

## UTTAR PRADESH PANCHAYAT RAJ (ELECTORAL REGISTRATION) RULES, 1994

Appendix-8 THE U. P. PANCHAYAT RAJ (REGISTRATION OF ELECTORS) RULES, 1994  
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**14. Short title and commencement.** Definitions. Electoral Registration Officer. Form and language of the rolls. Preparation of rolls. Access to certain registers. Publication of rolls in draft. Claims to inclusion of names in the roll of the territorial Constituency of a Gram Panchayat. Objections to entries in the roll. Period for lodging claims and objections. Particulars regarding claims and objections. Procedure by the Assistant Electoral Registration Officer. Rejection of certain claims and objections. Rules 15. 16. 17. 18. 19. 20. 21. 21-A. 22

**23. Notice and service thereof.** Inquiry into claims and objections. Inclusion of names inadvertently omitted. Deletion of names of dead electors and of persons who ceased to be, or are not ordinarily residents. Final publication of roll. Correction of errors. Revision of rolls. Appeals from orders deciding claims and objection. Supervision and control of the State Election Commission. Custody and preservation of rolls, etc. **SCHEDULE** In exercise of the powers under sub-section (2) of Section 9 and Section 110 of the United Provinces Panchayat Raj Act, 1947 (U.P. Act No. 26 of 1947) and in supersession of the Uttar Pradesh Gaon Sabha (Registration of Electors) Order, 1978, the Governor is pleased to make the following rules • 1. Short title and commencement.—(1) These rules may be called the Uttar Pradesh Panchayat Raj (Registration of Electors) Rules, 1994. (2) These rules shall come into force at once

**2. Definitions.**—In these rules, unless the subject or the context otherwise requires— (a) 'Act' means the United Provinces Panchayat Raj Act, 1947; 1. Vide Noti. No. 4028/ XXXIII-1-94—263-94, dated 20th August, 1994, published in U. P. Gazette, Part (I-Ka), dated 3rd September, 1994. [ 383 ] 384 [APPEN. 3 u. p. PANCHAYAT RAJ ACT, 1947 (b) 'Assistant Electoral Registration Officer' means a person appointed as such by the Electoral Registration Officer for one or more Panchayat area ; (c) 'Electoral Registration Officer' means the Electoral Registration Officer designated or nominated as such under Rule 3; (d) 'Form' means a form appended to these rules; (e) 'roll' means the electoral roll for a territorial constituency of a Gram Panchayat

**3. Electoral Registration Officer.**—(1) In every district, each roll shall be prepared and revised by an Electoral Registration Officer, who shall be such officer of the State Government as the State Election Commission may, in consultation with the State Government designate or nominate in this behalf, (2) An Electoral Registration Officer may employ such persons, as he thinks fit for the preparation and revision of the roll

**4. Form and language of the rolls.**—The roll shall be prepared in Hindi, in Devnagri script

**5. Preparation of The first roll shall be prepared in accordance with the provisions of these rules.**(2) The Electoral Registration Officer may, in accordance with the instructions of the State Election Commission, for the purposes of preparation of the roll, adopt the electoral roll for the Assembly constituency prepared under the Representation of the People Act, 1950 for the time being in force so far as it relates to the area of the territorial constituency. (3) The Assistant Electoral Registration Officer shall sign the roll and affix his seal thereto

6. The Assistant Electoral Registration Officer may, for preparing or revising the roll, ask any occupant of a dwelling house in the area of a territorial constituency, to furnish necessary information and thereupon every such occupant shall furnish the information to the best of his ability

**7. Access to certain registers.**—For the purpose of preparing or revising a roll or deciding any claim or objection to a roll, the Assistant Electoral Registration Officer and any person employed by the Electoral Registration Officer in that behalf, shall have access to any register of births and deaths and to the admission register of any educational institution, and it shall be the duty of every person-in-charge of any such register to give to the said officer or person such information and such extracts from the said register as he may require

**8. Publication of rolls in draft.**—(1) As soon as the roll for all the territorial constituencies of a Gram Panchayat are ready, these shall be sent to the Electoral Registration Officer who shall publish those in draft by making a copy thereof available for inspection and displaying a notice in



Form 1 at the office Of the Block Development Officer. (2) The Electoral Registration Officer shall, by beat of drum or by amplifier or by any other convenient mode, give publicity in the Panchayat area, to the A 131 u.p. PANCHAYAT RAJ (REGISTRATION OF ELECTORS) RULES, 1994 385 fact that the roll has been published and copy thereof can be inspected free of charge at the office mentioned in sub-rule (1) during office hours. (3) The copy referred to in sub-rule (1) shall be made available for inspection free of charge during office hours for a period of three days from the date of publication



**9. Claims to inclusion of names in the roll of the territorial Constituency of a Gram Panchayat.—**

Any person,— (a) whose name is not included in the roll of the territorial constituency of a Gram Panchayat but who is qualified to be registered in it; or (b) whose name has been wrongly included in the roll of some other territorial constituency of Gram Panchayat; or (c) whose name was struck off the roll by reason of any disqualification but who claims that the disqualification has since been removed, may apply  
in



Form 2, to the Assistant Electoral Registration Officer for the inclusion of his name in the roll. SYNOPSIS

I. Publishing electoral roll without 2. Rejection of objection—Legality. considering objection—Effect

**1. Publishing electoral roll without considering electoral roll was published without considerin the objections, the order was held unsustainable.**[ Lallan Yadav v. state of U.P., 2010 (1115 RD 394 at 395 : 2010 (2) RLT (Dig) 603 (All)]

**2. Rejection of objection was filed in prescribed form by petitioner but was not verified by another person whose name is already included in the electoral roll in res ect of which the application is made, it was held that the obection was rightly rejected.**[kamesh Kuntar Mishra v. State of u.p., 2010 (III) RD 42 at 44 IAI]I



**10. Objections to entries in the roll.**—Any person whose name is entered in the roll of a territorial constituency of a Gram Panchayat, and— (a) who has objection to any particulars in such entry in respect of himself and wants to get it corrected may apply in



Form 3; (b) who objects to the inclusion of the name of any other person in the roll on the ground that he is not qualified or has been disqualified to be registered in such roll, may apply in Form 4, to the Assistant Electoral Registration Officer for correction of the particulars, or exclusion of the name, as the case may be

**11. Period for lodging claims and objections.**—Every application referred to in Rule 9 or in Rule 10 shall be made within a period of seven days from the date of publication of the roll in draft under Rule 8



**12. Particulars regarding claims and objections.**—(1) Every application under Rule 9 or Rule 10 shall be signed and verified by the applicant and also verified by another person whose name is already included in that part of the roll in respect of which the application is made and shall be presented to the Assistant Electoral Registration officer. (2) The application shall state the grounds on which the inclusion, correction or deletion, as the case may be, of an entry is sought and also the full particulars of such entry as required in the relevant form. (3) The application in



Form 4 shall be in duplicate one copy of which shall be served on the person whose name is sought to be deleted



**13. Procedure by the Assistant Electoral Registration Officer.**—The Assistant Electoral Registration Officer shall maintain in duplicate, the list in



Form 5 entering therein every application referred to in Rules 9 and 10 as and when it is received by him under Rule 12 and shall keep exhibited, one copy of such list on a notice board in his office. U. P. PANCHAYAT RAJ ACT, 1947 386 [APPEN 14 14. Rejection of certain claims and objections.—Any application Rule 9 or Rule 10 which is not lodged within the period, or in the form or manner herein prescribed, shall be rejected by the Assistant Registration Officer



**15. Notice and service thereof.**—(1) Except in cases where the Assistant Electoral Registration Officer is prima facie satisfied, as to the validity of a clai or objection, every applicant under Rule 9 or Rule 10 or his agent presenting the application and every person to the inclusiiori of whose name the objection relates, shall be served with a notice in



Form 6 specifying the place where and the time when the application shall be heard and directing him or his agent to be present with such evidence, if any, as he may wish to adduce. (2) The notice to the person to the inclusion of whose name the objection relates shall be accompanied by a copy of the application. (3)

The notice issued by the Assistant Electoral Registration Officer under sub-rule (1) shall be served personally and in default of personal service shall be served by affixing a copy thereof at the residence or last known residence of the person concerned within the area of the territorial constituency. A certificate of service by the person serving the notice shall be deemed to be conclusive proof of the fact of such service

**16. Inquiry into claims and objections.**—(1) The Assistant Electoral Registration Officer shall hold a summary inquiry into every application in respect of which notice has been given under Rule 15 and shall record his decision thereon. (2) At the hearing, the person to whom such notice was issued and any other person who, in the opinion of the Assistant Electoral Registration Officer, is likely to be of assistance to him, shall be entitled to appear and to be heard. (3) The Assistant Electoral Registration Officer may in his discretion,— (a) require any person to whom such notice has been issued to appear in person before him; (b) require that the evidence tendered by any person shall be given on oath and may administer oath for the purpose

**17. Inclusion of names inadvertently omitted.**—If at any time before the final publication of the roll under Rule 19, it appears to the Electoral Registration Officer that owing to inadvertence, the name of an elector has been left out of the roll, he may include such name in the roll

**18. Deletion of names of dead electors and of persons who ceased to be or are not ordinarily residents.**—If it appears to the Assistant Electoral Registration Officer during preparation of the roll, that owing to inadvertence or error or otherwise, the name of dead persons or of persons who ceased to be, or are not, ordinarily residents in the area of the territorial constituency, have been included in the roll and that the remedial action should be taken under this rule he shall— (a) prepare a list of the names and other details of such persons; 8—R. 211 u. P. PANCHAYAT RAJ (REGISTRATION OF ELECTORS) RULES, 1994 387 (b) exhibit on the notice board of his office, a copy of the list together with a notice as to the time and place at which the question of deletion of such names from the roll be considered and also publish the list and the notice in such other manner as he may think fit ; and (c) after considering any verbal or written objections that may be preferred, decide whether all or any of the names should be deleted from the roll provided that before taking any action under this rule in respect of any person on the ground that he has ceased to be, or is not, ordinarily resident in the territorial constituency the Assistant Electoral Registration Officer shall make every endeavour to give him a reasonable opportunity to show cause why the action proposed should not be taken in relation to him

**19. Final publication of roll.**—(1) The Electoral Registration Officer shall thereafter publish the roll together with the list of amendments under Rules 15, 16, 17 and 18, by making a complete copy thereof available for inspection and displaying a notice in



Form 7 at his office. (2) On such publication the roll together with the list of amendments shall be the electoral roll for the territorial constituency. (3) Where the roll (hereinafter in this sub-rule referred to as the basic roll) together with the list of amendments, becomes the electoral roll for a territorial constituency under sub-rule (2), the Electoral Registration Officer may, under the directions of the State Election Commission for the convenience of all concerned, integrate the list into the basic roll by including, correcting or, as the case may be, deleting the entries in the list together with all particulars relating to such entries in the relevant parts of the basic roll itself, so however, that no change shall be made during the process of such integration in the name of any elector or in any particulars relating to any elector as given in the list of amendments

**20. Correction of errors.**—Subject to any order of the State Election Commission, the Electoral Registration Officer may, at any time, order the correction of any clerical or printing error, or the removal of duplicate entries in the electoral roll, and such correction or removal shall be made accordingly

**21. Revision of rolls.**—(1) The roll for a territorial constituency of a Gram Panchayat shall be revised under sub-section (9) of Section 9 of the Act either intensively or summarily or partly intensively and partly summarily, as the State Election Commission may direct. (2) Where the roll is to be revised intensively in any year, it shall be prepared afresh and Rules 3 to 20 shall apply in relation to such revision as they apply in relation to the first preparation of a roll. (3) When the roll is to be revised summarily in any year the Electoral Registration Officer 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 [APPEN 8—R.21-A U. p. PANCHAYAT RAJ ACT, 1947 388 the provisions of Rules 7 to 20 shall apply in relation to such revision as they apply in relation to the first preparation of a roll. (4) Where at any time between the publication in draft of the revised roll under sub-rule (2) or of the roll and list of amendments under sub-rule (3) and the final publication of the same under Rule 19 read with the aforesaid sub-rule (2) or sub-rule (3) any names have been directed to be included in the roll for the time being in force under any provision of the Act, the Electoral Registration Officer shall cause the names to be included in the revised roll unless there is, in his opinion, any valid objection to such inclusion. ] [21-A. Appeals from orders deciding claims and objection.—(1) An appeal shall lie from any decision of the Assistant Electoral Registration Officer under Rules 16, 18 or 21 of the District Magistrate : Provided that an appeal shall not lie, where the person desiring to appeal has not availed himself of his right to be heard by, or to make representations to the Assistant Electoral Registration Officer, on the matter which is the subject- matter of the appeal. (2) Every appeal under sub-rule (1) shall be— (a) in the form of a memorandum signed by the appellant; (b) presented to the appellate officer within a period of three days from the date of the decision; and (c) accompanied by a copy of the order appealed from and fee of five rupees to be paid— (i) by means of non-judicial stamps; or (ii) by deposit in a Government treasury or the State Bank of India in favour of the State Government and enclosing the receipt for such deposit; or (iii) paid in such other manner as may be directed by the State Election Commission. (3) Mere presentation of an appeal under this paragraph shall not have the effect of staying or postponing any action to be taken by the Electoral Registration Officer under Rule 19. (4) Every decision of the appellate officer shall be final, but if it reverses or modifies a decision of the Assistant Electoral Registration Officer, it shall take effect only from the date of the decision of appeal. (5) Subject to the preceding sub-rule the Electoral Registration Officer shall cause such amendments to be made in the roll as may be necessary to give effect to the decisions of the appellate officer under this rule.] COMMENT Writ against deletion of name from roll.—Where writ was filed against order of deletion of name from electoral roll of Gram Panchayat it was held that since alternative remedy of appeal is available hence writ is not maintainable. [Surya Nath Yadav v. State of U.P., 2012 (116) RD 142 at 143 (All)]

**22. Supervision and control of the State Election Commission.**—(1) The Electoral Registration Officer shall perform his functions under these rules under the supervision and control of the State Election Commission

**1. Ins.** by Noti, No. 4669/ XXXIII-1-1994, dated 9th September, 1994 [Vide U.P. Panchayat Raj (Registration of Electors) (First Amendment) Rules, 1994]. 8—FORM 11 U. P. PANCHAYAT RAJ (REGISTRATION OF ELECTORS) RULES, 1994 389 (2) Subject to the supervision, control and direction of the State Election Commission, the Assistant Electoral Registration Officers and other persons

employed under Rule 3 shall perform their functions under these rules under the supervisor , control and direction of the Electoral Registration Officer



**23. Custody and preservation of rolls, etc.**—(1) All applications and decisions recorded thereon under these rules shall be kept in the office of the Electoral Registration Officer or at such other place as may be specified by the State Election Commission until the next revision of the roll or the coming into force of a newly prepared roll, whichever is earlier. (2) One complete copy of the roll for all territorial constituencies of a Gram panchayat, duly authenticated by the Assistant Electoral Registration Officer, shall be kept in the office of the Assistant Electoral Registration Officer to which such roll relates. Such copy shall be amended from time to time according to the amendments in the rolls. (3) Every person shall have the right to inspect the election papers referred to in sub-rules (1) and (2) and to obtain attested copies thereof on payment of such fees as may be specified by the State Election Commission. (4) Printed copies of the roll shall be made available for sale to the public until the publication of the next roll, at a price to be specified by the State Election Commission. (5) Upon the publication of the roll for any Gram Panchayat, the roll in force just preceding the publication of the new roll shall be kept in deposit with the records of the Block Development concerned for such number of years as may be specified by the State Election Commission.

#### SCHEDULE



FORM 1 [See Rule 81 NOTICE OF PUBLICATION OF ELECTORAL ROLL IN DRAFT To, .....territorial constituencies of Gram Panchayat. The Electors of... Notice is hereby given that the electoral roll has been prepared in accordance with the Uttar Pradesh Panchayat Raj (Registration of Electors) Rules, 1994 and a copy thereof is available for inspection at my office, and the office of the Block Development Officer during office hours. If there be any claim for the inclusion of a name in the rolls or any objection to the inclusion of a name or any objection to particulars in any entry, it should ...in Form 2, 3 or 4, as may .20.... be lodged on or before be appropriate. Every such claim or objection should either be presented in my office or to .....or sent by post to the address given below, so as to reach me not later than the aforesaid date. Electoral Registration Officer Address.... (APPEN 390 u. p. PANCHAYAT RAJ ACT, 1947 FORM 2 [See Rules 9 and 12] CLAIM/APPLICATION FOR INCLUSION OF NAME

The Assistant Electoral Registration Officer To, territorial constituency No. 'Of Gram Panchayat Block/ Tahsil District Sir I request that my name be included in the electoral roll for the territorial .of Gram Panchayat in Part No. .relating to : Constituency No. My name (in full)..... My father's/mother's/husband's Particulars of my place of residence etc.. I-house No. Territorial Constituency No. Gram Panchayat. Block/ Tahsil.. District.. I hereby declare that— (1) (2) (3) (4) (5) (6) I am a citizen of India; My name has been included in the Assembly electoral roll for the area relatable to the aforesaid territorial constituency at Serial No. .... Constituency No. My age on the first day of January last ...months ; and I am ordinarily resident at the address given above ; years I have not applied for the inclusion of my name in the electoral roll for any other territorial constituency of the Gram Panchayat or any other Gram Panchayat or electoral roll for any Municipality ; My name has not been included in the electoral roll for this or any other Gram Panchayat or electoral roll for any Municipality; or My name has wrongly been included in the electoral roll for another Gram Panchayat, namely.. territorial Constituency No. should be deleted. ..at Serial No.. which ..in Part No. APPEN. 8—FORM 3 U. P. PANCHAYAT RAJ (REGISTRATION OF ELECTORS) RULES, 1994 391 (7) My name originally included in the electoral roll at Serial No. territorial Constituency No. ,in Part No. of this Gram Panchayat was struck off due to disqualification namely... ..and such disqualification has since been removed by order dated 1 verify that the contents of this application are correct to the best of my knowledge and belief. Place.....,..... Date... Signature or thumb-impression of claimant. I am an elector included in the electoral roll of the territorial constituency No. of the Gram Panchayat in which the claimant has applied for inclusion, viz., Gram Panchayat at Serial No. I verify that the contents of this application are correct to the best of my knowledge and belief.

Signature of the elector Name (in full) FORM 3 [See Rules 10 (a) and 12] OBJECTION TO PARTICULARS IN ANY ENTRY To, The Assistant Electoral Registration Officer .Gram Panchayat, Territorial Constituency No.... . Block/ Tahsil District Sir, I submit that the entry relating to myself which appears at Serial ' is not correct. It should be corrected to of the Electoral Roll as read as follows . I verify that the contents of this application are correct to the best of my knowledge and belief. Place Date... , Signattre or thumb-impression of elector. u. P. PANCHAYAT RAJ ACT, 1947 (APPEN 1 am an elector, included in the electoral roll of the territorial constitute 4 392 .of the same Gram Panchayat as the applicant viz. , Gram Panch> .I verify that the contents of this application are correct to the best of my knowledge and belief. FORM 4 (See Rules 10 (b) and 121 To, The Assistant Electoral Registration Officer Territorial Constituency No.. Gram Panchayat Block/ Tahsil District Sir, I object to the inclusion of the name of..

Signature of the Elector Name (in full) . .....at Serial .. ..of the electoral roll for the Territorial Constituency No.. . .....for the following reason(s) • No.... ... the said person died on or about.... (1) the said person is no longer ordinarily resident in this locality (2) since..... the name of the said person is included also in the electoral roll (3) of another Gram Panchayat/ Municipality at Serial No.....Ward/ of (name of Gram Panchayat/ Territorial Constituency No..... Municipality); the said person did not complete the age Of 18 years on the (4) relevant date ; (5) the said person is not a citizen of India, the said person is of unsound mind and stands so declared by (6) order dated.. . .of the court of... (7) the said person has been disqualified from voting due to election offence by order dated.. .of the court of..... (8) . ....(any other reason). I hereby declare that the facts mentioned above are true to the best of my knowledge and belief. u.p. PANCHAYAT RAJ (REGISTRATION OF ELECTORS) RULES, 1994 393 My name has been included in the electoral roll for this Gram Panchayat as follows Name in full .7 Father's/ husband's/ mother's name Territorial Constituency No.. Serial No..... P.m.—24 Dated..... . ....20..... Signature/thumb-impression of objector (Postal address) I am elector included in the

Electoral roll of the same Gram Panchayat in which the name objected to appears, viz. Gram Panchayat at Serial No... Territorial Constituency No. ....I verify that the contents of this objection are correct to the best of my knowledge and belief. Signature of the Elector Name (in full) FORM 5 [See Rule 13] FORM FOR LIST OF CLAIMS AND OBJECTIONS District..... Block/ Tahsil.... Gram Panchayat... ena num er a e o of claim and filing objection List of claims and objections a ure o ame Applicant applicat on, esu i.e., whether dectision l a ure o Assistant lectoral Re istration O cer 7 1 2 3 inclusion, correction or deletion of ent 4 5 U. p. PANCHAYAT RAJ ACT, 1947 394 FORM 6 [See Rule 151 NOTICE To, Applicant/Applicant's agent opposite party Take notice that the application filed by you Sri..... [APPEN. 8—FORM 6 . .above named for inclusion/correction/deletion of the entry of your name, the name of ...concerning the electoral roll of Territorial Constituency • ...of Sri... come up .of... Gram Panchayat.. for hearing before the Assistant Electoral Registration Officer . (Place) . You are directed to be present at the hearing with such (time).. evidence as you may wish to adduce. A copy of the objection against the inclusion of your name in the Electoral Roll is sent herewith. Electoral Registration Officer Received notice. •Received copy of objection. Signature of person to be served. FORM 7 [See Rule 19 NOTICE OF FINAL PUBLICATION OF ELECTORAL ROLL It is hereby notified for public information that the list of the amendments of Gram the draft electoral roll for all the territorial constituencies of the . Panchayat has been prepared in accordance with the Uttar Pradesh Panchayat Raj (Registration of Electors) Rules, 1994 and a copy of the said roll, together with the said list of amendments, has been published and will be available for inspection at my office. Electoral Registration Officer Address..... TO be deleted if notice is be served on the claimant or objector or agent of either report Of per\*on serving the notice,

