly enrolled as such under the Advocates Act, 1961, who may have served at the bar of the State High Court for a minimum period of ten years. The member appointed under sub-rule (2) shall be designated as (he) Chairman of the Tribunal. (4) The remunerations and terms of appointment of members other than those who are serving members of the State Judicial Service shall be such as may be specified by the government. (5) The Government may appoint a person by name or by office to be a Tribunal, and if a person for the time being holding the office be the Tribunal unless the Government otherwise directs. (6) If a vacancy occurs in a Tribunal by reason of a death, resignation or any other causes, the Government may make a fresh appointment. (7) If on the application of any party to an election petition the Government is satisfied that there are reasonable grounds for the transfer of case from the Tribunal

appointed to hear such an election petition it may appoint a fresh Tribunal as provided heretofore. (8) change of incumbency In the Tribunal whether by reason.s of death,. transfer, resignation or any other reason shall not invalidate any Dprevious or subsequent proceedings in any matter pending before, it, nor shall it be necessary for a Tribunal on account of such change to recommence any enquiry into any matter Dending before it for disposal. Appointment Of Tribunal. 674 HARYANA GOVT GAZ. (EXTRA.), AUG. 4, 1 994 (SRVN. 13, 1916 SAKA) Election petition Deposit to be made when Petition is presented and return deposit. Place procedure enquiry. of and of 78. (1) No election of a member shall be . called -in question except' by an election petition presented to the Tribunal. (2) An election petition against 'the return of a candidate to . an election vor against the return of Mayor or Senior Deputy Mayor or Deputy Mayor or against unsuccessful candidate with a his disqualification on the ground of a corrupt practice or material irregularity in the procedure shalH)e in writing signed by a person who was a candidate at such election or an elector. 79. (1) Every election petition shall be accompanied by a receipt from the treasury for two -hundred and fifty rupees or Governe ment promissory Notes of equal value at the market rate of the day as security for all costs that may become.payable by him or them, (2) if a petitioner, by whom the deposit referred to in sub-rule (1) has been made, withdraws his election petition as provided in rule 8T and in any other case after final orders have been PGsed on the election petition, •the deposit shall, after deducting such amount as may be ordered to be said paid as costs, charges and expenses be returned to the• petitioner by whom it was made, and if such peti- tioner dies during the course of the enquiry into the election petition, any such deposit, made by him, shall after the amount of such costs as may be ordered to be paid have been deducted, 'be returned to his. legal representative, (3) All applications for the refund of a deposit shall be made to the Tribunal who shall pass orders thereon in accordance with these rules. 80. (1) The enquiry shall be held in a place to which the public have free access and notice of the time and place of enquiry, shall be given to the parties not less than seven_ days pefore the first day of the •enquiry, (2) Ther place of enquiry shall be within-the Corporation provided that the Tribunal may, on being satisfied that special circumstances exist rendering it desirable that the enquiry should be held elsewhere, appoint some other convenient place for the enquiry. (3) Subject to the provisions of these rules every election petition shall be required into as nearly as may be in accordance with the procedure applicable under the Code of Civil Procedure, 1908 (5 of 1908) to the trial of suits, provided that if the Tribunal consists of more than one person it shall only be necessary for it to make or cause to be made a memoranda of the substance of the evidence of any wit- ness and provided further that' @ Tribunal may dismiss an election petition for default. (4) The, Tribunal shall cause to be served on each respondent a notice the presentation of the petition, together Vith a copy of 674 HARYANA GOVT GAZ. (EXTRA.), AUG. 4 (SRVN. B, 1916 SAKA) 994 Election petition DeXBit to made When is presented and of return deposit. Place and procedure of enquiry. 78. (1) No election of a member shall be called in question except by an election petition presented to the Tribunal. (2) An election petition against the return of a candidate to an election or against the return of Mayor or Senior Deputy Mayor or Deputy Mayor or against unsuccessful candidate with a view to his disqualFication on the ground of a corrupt practice or material irregularity in the procedure shall be in writing signed by a person who a candidate at such election or an elector. was 79. (1) Every election petition shall be accompanied by a receipL from the treasury for two hundred and fifty rupees or Govern. ment pronusory Notes of equal value at thc market rate of the day as security for all costs that may become payable by him or them. (2) If a petitioner, by whom the deposit referred to in sub-rule (1) has been made, withdraws his election petition as provided in rule 81 and in any other case after final orders have been passed on the election petition, the deposit shall, after deducting such amount as may be ordered to be said paid as costs, charges and expenses be returned to thc, petitioner by whom it was made, and if such peti- tioner dies during the course of the enquiry into the election petition, any such deposit, made by him, shall after the amount of such costs as may be ordered to be paid have been deducted, be returned to his legal representative. (3) All applications for the refund of a deposit shall be made to the Tribunal who shall pass orders thereon in accordance with these rules. 80. (1) The enquiry shall be held in a place to which the public have frec access and notice of the Lime and place of enquiry, shall be given to the par(ieq not less than seven days before the first day of the enquiry (2) The place of enquiry shall be within" the Corporation provided that the Tribunal may, on being satisfied that special circumstances exist rendering it desirable that Lhe enquiry should be held elsewhere, appoint borne Di-her convenient place for the enquiry. (3) Subiect to the provisions of these rules every election petition

required ino as nearly as may be in accordance with the shall be procedure applicable under the Code of Civil Procedure, 1908 (5 of 1908) to the trial suits. provided that if the Tribunal consists of more be necessary for it to make or cause than one per«on it shall only to be anade a memoranda ef [he substance of the evidence of any wit. ness and provided furLhv•r Lhak a Tribunal may dismiss an election petition ror default. (4) The Tribunal shall cause to be served on each respondent a notice * or the presentation of the petition, together with a copy of KARYAN•A aorr GAZ. (EXTRA.), AUG. 4, 1994 (SRVN. 13, 1916 SAKA) 615 the petition, and shAll summon each respondent and in bi8 presence or if he fails to be present in person or by counsel after summon has been duly served upon, him, in his absence, shall make an enquiry regarding the corrupt practices or irregularities alleged to have been committed. 81. (1) An election petition may be withdrawn if an application for qithdraval is made before the Tribunal. (2) If there are more petitioners than one no application to Vith- draw a petition ghan be made exceit Vith the written consent of au the petitioners. (3) Nofapplication for ;vithdtawal 'shall be granted if in the opinion of the Tribunal, such application has been induced by any bargain or con!ideration which ought not be allowed. (4) When an application for withdrawal is made to the Tribunal 2— (a) a notice thereof fixing a date for the hearing of the appli- cation shall be given to all other parties to the petition and shall be published by being posted at the office of the Tribunal, and the Corporation . (b) any person Who might himself have been a petitioner may, within a period of fourteen days from the date of such application apply to be substituted as petitioner in place ot the' party vitbdraving. Upon compliance with the conditions as to the security under rule 79 shall be entitled to be so substituted and to continue the proceedins upon such terms as the Tribunal may think fit ; (c) the petitioner shall be ordered to pay the costs of the respondent theretofore incurred or such petition thereof as the Tribunal may tiink fit. (5 When an election petition is allowed by the Tribunal to be withdrawn the file of the shall be forwarded to the Government for information

82. If before the conclusion of the trial of an election petition the respondent dies or gives notice that he does not intend to oppose the petition the Tribunal shall cause not.icz of such event to be publshed by being posted at the office of the Tribunal and the Corporation, and thereupon any person who might have been a petitioner may, within a period of fourteen days from the date of such publication, apply to be substituted for such respondent to oppose the petition and shall be entitled to continue the proceedings upon such terms as the Tribunal may thin* • fit. Withdrawal of petitfm. Abatement of suzstitution on death of regpot&t. Abatement substitution death petiti'oner. on of 676 83. a sole (2) HARYANA GOVT. GAZ. (EXTRA.), AVG. 4, 1994 (SRVN. 13, 1916 SARA) (1) An election petition shall abate only on the death of petitioner or of the survivor of several petitioners. Notice of the abatement of an election petition shall be Ground' for which candida. te other tbdn the returned candidate may be dectated to be elected. Finding as to carupt practl•ce and persons guilty. published by the Tribunal or, if the •petition abates before any Tribunal has been appointed, by the Government by being posted at the the Deputy Commissioner and at the Corporation office. (3) Any person, who might 'himself have been peitioner, may within a period of fourteen days from the date of such a publication of notice under sub-rule (2), apply to be substituted as a petitioner and. upon compliance with the conditions as to security under rule 81 shall be entitled to be so substituted and to continue the upon such terms as tbe Tribunal, may think fit. u. (I) If any person who has lodged a petition has, in addition to calling in question the election of the returned candidate, claimed a declaration that he himself or any other candidate has been duly elected and the Tribunal is of opinion that— (a) in fact the petitioner or such other candidate received a majority of the valid votes ; or (b) that but for the votes obtained by the returned candidate by corrupt practices tnu petitioner or such other candidate would have obtained a majority. of the valid votes, the Tribunal shall after declaring the election of the returned candidate to be void, declare the petitioner or such other candidate, as the case may be. to have been duly elected. (2) If during the trial of an election petition, it' appears that there is an equality of votes between any candidates at the election and that the addition of a vote would entitle any of those candidates to be elected, them: (a) an decision made by the Returning Officer under clause of rule 63 shall, in so far as it determines the quatioa between those candidates, be effective also for the purpose of the petition. ; and (b) in so far as that question is not determined by such a decision, the Tribunal shall decide between them by lot and proceed as if the one on whom the lot - thea falls has received an additional vote

85. No person shall be named as having been- found guilty of any corrupt practice unless he, had been given a reasonable opoortu• nity of shoviag cause, why be should be so named, during the trial

of the election petition : HARYANA GOVT GAZ.(EXTRA.), AUG. 4, 1994 (SRVN. 13, 1916 SAKA)
671 Provided that no person shall be named in the report unless he has been given a reasonable opportunity of showing cause why his name should not be so recorded

86. The Tribunal shall, a.s soon as may be, after the conclusion of the trial of an election petition, intimate the substance of the decision to the Deputy Commissioner the district concerned and to the Government and a.. soon as may, thereafter. send to the said authorities an authenticated copy of {he decision

87. The State Election Commissioner may of its own motion • direct an enquiry to be held into the conduct of any election if there is reason to suspect that a corrupt practice or material irregularity has been committed and the case shall be dealt within the manner prescribed in these rules



88. When the election of a candidate is declared void by the Tribunal, a fresh election shall be held to fill the vacancy so caused and the procedure laid down in these rules shall apply to such election.

89. . After an election petition been disposed of, the Tribunal shall forward all papers relating thereto the District Judge within whose jurisdiction the Tribunal was situated. FORM-A [See rule 90) (a) 14 and 15] (Claim application for inclusion of To The Revising Authority, Municipal Corporation of- Sir, request that my name be included in the electoral roll for the and transmission of the orders of Tribunal. of State Election Commission to order an enquiry. Fresh election to be held if an election is declared void.

Custody of record election enquiry. above record relating to My name (in full) My father's/M

My husband's Name-- Occupation Particulars of my place of residence House No. are : 678

HARYANA GOVT GAZ. (EXTRA.) AUG. 4, 1994 (SRVN. 13, 1916 SAKA) Post Office District hereby declare that to the best of my knowledge and belief: that I am a citizen of India that my age on the first day of January last, was — Years and months ; that am ordinarily resident at the address given above; that I have not applied for the name in the electoral roll for any other ward, included in the electoral roll that my

name has not been in other ward OR • that my name may have been included in the electoral roll for the under the address mentioned below and, if so, request — 4 Date the claim same may be excluded from the electoral roll Signature or thumb-impression of claimant included in the electoral roll inclusion vi7. + ing to

Municipal Corporation — — . My serial number therein is and countersign it. Signature of the elector Name (in full) HARYANA GOVT GAZ. (EXTRA.), AUG. 4, 1994 1916 SAKA) (SRVN. 13, To be filled in by the office of the Revising Authority Application No. Filed on date of hearing and adjournment, if any

(Decision of the Revising Authority— 679 Signature of the Revising Authority Note.—In case the application is made after the final publication of the rolls, it will be addressed to the Deputy Commissioner of the District. FORM [See rule 14 and 15] (Objection to inclusion of name) To The Revising Authority,

Municipal Corporation Of Sir, I object to the inclusion of the name of — of ward No. — No. roll for the following reason(s) Ward No.— — of the electoral roll hereby declare that the facts mentioned above are true to the best of my knowledge and belief. My name has been included in the electoral roll for this ward as

follows My name in full My Father's/Husband's/Mother's name- - Serial No. Date . Signature: Thumb-impression of objector Full Postal Address 680 HARYANA GOVT GAZ. (EXTRA.), AUG. 4, 1994 1916 SAKA) (SRVN. 13, I am an elector included in the same electoral roll in which the — — relating name objected to appear viz. Ward No. My serial No. therein is — to — I support this objection and countersign

it. Signature of the elector Name (in full) Postal Address Date To be filled in by the office of the

Revising Authority Objection No. Filed on Date of hearing and adjournment, if any — Decision of Revision Authority Signature of the Revising Authority. Note.— In case the application is made after the final publication of the rolls, it will be addressed to the Deputy Commissioner of the District. FORM 'C'

[See rule 14. and 15] (Objection to particulars in an entry) To Sir, The Revising Authority, Municipal Corporation of — — Ward No.— I submit that the entry relating to myself which appears at in the electoral roll of Ward No. Serial No. Place : Date : Note It should be corrected to read as follows • not correct.

Signature or thumb-impression of the Elector —In case the application is made after the final publication of the rolls, it will be addressed to the Deputy Commissioner of the District. HARYANA GOVT GAZ. (EXTRA.), AUG. 4, 1994 1916 SAKA) (SRVN. FORM 'D' (See rule 14 and 15) 681 To Sir. Application for transposition of entry in electoral roll The Deputy Commissioner I submit that the entry at Serial No. in House No. of the electoral roll for the above mentioned ward relating to , son/vife/daughter of. -- (myself, namely) should be transposed to House No. — of this roll, because I have/the said elector has changed his/her place of ordinary residence to the said house which is within the same ward. I declare that I am an elector of this ward being enrolled at . in House No. of the roll. Serial No Date : Place . Signature/thumb-impression of applicant. (Full Postal Address). *Strike out the inappropriate words.

FORM [_ A [See rule 9 Register of claims for Registration Municipal Corporation — District — Ward No. Z Serial Ward in which registration is claimed Name) and occupation of claimant 3 Date of presentation of claim authority to whom it is Presented initials of such authority 4 Date of decision with

note as to presence of parties Decision Admitted Rejected 6 7 Signature of Authority 8 Signature of

Official by whom effect was given to the decision of the Revising Authority and date 9

FORM I-B [See rule '9 (5)] Register of Objections to Registration Corporation Tehsil - S. No. 1 Ward 2
 Persons objected to Under name with No. be registered Name and description and No. of objector on roll
 5 —Ward No.— Date of presentation of objection, authority to whom it is presented with initials of such
 authority 3 of roll 4 Abs&act of process:- server's report and date 8 Date of decision with note as to
 presence of parties 9 Decision Admitted . Rejected 10 11 6 Signature of Revising Authority 12 Name of
 process-server by whom duplicate sent to be served on Person objected to and date 7 Signature of official
 b' whom effect was given to the decision Of the Revising Authority and date 13 684 HARYANA GOVT
 GAZ. (EXTRA.), 1916. SAKA) (SRVN.. 13, FORM 1 [See rule 24 (2) NOMINATION PAPER Election
 to the Corporation AUG. 4, 1994 I nominate as a candidate for election to the Ward No. Candidate's
 name— His postal address His name is entered at serial No. Corporation from . in Ward No. My name 'is in
 Ward No. Corporation. Date the electoral roll for the Corporation. and it is entered at Serial No. of the
 electoral roll for the (Signature of proposer) the above-mentioned candidate, assent to this nomination and
 hereby declare , (a) that I have completed— ———year of age; (b) that I am set up at this selection by the
 (c). that the symbols I have chosen are; in order of —(ii) (iii) *I further declare that am member .of the
 which is a Scheduled Caste/Backward Class of the State of party ; • preference. and Caste in -4 relation. in
 that State and for which the seat has been so reserved. **I further declare that I am a women candidate for
 which the seat has been so. reserved. Signature of Candidate *Score out this paragraph, if not applicable.
 **Score out this paragraph, if not applicable. HARYANA GOVT. GAZ. (EXTRA.), AUG. 4, 1994 1916
 SAKA) (SRVN. 13, Verification by Magistrate The above declaration is solemnly affirmed before me by
 who is personally known to me or who has been to my satisfaction by me : Date . Signature of verifying
 authority With full designation. (to be filled in by the Returning Officer) Serial No. of nomination paper—
 This nomination was delivered to me at any of at (date). —(hour) on— Returning Officer. Decision of
 Returning Officer accepting or rejecting the nomination paper. have examined this nomination paper in
 accordance with rule of the Haryana Municipal Corporation Elections Rules, 1994. and decide as follows :
 Date : Returning Officer. The symbol assigned to the candidate is. Date : Returning Officer, Receipt for
 Nomination paper and Notice of scrutiny. (To be handed over to the person presenting the nomination
 paper) S. No. of nomination paper for Candidate The nomination paper of election to Corporation— from
 Ward No.— was delivered to me at my (hour) on (date) by the candidate proposer. All nomination papers
 will be taken up for scrutiny at (hour) on — (date) at (Place). Date . Returning Officer. 686 HARYANA
 GOVT. GAZ. (EXTRA.), AUG (SRVN. 13, 1916 SAKA) FORM 2 APPOINTMENT ON POLLING
 AGENT [See rule 40 Election to the Municipal Corporation of-- 4, 1994 — from Ward No.- 1,
 appointed - -a candidate at the above election of— as a polling agent to attend polling station
 No.- —at- Place Date --at/place fixed for the Signature of candidate agree to act as such Polling agent.
 Signature of Polling Agent. Declaration of polling agent to be signed before Presiding Officer. I hereby
 declare that the above election I will not do any thing forbidden by the Haryana Municipal Corporation
 Election Rules, 1994. Date . Signed before me. Date . Signature of Polling Agent. Presiding Officer. FORM
 3 LIST OF CHALLENGED VOTES (See Rule 47 (2) (c) Election to the Municipal Corporation of polling
 Station Signature Sheet No. the Ward No. z O Serial number Date : Name of elector 2 Serial No. of electors
 name in the roll 3 Signature or thumb impression of the person challenged 4 Address of the person
 challenged 5 Name of Identifier, if any 6 — —from Name of Challenger 7 Order of Presiding Officer 8
 Signature of challenger on receiving refund of deposit 9 Signature of Presiding Officer. 668 HARYANA
 GOVT GAZ. (EXTRA.), AUG. 4, 1994 (SRVN. 13, 1916 SAKA) Declaration of results and procedure in
 case of tie. Preparation of return and notification of the Official Gazette. Quota of seat in case of. election to
 more than one seat. (3) Every decision .of the Presiding Officer or the Returning Officer as the case may,
 under sub-rule (2) shall be in writing and contain the reasons therefor. (4) If the Presiding Officer or the
 Returning Officer, as the case may be, under sub-rule (2) to allow . a recount of votes either wholly or in
 part, he shall; (a) arrange recounting of 'the ballot papers in accordance with his decisions , (b) amend the
 result' sheet in form 7 to the extent necessary after such recount; and (c) announce the amendments so
 made by him and transmit the same to the Returning Officer. (5) No application for recount shall be
 entertained after the declaration of results under rule 63

- 63. When the counting of votes has been completed and if no fresh poll is required to be held in that ward the Returning officer shall forthwith consolidate the account of ballot papers in**



form 8 and declare the result in the following manner .(a) The candidate who is found to have obtained the largest C number of valid votes Shall be declared to have been elected. (b) If, after consolidating the result in form 8, a tie is found to exist between the candidates, and the addition of one vote Will entitled any of those candidates to be declared elected, the Returning Officer shall forthwith decide between , those candidates by lot, and the candidate on whom the lot falls Shall be considered to have received an additional vote and shall be declared to be duly elected

64. When the result has been declared under rule 63 the Returning Officer shall forth with prepare a return showing the names of the candidates, the number of votes recorded for each and the names of the .candidates declared to have been elected and shall forth with post a copy of the return in a conspicuous place at his office and send a copy thereof to the Deputy Commissioner. The Deputy Commissioner shall immediately forward the names of the candidates elected to the State Election Commissioner, who shall notify the same in the official Gazette:as required under the provision of section 14



65. Any candidate who is elected in more than one ward shall by notice in writing signed by him and delivered to the Deputy Commissioner within seven days of the publication of the election in the official Gazette, choose for which of these wards he shall serve, if he does not deliver such notice within the aforesaid 688 Election HARYANA GOVT GAZ.(EXTRA.), AUG. 4, 1994 (SRVN. 13, 1916 SAKA)



FORM4 LIST OF BLIND AND INFIRM VOTERS [See Rule 54 to the Municipal Corporation] From the - - Ward No. No. of Polling Station (Place), Serial No. Full name of elector on the roll Dated - Full name of companion Address of elector Signature of Companion Signature of Presiding Officer

FORM-5 LIST OF TENDERED VOTES [See Rule 56 Election to the Municipal Corporation or the - - Ward No. Number of Polling Station Serial No. Address and name of elector on the rolls 1 Date Serial No. 2, 'Tender', 3 Serial No. of ballot paper 4 Signature or thumb impression of person tendering votes. 5 Signature of Presiding Officer. HARYANA GOVT GAZ. (EXTRA.), (SRVN.

13. SAKA) FORM-6 AUG.4. 1994 689 BALLOT PAPER ACCOUNT [See rule (58)] Election to the Municipal Corporation from the Ward No. No. of Polling Station— Serial Number (i) Ballot papers received (2) Ballot papers unused— (a) with signature of the Presiding Officer, if any, and (b) without the signature of the Presiding Officer (3) Ballot papers issued to voters (4) Ballot papers cancelled (a) for violation of voting procedure (b) for any other reason (5) Ballot papers used at tendered ballot papers (6) Ballot papers which should be in the Ballot BOX. Dated Total Number (Signature of Presiding Officer) 690 HARYANA GOVT GAZ. (EXTRA), AUG. 4, (SRVN. 13, 1916 SAKA) FORM-7 [See rule 61 (2) and 62 (To be filled after counting 'of votes) FORM OF ACCOUNT OF BALLOT 1994 Election to the Municipal Corporation. of- from the Ward No. Date of counting 1 Name of candidate 2. 3. 4. etc. 11. Rejected ballot papers— Polling Station. Number [of valid votes cast 111. Total, the total Number of Ballot papers shown against item 11 above, with total shown item 6 in Form-6 any discrepancy in two figures. Signature of the Date. HARYANA GOVT GAZ. (EXTRA.), AUG. 4, 1994 (SRVN. 13, 1916 SAKA) FORM-8 (See rule 63) 691 Form of consolidation of account of the counted ballot papers Election to the Municipal Corporation— from the Ward No. Valid Votes Polling Total Number— Valid of A B C D E F G H votes Station votes No. found in tendered the ballot votes box (es) 1 2 3 4 5 etc. Total Place : Date . 9630 LR (H) total Number of rejected ballot papers Valid and rejected votes total Returning Officer TARSEM LAL, Commissioner and Secretary to Government Haryana, Local Government Department, —Govt. Press, U.T., Chd.