



Government of Tripura

Department of Welfare for Scheduled Castes and Scheduled Tribes

The Tripura Tribal Areas Autonomous District Council (Conduct of Election) Rules, 1980

(As Amended upto 5th Amendment Rules, 1982, dated 02-01-1982)

GOVERNMENT OF TRIPURA
DEPARTMENT OF WELFARE FOR SCHEDULED CASTES AND
SCHEDULED TRIBES

No.F 4-135/TW/GL/79-80.

Dated, the 14th May, 1980.

NOTIFICATION

In exercise of the powers conferred by Section 18 and 52 of the Tripura Tribal Areas Autonomous District Council Act, 1979 the State Government hereby makes the following rules, namely:—

CHAPTER—I
PRELIMINARY.

Short title and commencement.

1. (1) These rules may be called the Tripura Tribal Areas Autonomous District Council (Conduct of Election) Rules, 1980.

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

Definitions

2. (1) In these rules, unless the context otherwise requires ;

(a) "Act" means the Tripura Tribal Areas Autonomous District Council Act, 1979 ;

(b) "Ballot Box" includes any box, bag or other receptacle used for the insertion of ballot paper by voters ;

(c) "Chief Electoral Officer" means the Chief Electoral Officer, Tripura appointed under the Representation of the People Act, 1950 ;

(d) "Electoral Roll" means the electoral roll for a District Council Constituency ;

(e) "Polling station" in relation to an election means the place for taking poll of that election ;

(f) "Form" means a form appended to these rules ;

(g) "Presiding Officer" includes any polling officer when performing any of the functions of a Presiding Officer ;

(h) "Returning Officer" includes any Assistant Returning Officer when performing the functions of a Returning Officer ;

(i) "Marked copy of the electoral roll" means the copy of the electoral roll set apart for the purpose of marking the names of electors to whom ballot papers are issued at an election ;

(j) "Section" means a section of the Act ;

(k) "Voter on election duty" means any Presiding Officer, Polling Officer, other Public servant or any polling agent who is a voter and is by reason of his being on election duty, unable to vote at the polling station where he is entitled to vote.

(2) The expressions used in these rules and not otherwise defined shall have the same meaning as in the Act.

(3) Except where the context otherwise requires, the Tripura General Clauses Act, 1966 shall apply for the interpretation of these rules as it applies for the interpretation of an Act of the Legislature of the State of Tripura, as the case may be.

CHAPTER—II

ELECTIONS-GENERAL PROVISIONS

Election to
district council.

1. The first general election and the subsequent election shall be held under the provisions of the Act and these rules for the election of members to the District Council and thereafter for the election of members to the District Council on the expiration of the duration of membership thereof or on its dissolution as the case may be.

2. For the first constitution of the District Council and thereafter for its new constitution, the State Government shall, by notification in official gazette, call upon every constituency to elect a member in accordance with the provisions of the Act and these rules within such time as may be specified in such notification.

Provided that general election for constitution of new District Council shall ordinarily take place within such time as may be specified in such notification.

Filling up of
vacant seat.

3. When the seat of a member elected to the District Council becomes vacant or is declared vacant or his election to the District Council is declared void, the State Government shall by notification in the Official Gazette call upon the constituency concerned to elect a person for the purpose of filling the vacancy so caused within such time as may be specified in the notification and these rules shall apply as far as may be, in relation to the election of a member to fill such vacancy.

4. If general election cannot be held or is set aside under circumstances specified in clauses (a) or (b) of sub-section (5) of section 13 of the Act, the State Government shall, by a notification in the Official Gazette call upon the constituencies to elect members of the District Council within such time as may be specified in notification in accordance with the provisions of the Act and these rules.

Electoral Rolls.

5. (1) So much of the electoral roll/rolls of any assembly constituency/assembly constituencies for the time being in force as relates to the area comprised within the autonomous district council shall be the electoral roll for the election of the members of the District Council.

(2) So much of the electoral roll/electoral rolls for any assembly constituency/assembly constituencies for the time being in force as relates to the area comprised within a constituency formed under section 6 of the Act shall be the electoral roll for the election of a member of the District Council from that constituency concerned.

Preparation of
Electoral rolls.

6. (1) The electoral roll for each constituency of the District Council shall be prepared by an Electoral Officer who shall be the Sub-Divisional Officer within whose territorial jurisdiction a constituency or a major part of a constituency is situated.

Provided that it shall be competent for the Chief Electoral Officer to appoint any Sub-Divisional Officer as Electoral Officer in respect of a constituency not withstanding that only a smaller portion of a constituency falls within his territorial jurisdiction, if in the opinion of the Chief Electoral Officer it is convenient so to do.

(2) An Electoral Officer may, subject to the approval of the chief Electoral Officer, employ such persons as he thinks fit for the preparation of the electoral roll for the constituency.

Appointment of
Asstt. Electoral
Officer.

7. (1) The Chief Electoral Officer may appoint one or more persons as Assistant Electoral Officer to assist any Electoral Officer in the performance of his functions.

(2) Every Assistant Electoral Officer shall, subject to the control of the Electoral Officer, be competent to perform all or any of the function of the Electoral officer.

Electoral roll of
constituency
and its publica-
tion in draft.

8. (1) For every constituency there shall be an electoral roll which shall be prepared in accordance with the procedure laid down in these rules under the superintendence, direction and control of the Chief Electoral Officer.

(2) For the purpose of preparing the electoral rolls of each constituency of the District Council as required under sub-rule (2) of rule 6 of these rules, the electoral roll/rolls of any assembly constituency/constituencies shall be split up in such manner as the electoral officer may deem fit and proper.

(3) The electoral roll of each constituency of the District Council shall be divided into convenient parts which shall be numbered consecutively provided that whenever necessary the split up rolls referred to in sub-rule may be consolidated with any other part and in such event the serial number of the electors may be renumbered so as to ensure consecutive serial numbers of the electors of each part.

(4) The Electoral Officer shall publish the roll for a constituency of the District Council in draft by making a copy thereof available for inspection and displaying a notice in Form 1 :—

(a) at his office and

(b) at such place/places in the constituency as may be specified by him for the purpose, if his office is outside the constituency ;

Provided that such roll may be published in draft either in manuscript or in printed roll. :

Provided further that such publication of electoral roll in draft shall be made on such date as the State Government may appoint.

(5) As soon as the electoral roll of a constituency is published in draft in accordance with the provisions of sub-rule (4) the Electoral Officer shall also give public notice as widely as possible by beat of drum or otherwise within the constituency that the roll has been published and may be inspected at his office during working days and hours and shall also state in the notice the other places at which the roll may be inspected. :

Provided that if any public holiday intervenes between the date of publication of the electoral roll in draft and the last date of filing claims or objections under sub-rule (1) of rule 9, the roll shall be kept ready for inspection by the public even on such public holiday between the hours 10 A.M. and 5 P.M.

Claims and objec-
tion for inclu-
sion or deletion
of name and
final publication
of Electoral
rolls.

9. (1) Every claim for the inclusion of a name in the roll and every objection to an entry therein shall be lodged within a period of fifteen days from the date of publication of roll in draft under sub-rule (4) of rule 8, or such shorter period of not less than seven days as may be fixed by the Chief Electoral Officer in this behalf. :

Provided that the Chief Electoral Officer, in consultation with the State Government may extend such period in respect of any constituency or any part thereof :

Provided further that no claim for inclusion of a name in the roll shall be entertained except on the ground that his name appears as an elector in that part of the electoral roll of the assembly constituency which relates to a constituency

of the District Council and that no objection for exclusion of any name from the roll shall be entertained except on the ground that such name was included in the electoral roll of a constituency of the District Council though such name did not appear in the relevant electoral roll of the assembly constituency.

(2) Every claim shall be in Form 2 signed by the person desiring his name to be included in the roll and every objection to the inclusion of a name in the roll be in Form 3 preferred only by a person whose name is already included in that roll.

(3) Every claim or objection shall be presented to the Electoral Officer or to such other officer as may be designated by him in this behalf :

Provided that any claim or objection which is not lodged within the period or in the form and manner, herein specified, shall be rejected by the electoral officer.

(4) Every officer designated under sub-rule (3) shall forward the claims and objections presented before him to the electoral officer with such remarks as he considers proper.

(5) If the Electoral Officer is satisfied as to the validity of any claim or objection he may allow it without further inquiry provided there is no demand in writing for holding an inquiry in the matter.

(6) Where claim or objection is not disposed of under sub-rule (5), the Electoral Officer shall fix the date, time and place of hearing of claims and objections filed under sub-rule (1) and publish the same in his office or at such other place as may be found expedient and also give publicity by beat of drum.

(7) On the date which is fixed for the hearing or to which the hearing may be adjourned, the Electoral Officer shall hold a summary inquiry into the claims and objections preferred and after considering any evidence as may be adduced shall record orders either allowing or dis-allowing the claims or objections. For the purpose of the inquiry, the electoral roll published in draft shall be presumed correct and complete until the contrary has been proved.

(8) If it appears to the Electoral Officer that owing to inadvertence or error during preparation, the name of any electors appearing in the electoral roll for any Assembly Constituency and covered by the relevant District Council constituency have been left out of the roll and that remedial action should be taken under this sub-rule, the Electoral Officer, shall prepare a list of the name and other details of such electors, exhibit a copy of the list together with a notice in his office stating the time and place at which the inclusion of these names in the roll will be considered. After considering any verbal or written objections the Electoral Officer shall decide whether all or any of the names should be included in roll.

(9) The Electoral Officer shall then cause the draft electoral roll to be amended in accordance with the order passed under sub-rules (3), (7) and (8) and shall endorse the amendments thus made. The amendments thus made shall be printed or cyclostyled or prepared in hand written manuscript in the form of agenda and corrigenda to the draft electoral roll and thereafter such roll together with such addenda and corrigenda shall be re-published as the Final Electoral Roll in the same manner as the draft Electoral roll. The electoral officer shall give notice in Form 4 regarding the republication of the Final Electoral Roll by making a complete copy thereof available for inspection. Upon such re-publication, the roll together with the list of amendments shall be the electoral roll of the constituency.

10. The Chief Electoral Officer shall in consultation with the State Government draw up the programme for publication of the roll in draft, and for its republication and other matters relating to preparation of the roll.

CHAPTER—III

ADMINISTRATIVE MACHINERY FOR CONDUCT OF ELECTIONS

Appointment
of Returning
officer.

11. (1) For every constituency, for every election to fill a seat or seats of the District Council the Chief Electoral Officer shall, in consultation with the State Govt. appoint a returning officer who shall be the sub-divisional officer within whose territorial jurisdiction a constituency or a major portion thereof is situated.

Provided that nothing in the rules shall prevent the Chief Electoral Officer from appointing the same person to be the returning officer for more than one constituency ;

Provided further that it shall be competent for the Chief Election Officer to appoint a person to be the returning officer of a constituency even though a small portion of it is situated within his jurisdiction if it is expedient so to do.

Appointment
of Assistant
Returning
officer.

(2) The Chief Electoral Officer may, in consultation with the State Government appoint one or more persons as assistant returning officer(s) to assist any returning officer in the performance of his functions.

Provided that every such person shall be an officer of Government or of local authority.

(3) 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 nominations unless the returning officer is unavoidably prevented from performing the said function.

Appointment
of District
election officer.

12. The Chief Electoral Officer shall appoint a district election officer who shall be the district magistrate and who shall coordinate and supervise all work in the district and in the area within his jurisdiction in connection with the conduct of District Council Election.

General duty
of returning
officer.

13. It shall be the general duty of the returning officer at any election to do all such acts and things as may be necessary for effectually conducting the election in the manner provided by the Act and these rules.

Polling stations.

14. The returning officer shall, with the previous approval of the Chief Electoral Officer provide a sufficient number of polling stations where poll will be held for each constituency for election of members of District Council and shall, not later than the last date for the withdrawal of candidature appointed under rule 18(c), publish a list showing the polling stations and the areas for which they would be set up.

Appointment
of presiding
officers and
polling officers

15. (1) The returning officer shall appoint a presiding officer for each polling station and such other polling officer or officers to assist the presiding officer as he thinks necessary, but shall not appoint any person who has been employed by or, on behalf of, or has been otherwise working for a candidate in or about the election as a presiding officer or polling officer.

Provided that if any polling officer is absent from the polling station, the presiding officer may appoint in his place any person who is present at the polling station other than a person who has been employed by or on behalf of, or has been otherwise working for a candidate in or about the election, to be the polling officer and shall when such appointment is made inform the Returning Officer accordingly.

(2) A polling officer shall, if so directed by the presiding officer, perform all or any of the functions of a presiding officer under these rules.

(3) If the presiding officer, owing to illness or for any other unavoidable cause is obliged to absent himself from the polling station, his functions shall be performed by such polling officer as has been previously authorised by the returning officer to perform such functions during any such absence.

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

Duty of Presiding Officers.

16. It shall be the general duty of the presiding officer at a polling station to keep order thereat and to see that the poll is fairly taken.

Duty of Polling Officers.

17. It shall be the duty of the Polling Officer at a polling station to assist the presiding officer of such station in the performance of his functions.

CHAPTER—IV—NOMINATION OF CANDIDATES.

Appointment of dates for nominations etc.

18. As soon as a notification has been issued under section 13 to elect a member or members of District Council, the Chief Electoral Officer, shall by notification in the official gazette appoint :—

(a) the last date, time and place for making nominations, which shall be the seventh day after the date of publication of the first mentioned notification or, if that day is a public holiday, the next succeeding day which is not a public holiday;

(b) the date and time for the scrutiny of the nominations, which shall be the day immediately following the last date for making nominations or, if that day is a public holiday, the next succeeding day which is not a public holiday;

(c) the last date for the withdrawal of candidature, which shall be the second day after the date for the scrutiny of nomination, or, if that day is a public holiday the next succeeding day which is not a public holiday;

(cc) the date or dates on which a poll shall, if necessary, be taken which or the first of which shall be a date not earlier than the twentieth day after the last date for the withdrawal of candidatures ;

(d) the date before which the election shall be completed;

Public notice of election and symbols for election.

19. (1) On issue of the notification under rule 18, the returning officer shall give public notice of the intended election in Form 5 by affixing a copy thereof in some conspicuous place of his office and in such other manner as he thinks fit, and invite nominations of candidates for such election.

- (2) The list of symbols out of which a candidate is to make his choice is given in the Schedule :—

Provided that a candidate set up by a National Party as shown in column 1 of Table I of the Schedule shall be allotted the symbol as shown against that party in column 2 of the said table and no other symbol, and a reserved symbol as shown in column 2 of Table I of the schedule shall not be chosen by or allotted to any candidate other than the candidate set up by a National Party ;

Provided further that a candidate set up by a State Party as shown in column 1 of Table II of the schedule shall be allotted the symbol as shown against that party in column 2 of the said table and no other symbol ; and a reserved symbol as shown in column 2 of Table II of the schedule shall not be chosen by or allotted to any candidate other than the candidate set up by a State Party as shown in column 1 of the said Table ;

Provided also that a candidate shall be deemed to have been set up by a National Party or as the case may be by a State Party as shown in column 1 of Table I and Table II of the schedule only when he states so in his nomination paper and files a certificate to that effect signed by the President or Secretary of the State unit of such National Party or as the case may be the President or Secretary of such State Party or any office bearer of the Party authorised in this behalf so as to reach the Returning Officer before the date of scrutiny of nomination paper.

Nomination
of candidates.

20. (1) No person shall be nominated as a candidate for election to fill a seat in the constituency if he is not qualified to be elected to fill that seat under the provisions of the Act.

(2) In the case of a constituency reserved for Scheduled Tribe, no person shall be qualified to be chosen to fill the seat of that constituency, unless he is a member of any of the Scheduled Tribes.

Presentation of
Nomination.

21. (1) On or before the date and time specified under clause (a) of rule 18 each candidate shall either in person or by his proposer, deliver to the returning officer, a nomination paper completed on the Form 6 and signed by the candidate and by an elector of the constituency as proposer,

Provided that no nomination paper shall be delivered to the returning officer on a day which is a public holiday.

(2) Any person whose name is enrolled as an elector in the electoral roll of a constituency and who is not disqualified for being a member of the District Council Constituency under section 9 of the Act may subscribe as proposer a nomination paper to fill up a seat of that constituency and of no other constituency.

(3) On the presentation of a nomination paper, the returning officer shall satisfy himself that the names and the electoral roll numbers of the candidates and his proposer as entered on the nomination paper are the same as those entered in the electoral rolls.

(4) (i) In a constituency reserved for Scheduled Tribe, a candidate shall not be deemed to be qualified to be chosen to fill the seat of that constituency unless his nomination paper contains a declaration by him specifying the particular tribe of which he is a member and the area in relation to which that tribe is a Scheduled Tribe of the State,

(ii) Along with the declaration as aforesaid or at the time of scrutiny of nomination papers, the candidate or his proposer or his election agent shall produce a certificate from any Sub-Divisional Officer or Additional District Magistrate or District Magistrate showing that the candidate is a member of Scheduled Tribe.

(5) Where the candidate is an elector of a different constituency, a copy of the electoral roll of that constituency or of the relevant part thereof or a certified copy of the relevant entries of such roll shall, unless it has been filed along with the nomination paper, be produced before the Returning Officer at the time of scrutiny.

(6) Nothing in this rule shall prevent a candidate for being nominated by more than one nomination paper.

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 Constituency.

Deposits.

22. (1) At the time of delivery of a nomination paper under rule 21 each candidate shall either deposit in cash with the returning officer rupees one hundred or submit with the nomination paper a Treasury Challan showing that a deposit of Rupees one hundred has been made by him in the Treasury and no candidate shall be deemed to be duly nominated unless such deposit has been made.

Provided that the amount of deposit shall be rupees fifty in the case of a candidate belonging to scheduled tribe or scheduled caste.

Provided further that where a candidate has been nominated by more than one nomination papers for election in the same Constituency, not more than one deposit shall be required of him.

(2) If a candidate by whom or on whose behalf the deposit referred to in sub-rule (1) has been made withdraws his candidature or if the nomination of any such candidate is refused, the deposit should be returned to the candidate, and if any candidate dies before the commencement of the poll any such deposit shall be returned to his legal heir.

(3) If in a constituency, a candidate by whom or on whose behalf the deposit referred to in sub-rule (1) has been made, is not declared elected and the number of votes polled by him does not exceed one-eight of the total number of votes polled, the deposit shall be forfeited to Government.

(4) The deposit made by or on behalf of a candidate who is not elected, shall, if it is not forfeited under sub-rule (3), be returned to the candidates as soon as may be after the publication of the result of the election in the Official gazette, and the deposit made by or on behalf of a candidate who is elected shall be so returned as soon as may be after the publication of the result of the election in the Official gazette.

Notice of
nominations
and time and
place for the
scrutiny; and
preparation of
list of contest-
ing candidates.

23. (1) The returning officer shall, on receiving the nomination paper under rule 21 inform the person or persons delivering the same of the date, time and place fixed for the scrutiny of nomination; and shall enter in the nomination paper, its serial number, and shall sign thereon a certificate stating the date on which and 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 descriptions similar to those contained in the nomination paper, both of the candidate and of the proposer.

(2) At the time and on the date so fixed under rule 18(b), the returning officer shall, at the appointed place, scrutinise all nomination papers in the presence of the candidates, their proposers and their election agents, if they appear.

(3) The returning officer shall then 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 own motion, after such summary inquiry, if any, as he thinks necessary, reject any nomination on the ground that candidate concerned appears to be not qualified for being elected as member under the provisions of the Act or on any of the following grounds—

- (a) that a proposer is disqualified from subscribing a nomination paper under rule 21(2).
- (b) that the name and electoral roll number of the candidate or his proposer as entered in the nomination paper are not same as those entered in the electoral rolls.
- (c) that the signature of the candidate or any proposer is not genuine or has been obtained by fraud.
- (d) that a candidate who has been nominated for election to fill a seat of a Constituency reserved for Scheduled Tribe or his proposer or his election agent has failed to produce a certificate referred to in clause (ii) of sub-rule (4) of rule 21, unless such certificate has already been filed along with the nomination paper.
- (e) that a candidate who or on whose behalf deposit at the reduced rate under the first proviso to sub-rule (1) of rule 22 has been made or his proposer or his election agent has failed to produce a certificate from any Sub-Divisional Officer or Additional District Magistrate or District Magistrate showing that such candidate is a member of Scheduled Tribe or as the case may be, Scheduled Caste.

(4) The returning officer shall not, reject any nomination paper on the ground of slight technical defect such as the wrong spelling of a name, and shall accept any nomination paper in respect of which he is satisfied that the candidate is qualified to be chosen to fill the seat and has been proposed by persons who are qualified to do so.

For the purpose of this rule, the production of a certified copy of an entry made in the electoral roll of any constituency shall be conclusive evidence of the right of any voter named in that entry to stand for election or to subscribe a nomination paper, as the case may be, unless it is provided that the candidate or the proposer is otherwise disqualified.

(5) (a) The returning officer shall endorse on each nomination paper his decision accepting or rejecting the same and, if the nomination paper is rejected, shall record in writing a brief statement of his reasons for such rejection.

(b) The scrutiny shall be completed, if possible on the day fixed for the scrutiny of nomination of candidates but if it can not be completed on that day it may be adjourned to the following day or, if the following day is a holiday, to the next working day.

(6) On completion of the scrutiny of all the nominations, the returning officer shall forthwith prepare a list of validly nominated candidates, that is to say, candidates whose nominations have been found valid and shall cause such list to be affixed in some conspicuous place in his office in Form 7.

Fresh Poll in
case of death
of a candidate.

24. If a candidate who has been duly nominated under these rules dies after the date fixed for the scrutiny of nominations and before the commencement of a poll, the returning Officer, shall, upon being satisfied of the fact of the death of the candidate, countermand the poll and report the fact to the Government and all proceedings with reference to the election of that constituency shall be commenced anew in all respects as if for a new election.

Withdrawal of
candidature.

25. (1) Any candidate may withdraw his candidature by a notice in writing in Form 7A signed by him and deliver before 3 O'clock on the afternoon or the date fixed under clause (c) of rule 18 to the returning officer or to the person authorised by him on his behalf either by such candidate on person or by his proposer or election agent who has been authorised in this behalf in writing by such candidate.
- (2) No person who has given a notice for withdrawal of his candidature under sub-rule (1) shall be allowed to cancel the notice.
- (3) The returning officer shall, on being satisfied as to the genuineness of a notice of withdrawal and the identity of the person delivering it under sub-rule (1) cause a copy of the notice to be affixed on some conspicuous place in his office.
- (4) Immediately after the expiry of the period fixed for withdrawal of candidature under clause (c) of rule 18, the returning officer shall examine the symbols selected by the validly nominated candidates who have not withdrawn their candidature and if such symbols are found to conflict with each other or with any symbols already assigned, he shall allocate the symbols in conformity, as far as possible, with the wishes of the candidates and if necessary by lot, and his decision in this respect shall be final. Each candidate or his election agent shall at the same time be informed of the symbol assigned to such candidate and shall be given a specimen thereof;

Provided that where the same free symbol as specified in Table III of the Schedule has been chosen by several candidates in a constituency and if from all those several candidates, only one is a candidate set up by a Political Party recognised in any State and the rest are independent candidates then the free symbol shall be allotted to the candidate set up by such Political Party.

List of contesting
candidates.

26. (1) Immediately after the expiry of the period which the candidature may be withdrawn under sub-rule (1) of Rule 26 the returning officer shall prepare and publish a list of contesting candidate in Form. 8.
- (2) The list under sub-rule (1) shall contain the names in alphabetical order and the address of the contesting candidates as given in the nomination paper together with the symbol allotted to them.
- (3) Immediately after the preparation and publication of the list of contesting candidates under sub-rule (1), the Returning Officer shall send to the Chief Electoral Officer such list in Form 8 in duplicate both in English and Bengali and the Chief Electoral Officer shall thereupon cause such list of contesting candidates to be published in the Official Gazette and shall also make all necessary arrangements for printing of ballot papers in such form as may be considered appropriate by him.

CANDIDATES AND THEIR AGENTS

Appointment
of Election
Agent and
Revocation of
such Appointment.

27. (1) If a candidate desires to appoint an election agent, such appointment, shall subject to the provision of sub-rule (3) be made either at the time of delivering the nomination paper at any time before the election.

(2) Any revocation of the appointment of an election agent shall be signed by the candidate and shall operate from the date on which it is lodged with the returning officer.

(3) A person who suffers from any of the dis-qualification under the Act or under these rules shall not be eligible for appointment as election agent.

Appointment
of Polling
Agents.

28. (1) At an election at which poll is to be taken any contesting candidate or his election agent may appoint one agent and two relief agents to act as polling agents of such candidate at each of the polling stations. Such appointment shall be made by a letter in writing in duplicate and signed by the candidates or his election agent.

(2) The candidate or his election agent shall deliver the duplicate copy of the letter of appointment to the polling agent who shall, on the date fixed for poll, present it to the Presiding Officer and the Presiding Officer shall retain the duplicate copy in his custody. No polling agent shall be allowed at the Polling station unless he has complied with provisions of this rule.

Appointment
of counting
agents.

29. (1) A contesting candidate or his election agent may appoint not more than two agents per counting table to act as counting agent of such candidate by a letter in writing in duplicate signed by the candidate or his election agent :

Provided that not more than one counting agent shall be allowed to be present at a counting table at any one time.

(2) Before the commencement of the counting of votes, the candidate or his election agent shall give notice of the appointment of such counting agent to the returning Officer concerned by forwarding to such officer the letter of appointment.

(3) The candidate or his election agent shall also deliver the duplicate copy of the letter of appointment to the counting agent who shall on the date fixed for the counting of votes, present it to the returning Officer, who shall retain the duplicate copy presented to him in his custody. No counting agent shall be allowed to perform any duty at the place fixed for the counting votes, unless he has complied with the provision of this rule.

Revocation of
the appoint-
ment or death
of Polling
Agent or coun-
ting agent.

30. (1) The appointment of polling agent may be revoked by the candidate or his election agent at any time before the commencement of poll by a declaration in writing signed by him.

(2) The revocation of appointment under sub-rule (1) shall be lodged to the presiding officer of the polling centre where the polling agent was appointed for duty.

(3) Where the appointment of polling agent is revoked under sub-rule (1) or where the polling agent dies before the commencement of the poll the candidate or his election agent may at any time before the poll is closed appoint a new polling agent in accordance with provision of sub-rule (1) of rule 28.

(4) The appointment of a counting agent may be revoked by the candidate or his election agent at any time before the commencement of the counting of votes by declaration in writing signed by the candidate or his election agent such declaration shall be lodged to the returning officer where counting is to be held.

(3) The returning officer, if he thinks necessary, provide more than one polling booth in a polling station and shall cause a notice to be published at the gate of each polling booth showing the serial numbers as given in the final electoral roll of persons whose votes shall be recorded at the booth.

Election
Materials.

35. (1) The returning officer shall supply each presiding officer with the following :—

- (a) a ballot box provided with an aperture for receipt of voting papers ;
- (b) a rubber stamp for stamping the official mark on such papers ;
- (c) a bound book or books containing as many ballot papers serially numbered as there are voters at the polling station.

(2) The returning officer shall cause to be provided at each polling station indelible ink and other materials required for holding the election.

(3) The official mark shall be kept secret until the commencement of the poll.

Form and
printing of
ballot papers.

36. The ballot paper shall be printed in Bengali and the name of candidate shall be printed in alphabetical order in Bengali. The symbol assigned to each candidate shall be printed against his name.

Voting room.
Polling station.

37. Returning officer shall in each polling station set apart one or more places in which electors can record their votes screened from observation.

Vote by Ballot.

38. At every election where a poll is taken votes shall be given by ballot and no votes shall be recorded by proxy.

Ballot box.

39. Every ballot box shall be of such design as may be approved by the State Government.

Admission to
Polling station.

40. (1) On the election day the presiding officer shall admit to the outer compartment of the polling station both the candidates or such election agents or polling agents as may be selected by the candidates, to assist in the identification of voters[, provided that there shall be present at one time, in addition to the candidates, not more than one agent of each candidate.

(2) The Presiding Officer shall regulate the number of voters to be admitted at any one time into the polling station.

Marking of
Ballot box.

41. Immediately before the commencement of the poll the Presiding Officer shall satisfy such persons as may be present in the polling station that each ballot box is empty and shall then lock it and place upon it a special seal to be furnished by the returning officer and each ballot box shall then be placed in full view of the presiding officer and such candidates and their agents as may be present for the receipt of ballot papers.

Objections of
voter.

42. The candidates and their election agents or polling agents shall not speak to or address any intending voter in the polling booth, but may submit to the presiding officer objections against any voter or any of the following four grounds :—

- (a) that his name is not in the final electoral roll of the constituency in respect of which the election is being held ;
- (b) that his claim to be a certain voter shown on the final electoral roll is false ;

Identification
of Voters'
voting proce-
dure, Issue
of Ballot
papers, Record-
ing of Votes
etc.

- (c) that he has already voted :
- (d) where there is more than one polling station in a constituency, that under rule 34(2) he is not entitled to record his vote at the polling station in respect of which the objection is raised.

43. The procedure for recording a vote shall be as follows :—

- (i) There shall be no voting by proxy.
- (ii) As each intending voter enters the polling station, his name and his number in the final electoral roll shall be called out, so that every body present can hear them.
- (iii) No objection against an intending voter shall be entertained except on the grounds mentioned in rule 42.
- (iv) Any objection shall be summarily decided by the presiding officer, who may for this purpose take such evidence as may be available on the spot.
- (v) If after taking such evidence the presiding officer disallows the objection or if no objection is raised, the voter desiring to have a voting paper shall, before receiving such paper, allow—
 - (a) inspection of his left forefinger to the presiding officer or a polling officer ; and
 - (b) an indelible ink mark to be put on his left forefinger ;
- (vi) If any such voter—
 - (a) refuses to allow such inspection of his left forefinger, or
 - (b) refuses to allow an indelible ink mark to be put on his left forefinger, or
 - (c) persists on doing any act with a view to remove such mark after it has been put, he shall not be entitled to be supplied with any ballot paper or to record his vote at the election.
- (vii) No person who has already such a mark on his left forefinger at the time he enters the polling booth shall be supplied with any ballot paper.
- (viii) Any reference in this rule to the left forefinger of a voter shall in the case where the voter has his left forefinger missing be construed as a reference to any other finger of his left hand and shall, in the case where all the fingers of his left hand are missing be construed as a reference to the forefinger or any other finger of his right hand and shall in the case where all his fingers of both the hands are missing be construed as all his fingers of both the hands are missing be construed as a reference to such extremity of his left or right arm as he possesses.
- (ix) Immediately before a ballot paper is delivered to a voter it shall be signed in full in its back by the presiding officer, shall be marked on the back with the official mark and an indication shall be placed in a copy of the electoral roll against the number of the voter to denote that he has received a ballot paper, but no vote shall be made of the particular ballot paper which he has received.
- (x) A voter who has received a ballot paper shall forthwith be directed, by the presiding officer or a person (not being a candidate or his agent) deputed by the presiding officer for this purpose, to enter the place set apart for recording votes and shall, there mark a cross, in the ballot paper on or near the symbol assigned to any

(b) require him to affix his signature or thumb impression in the appropriate column of the said list.

(3) The Presiding Officer shall thereafter hold a summary enquiry into the challenge.

(4) If after the enquiry, the Presiding Officer is of the opinion that the challenge has not been established, he shall allow the person to vote ; and if he is of the opinion that the challenge has been established, he shall debar the person 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 Government and in any other case he shall return it to the challenger at the conclusion of the summary enquiry.

47. (1) Where a voter being a polling officer, presiding officer or other public servant on election duty in a constituency of a District Council of which he is an elector, wishes to vote in person at an election in a District Council constituency, he shall send an application in Form 11 to the returning officer so as to reach him at least 4 (four) days, or such shorter period as the returning officer may allow before the date of poll ; and if the returning officer is satisfied that the applicant is such public servant and voter on election duty in the constituency, he shall—

(a) issue to the applicant an election duty certificate in Form 12 ;

(b) mark "EDC" against the name in the marked copy of the electoral roll to indicate that an election duty certificate has been issued to him ; and

(c) ensure that he is not allowed to vote at the polling station where he would otherwise have been entitled to vote.

(2) The provision relating to identification of voters shall not apply to any person who produces at the polling station an election duty certificate in Form 12 and ask for the issue of ballot paper to him although the polling station is different from the one where he is entitled to vote.

(3) On production of such certificate the presiding officer shall—

(a) obtain thereon the signature of the person producing it ;

(b) have the persons name and electoral roll number as mentioned in the certificate entered at the end of the marked copy of the electoral roll ; and

(c) issue to him a ballot paper, and permit him to vote in the same manner as for an elector entitled to vote at the polling station.

47A(1). Where a voter, being a polling officer, Presiding Officer or other public servant on election duty in a constituency of a District Council other than the one of which he is an elector, wishes to vote by post at an election, he shall send an application in form 11A to the Returning Officer so as to reach him at least seven days, or such shorter period as the Returning Officer may allow, before the date of poll ; and if the Returning Officer is satisfied that the applicant is such public servant and voter on election duty in a constituency other than the one of which he is an elector, he shall issue to the applicant a postal ballot paper.

2(i) The postal ballot paper referred to in sub-rule (1) shall be separate and distinct from the other ballot papers used for the concerned

constituency at an election and shall be of such design as may be considered appropriate by the Chief Electoral Officer.

(ii) Such postal ballot paper and its counterfoil shall be signed by the Returning Officer in his own hand before issue.

(3) Before issuing any postal ballot paper to a voter on election duty under sub-rule (1), the Returning Officer shall mark "P.B." against his name in the marked copy of the Electoral Roll to indicate that a postal ballot paper has been issued to him and ensure that he is not allowed to vote at the polling station where he would otherwise have been entitled to vote and shall also record on the counter-foil of such ballot paper the electoral roll number of the elector as entered in the marked copy of the electoral roll.

(4) A postal ballot paper under sub-rule (1) shall be sent by post under certificate of posting to the elector together with :—

- (a) a declaration in Form 11B
- (b) a cover in Form 11C
- (c) a large cover addressed to the Returning Officer in Form 11D with requisite service postage stamps, and
- (d) instructions for the guidance of the elector in Form 11E.

Provided that the Returning Officer may deliver the ballot paper and forms, or cause them to be delivered, to such voter personally.

(5) An elector who has received a postal ballot paper and desires to vote shall record his vote on the ballot paper in accordance with the instructions contained in Form 11E and then enclose it in the cover in Form 11C.

(6) The elector shall sign the declaration in Form 11B in the presence of and attested by any Gazetted Officer to whom he is personally known or to whose satisfaction he is identified.

(7) After an elector has recorded his vote and made the declaration under sub-rule (5) or sub-rule (6), he shall return the ballot paper and declaration to the Returning Officer in accordance with the instructions contained in Form 11E so as to reach the Returning Officer before the hour fixed for the commencement of counting of votes under rule 57.

(8) If any cover containing a postal ballot paper is received by the Returning Officer after the expiry of the time fixed in sub-rule (7), he shall note thereon the date and time of its receipt and shall keep all such covers together in a separate packet.

(9) The Returning Officer shall keep in safe custody until the commencement of the counting of votes all covers containing postal ballot papers received by him before the time fixed under sub-rule (7).

Spoilt and
returned ballot
papers.

48. (1) An elector who has inadvertently dealt with his ballot paper in such manner that it cannot be conveniently used as a ballot paper may, on returning it to the presiding officer and on satisfying him of the inadvertence, be given another ballot paper, and the ballot paper so returned and the counterfoil of such ballot paper shall be marked "spoilt : Cancelled" by the presiding officer.

(2) If an elector after obtaining a ballot paper decides not to use it, he shall return it to the presiding officer, and the ballot paper so returned and the counterfoil of such ballot paper shall be marked as "Returned : cancelled" by the presiding officer.

(3) All ballot papers cancelled under sub-rule (1) or sub-rule (2) shall be kept in a separate packet.

Closing of
poll.

49. (1) The presiding officer shall close a polling station at the hour fixed in that behalf under rule 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.

Sealing of
ballot boxes
after poll.

50. (1) As soon as practicable after the closing of poll, the presiding officer shall in the presence of the candidate or his election or polling agent close the slit of the ballot box, and seal and secure it and also allow the candidate, the election agent or polling agent present to affix his seal.

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

Account of
ballot papers.

51. (1) The presiding officer shall at the close of the poll prepare a ballot paper account in Form—13 and enclose it in a separate cover with the words "Ballot Paper Account" superscribed thereon.

(2) The presiding officer shall give a copy of the "Ballot Paper Account" to such agents of the candidates as are present in the polling station at the close of poll.

Sealing of
other packets.

52. (1) The presiding officer shall then make into separate packets—

- (a) the marked copy of the electoral roll ;
- (b) the counterfoils of the used ballot papers ;
- (c) the ballot papers signed in full by the presiding officer under sub-rule (1) of rule 48 but not issued to the voters ;
- (d) any other ballot papers not issued to the voters ;
- (e) the ballot papers cancelled for violation of voting procedure ;
- (f) any other cancelled ballot papers ;
- (g) the cover containing the tendered ballot papers and the list in Form 9 ;
- (h) the list of challenged votes ; and
- (i) any other papers directed by the Chief Electoral Officer to be kept in a sealed packet.

(2) Each such packet shall be sealed with the seals of the presiding officer and with the seals either of the candidate or of his election agent or of his polling agent who may be present at the polling station and may desire to affix his seals thereon.

Transmission
of ballot boxes
etc. to the
returning
officer.

53. (1) The presiding officer shall then deliver or cause to be delivered to the returning officer at such place as the returning officer may direct—

- (a) the ballot boxes or, as the case may be, the bags or covers referred to in rule 50 ;

- (b) the ballot paper account ;
- (c) the sealed packets referred to in rule 53 ; and
- (d) all other papers used at the poll.

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

Adjournment of
poll in emergen-
cies.

54. (1) If at an election the proceedings at any polling station are interrupted or obstructed by any riot or open violence or if at any election it is not possible to take the poll at any polling station on account of any natural calamity, or any other sufficient cause, the returning officer or the presiding officer for such polling station shall announce an adjournment of the poll to a date to be fixed later and where the poll is so adjourned by the presiding officer he shall forthwith inform the returning officer concerned.

(2) Whenever a poll is adjourned under sub-rule (1), the returning officer shall immediately report the circumstances to the Chief Electoral Officer who shall immediately report the matter to the State Government. The State Government shall, by notification fix date and hours of poll on which the poll shall recommence and the returning officer shall fix the polling station at which the poll shall be taken.

Procedure on
adjournment
of poll.

55. (1) If the poll at any polling station is adjourned under rule 54, the provisions of rules 49 to 53 (both inclusive) shall, as far as practicable, apply as if the poll was closed at the hour fixed in that behalf under rule 32.

(2) At an adjourned poll the voters who have already voted at the poll to adjourn shall not be allowed to vote again.

(3) The returning officer shall provide the presiding officer of the polling station at which such adjourned poll is held, with the sealed packet containing the marked copy of the list of voters, other sealed packets, the original ballot box containing the polled ballot papers and a new ballot box.

(4) The presiding officer shall open the sealed packets in the presence of the polling agents present and use the marked copy of the list of voters at the adjourned poll.

(5) The provisions of rules 31 to 37 (both inclusive) shall apply in relation to the conduct of an adjourned poll as they apply in relation to the poll before it was so adjourned.

Fresh poll in the
case of destruc-
tion etc. of
ballot boxes.

56. (1) If at any election,—

(a) any ballot box used at a polling station or at a place fixed for the poll is unlawfully taken out of the custody of presiding officer or the returning officer, or is accidentally or intentionally destroyed or lost, or is damaged or tampered with to such an extent, that the result of the poll at the polling station or place cannot be ascertained, or

(b) any such error or irregularity in procedure as is likely to vitiate the poll is committed at a polling station or at a place fixed for the poll, the returning officer shall forthwith report the matter to the Chief Electoral Officer,

(2) Thereupon the Chief Electoral Officer shall, after taking all material circumstances into account, either

- (a) declare the poll at that polling station or place to be void, appoint a day, and fix the hours, for taking a fresh poll at the polling station or place and notify the day so appointed and the hours so fixed in such manner as it may deem fit, or
 - (b) if satisfied that the result of a fresh poll at that polling station or place will not, in any way, affect the result of the election or that the error irregularity in procedure is not material, issue such directions to the returning officer as it may deem proper for the further conduct and completion of the election.
- (3) The provisions of this Act, and of any rules or orders made thereunder shall apply to every such fresh poll as they apply to the original poll.

CHAPTER VI

COUNTING OF VOTES.

Appointment
of counting
places.

57. The returning officer shall, at least one week before the date or the first of the dates, fixed for the poll, appoint the place or places where the counting of votes will be done and the date and time at which the counting will commence and shall give notice of the same in writing to each candidate or his election agent :

Provided that if for any reason the returning officer finds it necessary so to do, he may alter the date, time and place or places so fixed, or any of them, after giving notice of the same in writing to each candidate or his election agent.

Admission to
the place fixed
for counting.

58. (1) The returning officer shall exclude from the place fixed for counting of votes all persons except—

- (a) Such persons to be known as counting supervisors and counting assistant as he may appoint to assist him in the counting ;
- (b) persons authorised by the Chief Electoral Officer ;
- (c) public servant on duty in connection with the election ; and
- (d) candidates, their election agents and counting agents.

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

(3) The returning officer shall decide which counting agent or agents shall watch the counting at any particular counting table or group of counting tables.

(4) Any person who during the counting of votes misconducts himself or fails to obey the lawful directions of the returning officer may be removed from the place where the votes are being counted by the returning officer or by any polling officer on duty or by any person authorised in this behalf by the returning officer.

Secrecy of count-
ing centre.

59. The returning officer shall, before he commences the counting read out and explain the necessity for maintenance of secrecy of voting to such persons as may be present.

59A(1) The Returning officer shall first deal with the postal ballot papers in the manner hereinafter provided.

(2) No cover in Form 11C received by the Returning officer after the expiry of the time fixed for counting of votes under rule 57 shall be opened and no vote contained in any such cover shall be counted.

(3) The other covers shall be opened one after another and as each cover is opened, the Returning Officer shall first scrutinise the declaration in Form 11B contained therein.

(4) If the said declaration is not found or has not been duly signed or attested or is otherwise defective, then the cover in Form 11C shall not be opened and after making an appropriate endorsement thereon, the Returning Officer shall reject the ballot paper therein contained.

(5) Each cover so endorsed and the declaration received with it shall be replaced in the cover in Form 11 and all such covers in Form 11D shall be kept in a separate packet which shall be sealed and on which shall be recorded the name of the constituency, the date of counting and brief description of its contents.

(6) The Returning Officer shall then place all the declarations in Form 11A which he has found to be in order in a separate packet which shall be sealed before any cover in Form 11C is opened and on which shall be recorded the particulars referred to in sub-rule(5).

(7) The covers in Form 11C not already dealt with under the foregoing provisions of this rule shall then be opened one after another and the Returning officer shall scrutinise each ballot paper and decide the validity of the vote recorded thereon.

(8) A postal ballot paper shall be rejected—

(a) if it bears any mark other than the mark to record the vote or writing by which the elector can be identified; or

(b) if no vote is recorded thereon ; or

(c) if it is a spurious ballot paper ; or

(d) if it is so damaged or mutilated that its identity as a genuine ballot paper cannot be established ; or

(e) if it is not returned in the cover sent along with it to the elector by the Returning Officer; or

(f) if the mark indicating the vote is placed on the ballot paper in such manner as to make it doubtful to which candidate the vote has been given ; provided that a vote recorded on a postal ballot paper shall not be rejected merely on the ground that the mark indicating the vote is indistinct or made more than once, if the intention that the vote shall be for a particular candidate clearly appears from the way the paper is marked.

(9) The Returning Officer shall count all the valid votes given by postal ballot in favour of each candidate, record the total thereof in the Result Sheet in Form 14 and announce the same.

(10) Thereafter all the valid ballot papers and all the rejected ballot papers shall be separately bundled and kept together in a packet which shall be sealed with the seal of the Returning Officer and of such of the candidates, their election agents or counting agents as may desire to affix their seals thereon and on the packet so sealed shall be recorded the name of the constituency, the date of counting and a brief description of its contents.

Opening of ballot-boxes.

60. (1) The returning officer may have the ballot box or boxes used at more than one polling station opened and the ballot papers found in such box or boxes counted simultaneously.

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

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

(4) If the returning officer is satisfied that any ballot box has in fact been tampered with, he shall not count the ballot papers contained in that box and shall follow the procedure laid down in Rule 56 in respect of that polling station.

(5) The returning officer shall then open the ballot boxes in the presence of the candidate or their election or counting agents.

Scrutiny and rejection of ballot paper.

61. (1) The ballot paper taken out of each ballot box shall be arranged in convenient bundles and scrutinized.

(2) The returning officer shall reject a ballot paper if—

- (a) it bears any mark or writing by which the elector can be identified, or
- (b) it bears no mark at all or, to indicate the vote, it bears a mark elsewhere than on or near the symbol of one of the candidates on the face of the ballot paper or, it bears a mark made otherwise than with the instrument supplied for the purpose, or
- (c) votes are given on it in favour of more than one candidate, or
- (d) 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) it is a spurious ballot paper, or
- (f) it is so damaged or mutilated that its identity as a genuine ballot paper cannot be established, or
- (g) 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) it does not bear (both the mark and the signature) which it should have borne under the provisions of rule 48 :

Provided that where the returning officer is satisfied that any such defect as is mentioned in clause (g) or clause (h) has been caused by any mistake or failure on the part of a presiding officer or polling officer, the ballot paper shall not be rejected merely on the ground of such defect :

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 intention that the vote shall be for a particular candidate clearly appears from the way the paper is marked.

(3) Before rejecting any ballot paper under sub-rule (2), the returning officer shall allow each counting agent present a reasonable opportunity to inspect the ballot paper but shall not allow him to handle it for any other ballot paper.

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

(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 papers shall be opened and no such paper shall be counted.

(7) After the counting of ballot papers contained in all the ballot boxes used at a polling station has been completed:—

(a) the counting supervisor shall fill in and sign part II-Result of Counting, in Form 13 which shall also be signed by the returning officer; and

(b) the returning officer shall make the entries in a result sheet in Form 14 and announce the particulars.

Counting of
Votes.

62. The valid ballot papers of each candidate and the rejected ballot papers shall thereafter be bundled separately and the several bundles made up into a separate packet which shall be sealed with the seals of the returning officer and of such of the candidates, their election agents or counting agents as may desire to affix their seals thereon; and on the packets so sealed shall be recorded the following particulars, namely:—

(a) the name of the constituency;

(b) the particulars of the polling station where the ballot papers have been used; and

(c) the date of counting.

Counting to be
continuous.

63. The returning officer shall, as far as practicable proceed continuously with the counting and shall, during any intervals when the counting has to be suspended, keep the ballot papers, packets and all other papers relating to the election sealed with his own seal and the seals of such candidates or election agents as may desire to affix their seals and take sufficient precaution for their safe custody during such intervals.

64. (1) If a fresh poll is held under rule 54 the returning officer shall, after completion of that poll, recommence the counting of votes on the date and at the time and place which have been fixed by him in that behalf and of which notice has been previously given to the candidates and their election agents.

(2) The provisions of rules 60 and 61 shall apply so far as may be to such further counting.

Result of
Votes.

65. (1) After the completion of the counting, the Returning officer shall record in the result sheet in the Form 14 the total number of votes polled by each candidate and announce the same.

(2) After such announcement has been made, a candidate or, in his absence, his election agent or any of his counting agents may apply in writing to the returning officer to recount the votes either wholly or in part stating the grounds on which he demands such recount.

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



(4) Every decision of the returning officer under sub-rule (3) shall be in writing and contain the reasons therefor.

(5) If the returning officer decides under sub-rule (3) to allow a recount of the votes either wholly or in part he shall—

- (a) do the re-counting in accordance with rules 60 and 61 as the case may ;
- (b) amend the result sheet in Form 15 to the extent necessary after such re-count, and
- (c) announce the amendments so made by him.

(6) After the total number of votes polled by each candidate has been announced under sub-rule (1) or sub-rule (5) the returning officer shall complete and sign the result sheet in Form 14 and no application for a re-count shall be entertained thereafter :

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

(7) (a) declare in Form 15 or 16 as may be appropriate the candidate to whom the largest number of valid votes has been given to be elected and send signed copies thereof to the appropriate authority and the Chief Electoral Officer and

(b) submit return of election Chief Electoral Officer in Form 17.

Grant of certificate to returned candidate and procedure in case of equality of votes.

66. (1) As soon as may be after a candidate has been declared by the returning officer under the provisions of rule to be elected, the returning officer shall grant to such candidate a certificate of election in Form 13 and obtain from the candidate an acknowledgement of its receipt duly signed by him and immediately send the acknowledgement by registered post to the Chief Executive Officer of the District Council.

(2) If, after the counting of votes is completed, an equality of vote is found to exist between any candidate and the addition of one vote will entitle any of these candidates to be declared elected, the returning officer shall forthwith decide those candidates by lot, and proceed as if the candidate on whom the lot falls had received an additional vote.

Custody of ballot boxes and papers.

67. (1) All ballot boxes used at an election shall be kept in such custody as the Chief Electoral Officer may direct.

(2) The returning officer shall keep in safe custody—

- (a) the packets of unused ballot papers with counterfoils attached thereto ;
- (b) the packets of unused ballot papers whether valid, tendered or rejected ;
- (c) the packets of the counterfoils of used ballot papers ;
- (d) the packets of the marked copy of the electoral roll ;
- (e) all other papers relating to the election.

Production and inspection of election papers.

68. (1) While in the custody of the returning officer—

- (a) the packets of unused ballot papers with counterfoils attached thereto ;
- (b) the packets of used ballot papers whether valid, tendered or rejected ;

- (c) the packets of the counterfoils of used ballot papers ;
- (d) the packets of the marked copy of the electoral roll and their contents shall not be inspected or be produced before any person or authority except under the order of a competent court.

Disposal of
election papers.

69. (1) Subject to any direction to the contrary given by the Chief Electoral Officer or by a competent court or tribunal—

- (a) the packets of unused ballot papers shall be retained for a period of six (6) months and shall thereafter be destroyed in such a manner as the Chief Electoral Officer may direct ;
- (b) the other packets referred to in sub-rule (1) of rule 71 shall be retained for a period of one year and shall thereafter be destroyed :

Provided that packets containing the counterfoil of used ballot papers shall not be destroyed except with the previous approval of the Chief Electoral Officer ;

- (c) all other papers relating to the election shall be retained for such period as the Chief Electoral Officer may direct.

CHAPTER VII

ELECTION DISPUTE

Filing of peti-
tions.

70. (1) The petition referred to in sub-section (1) of section 25 of the Act shall be filed before the District Judge, Tripura within 60 (Sixty) days from the date of declaration of the result.

(2) The petition shall contain a statement in brief of the material facts on which the petitioner relies and shall where necessary be divided into paragraphs numbered consecutively. It shall be filed by the petitioner and verified in the manner prescribed for verification of pleading in the Code of Civil Procedure 1908.

(3) If the irregularities raised in the petition are likely to the petitioner shall join as opposite party to his petition all such returned candidates.

(4) Every petition shall be filed with a fixed court fee of Rs. 10/- and the petitioner shall submit as many copies of the petition as there are opposite parties.

(5) The District Judge shall as soon as may be caused copy of the petition to be served on each opposite party.

Procedure to
be followed.

71. (1) Every dispute relating to election shall be enquired into by the District Judge as early as may be in accordance with the procedure applicable under the Code of Civil Procedure 1908 to the trial of suits :

Provided that it shall only be necessary for the District Judge to make an amendment of the substance of the evidence of any witnesses examined by him.

(2) The District Judge shall have the power which are vested in a court under the Code of Civil Procedure 1908 when trying a suit in respect of the following matters :—

- (a) discovery and inspection ;
- (b) enforcing the attendance of witnesses and requiring the deposit of the expenses ;

- (c) compiling the production of documents ;
- (d) summoning of witnesses on oath ;
- (e) reception of evidence taken on affidavit ;
- (f) issuing the commission for examination of witnesses and may summon and examine suo moto any person whose evidence appears to him to be material.

Withdrawal of
petition.

72. (1) No election petition shall be withdrawn without the leave of the District Judge.

(2) If there are more petitioners than one, no application to withdraw a petition shall be made without the consent of all the petitioners.

(3) When an application for withdrawal is made notice thereof fixing a date for the hearing of application shall be given to all other parties to the petition.

(4) No application for withdrawal shall be granted if the District Judge is of opinion that such application has been induced by any bargain or consideration which does not deserve to be admitted.

(5) If the application is granted, the petitioner shall be ordered to pay the costs of the opposite party thereto incurred or to such portion thereof as the District Judge may think fit.

Evidence during
enquiry.

73. (1) Where at an enquiry into the election petition any candidate, other than the returned candidate, claims the seat for himself, the returned candidate or candidates or any other party to the proceeding may give evidence to prove that the election of such candidate would have been void if he had been a returned candidate and a petition had been presented complaining of his election.

Fresh election
at Court's
order.

74. (1) When an election is declared void under section 25 and a fresh election is ordered the seat of the returned candidate or the seats of the returned candidates, as the case may be, shall be deemed to be vacant from the date of the order of the District Judge and the State Government shall forthwith take necessary steps for holding such fresh election.

CHAPTER VIII MISCELLANEOUS

Requisition of
premises, vehi-
cle etc. for elec-
tion purpose.

75. (1) The District Magistrate and Collector may, if it appears to him in connection with an election under the Act—

- (a) that any premises are needed or are likely to be needed for the purpose of being used as a polling station for the purpose of storage of ballot boxes ; or
- (b) that any vehicle, vessel or animal is needed or is likely to be needed for the purpose of transport or for the transport of members of police forces for maintaining order during election or for the transport of any officer or person for performance of any duty in connection with such election by order in writing requisition such premises, or as the case may appear to him to be necessary or expedient in connection with the requisitioning ;

Provided that no vehicle, vessel or animal which is being lawfully used by a candidate or his agent for any purpose connected with the election of such candidate shall be requisitioned under this sub-rule until the completion of the poll of such election.

(2) The requisitioning shall be affected by an order in writing addressed to the person deemed by the District Magistrate and Collector to be the owner or person in possession of the property and such order shall be served on the person to whom it is addressed:

(3) Whenever any property is requisitioned under sub-rule (1)—the period of such requisitioning shall not extend beyond the period for which such property is requisitioned.

Payment of
compensation.

76. (1) Whenever in pursuance of rule 75 any premises, vehicle, vessel or animal is requisitioned there shall be paid to the owner or to the person in possession of such property, compensation as may be determined by the District Magistrate and Collector.

(2) The amount of compensation determined by the District Magistrate and Collector under sub-rule (1) shall be final and shall not be challenged in any Court of Law.

(3) While determining the amount of compensation under sub-rule (1) the District Magistrate and Collector shall consider the following :

- (a) the rent payable in respect of the premises if no rent is so payable, the rent payable for similar premises in the locality ;
- (b) for vehicle whether mechanically propelled or otherwise, the fares or rates as fixed by the State Government in the Transport Department for goods or passenger vehicles ;
- (c) Cases not covered by (b) above the rates or fares prevailing in the locality for hire of such vehicles, vessels or animals.

Manner of serving order or requisition of premises, vehicles, vessels and animals.

77. An order of requisition under rule 78 shall be served—

- (a) Where the person to whom such order is addressed is a Corporation or Firm, in the manner provided for the services of Summons in rule 2 of order XXIX or rule 3 of order XXX, as the case may be, in the First Schedule to the Code of Civil Procedure, 1908 ; and
- (b) where the person to whom such order is addressed is an individual —
 - (i) personally by delivering or tendering the order, or
 - (ii) by registered post with acknowledgement due, or
 - (iii) if a person cannot be found, by leaving any authentic copy of the order with any adult member of his family, or by affixing such copy to some conspicuous part of the premises in which he is known to have last resided or carried on business, or personally worked for gain.

Promoting enmity between different classes in connection with election.

78. No person shall, in connection with an election under the Act and these rules, promote or attempt to promote on grounds of religion, race, caste, community or language, feelings of enmity or hatred between different classes of citizens of India.

Prohibition of public meeting on day before or on day of election.

79. No person shall canvas, hold or attend any public meeting within any constituency within forty-eight hours before the date of commencement of the poll or one the date or dates on which a poll is taken for an election in that constituency.

Prohibition of
canvassing in
or near polling
stations.

80. No person shall, on the date or dates on which a poll is taken at any polling station, commit any of the following acts within the polling station or in any public or private place within a distance of one hundred metres of the polling station, namely :—

- (a) Canvassing for votes or
- (b) Soliciting the vote of any voter or,
- (c) persuading any voter not to vote for any particular candidate, or
- (d) persuading any voter not to vote at the election, or
- (e) exhibiting any notice or sign (other than an official notice) relating to the election.

Maintenance of
secrecy of
voting.

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

By Order of the Governor,

S. R. Sankaran,

Chief Secretary to the Govt. of
Tripura.

(2) The requisitioning shall be affected by an order in writing addressed to the person deemed by the District Magistrate and Collector to be the owner or person in possession of the property and such order shall be served on the person to whom it is addressed.

(3) Whenever any property is requisitioned under sub-rule (1)—the period of such requisitioning shall not extend beyond the period for which such property is requisitioned.

Payment of compensation.

76. (1) Whenever in pursuance of rule 75 any premises, vehicle, vessel or animal is requisitioned there shall be paid to the owner or to the person in possession of such property, compensation as may be determined by the District Magistrate and Collector.

(2) The amount of compensation determined by the District Magistrate and Collector under sub-rule (1) shall be final and shall not be challenged in any Court of Law.

(3) While determining the amount of compensation under sub-rule (1) the District Magistrate and Collector shall consider the following :

- (a) the rent payable in respect of the premises if no rent is so payable, the rent payable for similar premises in the locality ;
- (b) for vehicle whether mechanically propelled or otherwise, the fares or rates as fixed by the State Government in the Transport Department for goods or passenger vehicles ;
- (c) Cases not covered by (b) above the rates or fares prevailing in the locality for hire of such vehicles, vessels or animals.

Manner of serving order or requisition of premises, vehicles, vessels and animals.

77. An order of requisition under rule 78 shall be served—

- (a) Where the person to whom such order is addressed is a Corporation or Firm, in the manner provided for the services of Summons in rule 2 of order XXIX or rule 3 of order XXX, as the case may be, in the First Schedule to the Code of Civil Procedure, 1908 ; and
- (b) where the person to whom such order is addressed is an individual —
 - (i) personally by delivering or tendering the order, or
 - (ii) by registered post with acknowledgement due, or
 - (iii) if a person cannot be found, by leaving any authentic copy of the order with any adult member of his family, or by affixing such copy to some conspicuous part of the premises in which he is known to have last resided or carried on business, or personally worked for gain.

Promoting enmity between different classes in connection with election.

78. No person shall, in connection with an election under the Act and these rules, promote or attempt to promote on grounds of religion, race, caste, community or language, feelings of enmity or hatred between different classes of citizens of India.

Prohibition of public meeting on day before or on day of election.

79. No person shall canvas, hold or attend any public meeting within any constituency within fortyeight hours before the date of commencement of the poll or one the date or dates on which a poll is taken for an election in that constituency.

FORM 2
(See Rule 9 (2))

Claim application for inclusion of name

To

The Electoral Officer,

Constituency:

Sir,

I request that my name be included in the electoral roll for the above constituency in Part No... relating to ... name ...
 My name (in full) ...
 My father's/Mother's/Husband's name...
 Particulars of my place of residence are :—
 House No...
 Street/Mahalla ...
 Town/Village...
 Post Office...
 Police Station/Tehsil/Taluka...
 District...

I hereby declare that to the best of my knowledge and belief :

- (i) that I am a citizen of India.
- (ii) that my age on the first day of January last was... years and ... months.
- (iii) that I am ordinarily resident at the address given above ; ;
- (iv) that I have not applied for the inclusion of my name in the electoral roll for any other constituency.
- (v) that my name has not been included in the electoral roll for this or any other District Council constituency.
- (vi) that I am registered as a voter in serial number... of Part No... of Assembly constituency.

Date...

Signature or thumb impression
of claimant.

FORM-5

(See rule 19(1))

Notice of Election

Notice is hereby given that :—

(1) an election is to be held of a member to the District Council...
...in the... constituency.

(2) nomination papers may be delivered by a candidate or his proposer to the
Returning Officer or to...
Assistant Returning Officer, at ...
11 A. M. and 3 P. M. on any day (other than a public holiday) not later than the...
between

(3) forms of nomination paper may be obtained at the place and times aforesaid.

(4) the nomination papers will be taken up for scrutiny at...
...on... ..at...

(5) notice of withdrawal of candidature may be delivered by a candidate or his
proposer or his election agent to either of the officers specified in paragraph (2) above at his
office before 3 P. M. on the ..

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

Place—

Returning Officer :

Date—

Decision of Returning Officer Accepting or Rejecting the Nomination Paper.

I have examined this nomination paper in accordance with rule 21 of the Tripura Tribal Areas Autonomous District Council (Conduct of Election) Rules, 1980.

Date... ..

Returning Officer.

*Score out the word not applicable.

(perforation)...

∴ Receipt for Nomination Paper and Notice of Scrutiny ∴

(To be handed over to the person presenting the nomination paper)

Serial No. of nomination paper... ..

The nomination paper of... ..a candidate for election from the
... ..District Council constituency was delivered to me at my office
at... ..(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.

*Score out the word not applicable.

FORM-8

(See Rule 26(1))

List of Contesting Candidates.**Election to the District Council form the... .. Constituency.**

Serial number	Name of candidate	Address of candidate	Symbol allotted
1	2	3	4
1.			
2.			
3.			
4.			
etc.			

Place...**Date...****Returning Officer.**

List of Tendered Votes

Signature of
presiding
Officer.

FORM-10

(See rule 46)

List of Challenged Votes

Election to the... ..from the... .. Constituency
Polling Station ..

Serial Number entry.	Name of Electoral	Serial No. of		Signature of thumb impression of the per- son chall- enged.	Address of the person challenged.	Name of Identifier if any.	Name of challen- ger.	Order of presiding Officer.	Signature of challenger on receiving refund of deposit.
		Part of roll.	Elector's name in that part.						
1	2	3	4	5	6	7	8	9	10

38

Date... ..

Signature of presiding
Officer.

District Council Constituency

The duplicate copy of the letter of my appointment for election duty is enclosed.

The ballot paper may be sent to me at the following address :—

.....

Place.....

Date.....

Yours faithfully,

(FORM 11B)

Declaration by Elector

(Section 47A)

Election to the.....District Council Constituency.

I hereby declare that I am the elector to whom the postal ballot paper bearing serial number.....has been issued at the above election.

Signature/thumb* impression of elector.....

Date.....

Address.....

Attestation of signature/thumb impression*

The above has been signed/thumb-impressed in my presence by.....
 (elector) who is personally known to me/has been identified to my satisfaction
 by.....(identifier) who is personally known to me.

Signature of identifier, if any.....

Address.....

Signature of Attesting Officer.....

Designation.....

Address.....

Date.....

CERTIFICATE

I hereby certify that—

- (1) the above named elector is personally known to me*/has been identified to my satisfaction by*.....(identifier) who is personally known to me ;
- (2) I am satisfied that the elector is illiterate */suffers from.....
 (infirmary) * and is unable to record his vote himself or sign his declaration ;
- (3) I was requested by him to mark the ballot paper on his behalf ; &
- (4) the ballot paper was marked by me on his behalf in his presence and in accordance with his wishes.

Signature of identifier, if any.....

Address.....

Signature of Attesting Officer.....

Designation.....

Address.....

Date.....

*Strike off the inappropriate alternative.

4. Record the vote by placing clearly a mark opposite the name of the candidate to whom you wish to give that vote.
5. The mark should be so placed as to indicate clearly and beyond doubt to which candidate you are giving your vote. If the mark is so placed as to make it doubtful to which candidate you have given the vote that vote will be invalid.
6. Do not put your signature or write any word or make any mark, sign or writing whatsoever on the ballot paper other than the mark, which you are required to make thereon in accordance with paragraph 4.
7. An elector shall obtain the attestation of his signature on the declaration in Form 11B by any gazetted officer.

PART II—Instructions for Electors

(a) After you have recorded your vote on the ballot paper, place the ballot paper in the smaller cover marked 'A' sent herewith. Close the cover and secure it by seal or otherwise.

(b) You have then to sign the declaration in Form 11B also sent herewith in the presence of a gazetted officer competent to attest your signature (See direction 7 above). Take the declaration to any such officer and sign it in his presence after he has been satisfied about your identity. The officer will attest your signature and return the declaration to you. You must not show your ballot paper to the attesting officer nor tell him how you have voted.

(c) If you are unable to mark the ballot paper yourself in the manner indicated above by reason of illiteracy, blindness or other infirmity, you are entitled to have your vote marked on by any officer referred to in item (b). Such an officer will at your request mark the ballot paper in your presence and in accordance with your wishes. He will also complete the necessary certificate in his behalf.

(d) After your declaration has been signed and your signature has been attested in accordance with item (b) or item (c) place the declaration in Form 11B as also the smaller cover marked 'A' containing the ballot paper, in the larger cover marked 'B'. After closing the larger cover, send it to the returning officer by post or by messenger. (You have to give your full signature in the space provided on the cover marked 'B'. No postage stamp need be affixed by you.)

(e) You must ensure that the cover reaches the returning officer before*.....on.....*.

(f) Please note that—

- (i) if you fail to get your declaration attested or certified in the manner indicated above, your ballot paper will be rejected ; and
- (ii) if the cover reaches the returning officer after.....* on the.....* your vote will not be counted.

(*Here specify the hour and date fixed for the commencement of counting of votes.)"

FORM 12

10

Sec Rule 47(1))

Electoral Duty Certificate

Certified that ... is an elector in the ... District Council Constituency his electoral roll number being ... that by person of his being on election duty he is unable to vote at the polling station where he is entitled to vote and that he is therefore hereby authorised to vote at any polling station he may be on duty on the date of poll.

Signature...

Returning Officer.

Pace...

Date...

FORM 13

(See rule 51 and 61 (7)(a))

Part I, Ballot paper Account.

Election to the... .. from the... ..

... .. Constituency. No. and Name of Polling Station.....

... ..

Serial Nos.
from to

Total No.

1. Ballot paper received... ..

2. Ballot paper unused (i. e., not issued to voters).

(a) With the signature of Presiding Officer.

(b) Without the signature of presiding officer.

Total (a + b)

3. Ballot papers used at the polling station

(1—2=3)

4. Ballot paper used at the polling stations but NOT INSERTED INTO THE BALLOT BOX.

(a) Ballot paper cancelled for violation of voting procedure under Rule 43.

(b) Ballot papers cancelled for other reasons.

(c) Ballot papers used as tendered ballot papers.

Total (a + b + c)

5. Ballot paper to be found in the ballot box.

(Serial numbers need not be given)

Signature of Presiding
Officer.

Date... ..

FORM 14

(See rule 65)

Final Result sheet

(To be used for recording the result of voting at polling stations other than notified polling stations)

Election to the.....
from the..... Constituency.

(To be used for District Council Election)

Name of the District Council Constituency.....

Total No. of
electors in District Council
Constituency.....

Serial No. of polling station	Number of valid votes	Cast in favour of	Total of valid votes	No. of rejected votes	Total	No. of tendered votes.
A	B	C				

1.

2.

3.

Total No. of votes recorded
at Polling Station.No. of votes recorded on postal
ballot papers.(To be filled in the case of election
from an District Council Constituency).

Total Votes polled.

Place.

Date.

Returning Officer.

FORM 16

(See Rule 65(7)(a))

(For the use in Election to fill a casual vacancy when seat is contested).

"Declaration of the result of Election under clause (a) of sub-rule 7 of rule 65 of the Tripura Tribal Areas Autonomous District Council (Conduct of Election) Rules, 1980.

Election to the District Council from the ... constituency.

In pursuance of the provisions contained in clause (a) of sub-rule (7) of rule 65 of the Tripura Tribal Areas Autonomous District Council (Conduct of Election) Rules, 1980,"

I declare that—

... (Name)

... (Address).

has been duly elected to fill the vacancy caused in that District Council by the resignation of...

death of...

...

Election of... having been declared void,

Seat of... have become vacant, having been declared.

Place.

Signature...

Date.

Returning Officer.

(MONOGRAM)
FORM—18

(See rule 66)

Certificate of Election.

I, Returning Officer for the...
 District Council constituency... hereby
 certify that I have on the ... day
 of ... 19... declared
 Shri ...
 to have been duly elected by the said constituency to be a member of the District Council
 and that in token thereof I have granted to him this certificate of election.

Place:

Date:

Returning Officer
 for the District Council

"SCHEDULE

(See rule 19)

List of symbols

Table-I

Symbol reserved for recognised National Parties.

Name of National Party	Symbol reserved.
1	2
1. Indian National Congress	Hand
2. Communist Party of India	Ears of Corn and Sickle.
3. Communist Party of India (Marxist)	Hammer, Sickle and Star.
4. Janata Party	Haldhar within Wheel (Chakra Haldhar)
5. Bharatiya Janata Party	Lotus.
6. Lok Dal	Farmer Ploughing the Field (Khet Jotata Hua Kisan)

Table-II

(Symbol reserved for recognised State Parties)

Name of State Party	Symbol reserved.
1	2
1. Tripura Upajati Juba Samity	Two Leaves.

Table-III

(Free Symbols)

- | | |
|------------------|---|
| 1. Bicycle | 8. Spade |
| 2. Flaming Torch | 9. Sparrow |
| 3. Horse | 10. Swastik within a Circle |
| 4. Lion | 11. Spade and Stoker |
| 5. Pot | 12. Two cultivators returning after cutting crop. |
| 6. Rising Sun | 13. Tiger. |
| 7. Scales | |

S. R. Sankaran.

Chief Secretary to the Govt. of Tripura.

TRIPURA



GAZETTE

Published by Authority

EXTRAORDINARY ISSUE

Agartala, Tuesday, June 3, 1980 A. D.

Jyaishta 13, 1902 S. E.

PART-I—Orders and Notifications by the Government of Tripura, the High Court, Government Treasury etc.

Government of Tripura

Department of Welfare for Scheduled Castes and Scheduled Tribes

No. F.4/35/TW/GL/79-80.

Dated, the 2nd June, 1980.

NOTIFICATION

In exercise of the powers conferred by section 18 and 52 of the Tripura Tribal Areas Autonomous District Council Act, 1979 the State Government hereby makes the following rules to amend the Tripura Tribal Areas Autonomous District Council (Conduct of Election) Rules, 1980, namely :—

Short title &
commencement.

1. (1) These rules may be called the Tripura Tribal Areas Autonomous District Council (Conduct of Election) Amendment Rules, 1980.

(2) They shall come into force at once.

Amendment of
Form 2.

2. In Form 2 appended to the Tripura Tribal Areas Autonomous District Council (Conduct of Election) Rules, 1980 (hereinafter called the principal rules),—

(a) after item (v) the following new item shall be added, namely—

TRIPURA



GAZETTE

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PART-I—Orders and notifications by the Government of Tripura,
the High Court, Government Treasury etc.

GOVERNMENT OF TRIPURA

Department of Welfare for Schedule Caste & Schedule Tribe

No. F. 4-135/TW/GL/79-80 Dated, Agartala, the 16th November 1981.

NOTIFICATION

In exercise of the powers conferred by section 18 and 52 of the Tripura Tribal Areas Autonomous District Council Act, 1979 the State Government hereby makes the following rules further to amend the Tripura Tribal Areas Autonomous District Council (Conduct of Election) Rules, 1980, namely :—

Short title &
Commencement

1. (1) These rules may be called the Tripura Tribal Areas Autonomous District Council (Conduct of Election) (Second Amendment) Rules, 1981.
(2) They shall come into force on and from the date of their publication in the Official Gazette.
2. In rule 13 of the Tripura Tribal Areas Autonomous District Council (Conduct of Election) Rules, 1980, (hereinafter called the Principal Rules), after the words "all such" and before the word "and", the word "acts" shall be added.
3. In the rule 14 of the Principal Rules, for the words "and shall, not later than the days before the date of poll", the words, figures and marks "and shall, not later than the last date for the withdrawal of candidature appointed under rule 18(c)", shall be substituted.
4. In rule 18 of the Principal Rules—
(i) in clause (c) in the first line, for the word "and"

(ii) after clause (c) and before clause (d), the following new clause shall be inserted :—

“(cc) the date or dates on which a poll shall, if necessary, be taken which or the first of which shall be a date not earlier than the twentieth day after the last date for the withdrawal of candidatures”.

5. For all the provisos under sub-rule (2) of rule 19 of the Principal Rules, the following provisos shall be substituted, namely :—

“Provided that a candidate set up by a National Party as shown in column 1 of Table I of the Schedule shall be allotted the symbol as shown against that party in column 2 of the said table and no other symbol; and a reserved symbol as shown in column 2 of Table I of the schedule shall not be chosen by or allotted to any candidate other than the candidate set up by a National Party ;

Provided further that a candidate set up by a State Party as shown in column 1 of Table II of the schedule shall be allotted the symbol as shown against that party in column 2 of the said table and no other symbol ; and a reserved symbol as shown in column 2 of Table II of the schedule shall not be chosen by or allotted to any candidate other than the candidate set up by a State Party as shown in column 1 of the said Table ;

Provided also that a candidate shall be deemed to have been set up by a National Party or as the case may be by a State Party as shown in column 1 of Table I and Table II of the schedule only when he states so in his nomination paper and files a certificate to that effect signed by the President or Secretary of the State unit of such National Party or as the case may be the President or Secretary of such State Party or any office bearer of the Party authorised in this behalf so as to reach the Returning Officer before the date of scrutiny of nomination paper”.

6. (1) Rule 20 of the Principal Rules shall be renumbered as sub-rule (1) of rule 20.

(2) In rule 20, after sub-rule (1) so renumbered, the following sub-rule shall be added :—

“(2) In the case of a constituency reserved for Scheduled Tribe, no person shall be qualified to be chosen to fill the seat of that constituency, unless he is a member of any of the Scheduled Tribes”.

7. In rule 21 of the Principal Rules—

(i) For Sub-rule (2), the following sub-rule shall be substituted, namely :—

“(2) Any person whose name is enrolled as an elector in the electoral roll of a constituency and who is not disqualified for being a member of the District Council Constituency under section 9 of the Act may subscribe as proposer a nomination paper to fill up a seat of that constituency and of no other constituency.”

(ii) After sub-rule (3), the following sub-rules shall be added, namely :—

“(4) (i) In a constituency reserved for Schedule Tribe, a candidate shall not be deemed to be qualified to be chosen to fill the seat of that constituency unless his nomination paper contains a declaration by him specifying the particular tribe of which he is a member and the area in relation to which that tribe is a Scheduled Tribe of the State.

(ii) Along with the declaration as aforesaid or at the time of scrutiny of nomination papers, the candidate or his proposer or his election agent shall produce a certificate from any Sub-Divisional Officer or Additional District Magistrate or District Magistrate showing that the candidate is a member of Scheduled Tribe.

(5) Where the candidate is an elector of a different constituency, a copy of the electoral roll of that constituency or of the relevant part thereof or a certified copy of the relevant entries of such roll shall, unless it has been filed along with the nomination paper, be produced before the Returning Officer at the time of scrutiny.

(6) Nothing in this rule shall prevent a candidate for being nominated by more than one nomination paper.

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 Constituency.

8. In rule 22 of the Principal Rules :—

(i) in sub-rule (1) after the proviso, the following proviso shall be added :—

“Provided further that where a candidate has been nominated by more than one nomination paper for election in the same Constituency, not more than one deposit shall be required of him”.

(ii) in sub-rule (2), in the third line, for the word “refused”, the word “rejected” shall be substituted.

9. In rule 23 of the Principal Rules—

(i) in sub-rule (1) in the second line, for the figure “2”, the figure “21” shall be substituted.

(ii) For sub-rule 2, the following sub-rule shall be substituted, namely :—

“(2) At the time and on the date so fixed under rule 18(b), the returning officer shall, at the appointed place, scrutinise all nomination papers in the presence of the candidates, their proposers and their election agents, if they appear”.

(iii) in clause (a) of sub-rule (3), the words “or seconder” shall be deleted.

(iv) for clause (b) of sub-rule (3), the following clause shall be substituted, namely :—

“(b) that the name and electoral roll number of the candidate or his proposer as entered in the nomination paper are not same as those entered in the electoral rolls”.

(v) in clause (c) of sub-rule (3) the words “or seconder” shall be deleted.

(vi) after clause (c) of sub-rule (3) the following clauses shall be added, namely :—

“(d) that a candidate who has been nominated for election to fill a seat of a Constituency reserved for Scheduled Tribe or his proposer or his

12. In sub-rule (1) of rule 29 of the Principal Rules :—

(i) In the second line, after the words "two agents" and before the words "to act," the words "per counting table", shall be inserted ;

(ii) after sub-rule (1) the following proviso shall be added :—

"Provided that not more than one counting agent shall be allowed to be present at a counting table at any one time."

13. After rule 31 of the Principal rules the following Rule shall be inserted, namely :—

"31A (1) Every person who is for the time being entered in the electoral roll of any constituency shall be entitled to vote in that constituency.

(2) No person shall vote at an election in more than one constituency and if a person votes in more than one constituency, his votes in all such constituencies shall be void.

(3) No person shall at any election vote in the same constituency more than once notwithstanding that his name may have been registered in the electoral roll for that constituency more than once and if he does so vote, all his votes in that constituency shall be void."

14. In rule 43 of the principal rules :—

(1) In clause (x), for the words and marks "within the space headed "voters mark" on the ballot paper against or" the words "in the ballot paper" shall be substituted.

(2) for clause (xi) the following clause shall be substituted, namely :—
 "(xi) If a voter owing to physical or other disability is unable to read the symbols on the ballot paper or to make mark thereon, the Presiding Officer shall permit the voter to take with him a companion of not less than 21 years of age to the voting compartment for recording the vote on the ballot paper on his behalf and in accordance with his wishes, and if necessary, for folding the ballot paper so as to conceal the vote and inserting it into the ballot box.

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

Provided further that no Government servant on election duty, the candidate, his election agent or polling agent shall be permitted to act as companion under this clause."

15. For rule 45 of the Principal Rules, the following rule shall be substituted, namely :—

"45(1) If a person representing himself to be a particular elector applies for a ballot paper after any other person has already Voted as such elector, he shall on satisfactorily answering such questions relating to his identity as the Presiding Officer may ask, be entitled, subject to the following provisions of this rule, to mark a ballot paper (hereinafter in these rules referred to as "tendered ballot paper") in the same manner as any other elector."

(2) Every such person shall before being supplied with a tendered ballot paper sign his name against the entry relating to him in Form 9.

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

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

(b) such tendered ballot paper and its counter-foil shall be endorsed on the back with the words "tendered ballot paper" by the Presiding Officer in his own hand and signed by him.

(4) The elector after marking the tendered ballot paper in the voting compartment and folding it, shall instead of putting it into the ballot box, give it to the Presiding Officer who shall place it in a cover specially kept for the purpose.

16. For rule 46 of the Principal Rules the following rule shall be substituted, namely:—

"46(1) Any polling agent may challenge the identity of a person claiming to be a particular voter by first depositing a sum of two rupees in cash with the Presiding Officer for each such challenge.

(2) On such deposit being made under sub-rule (1), the Presiding Officer shall —

(a) record the name and address of the person claiming to be the voter in Form 10 and

(b) require him to affix his signature or thumb impression in the appropriate column of the said list.

(3) The Presiding Officer shall thereafter hold a summary enquiry into the challenge.

(4) If after the enquiry, the Presiding Officer is of the opinion that the challenge has not been established, he shall allow the person to vote; and if he is of the opinion that the challenge has been established, he shall debar the person 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 Government and in any other case he shall return it to the challenger at the conclusion of the summary enquiry".

17. After rule 47 of the Principal Rules the following rule shall be added, namely:—

"47A(1). Where a voter, being a polling officer, Presiding Officer or other public servant on election duty in a constituency of a District Council other than the one of which he is an elector, wishes to vote by post at an election, he shall send an application in form 11A to the Returning Officer so as to reach him at least seven days, or such shorter period as the Returning Officer may allow before the date of poll; and if the Returning Officer is satisfied that the applicant is such public servant and voter on election duty in a constituency other than the one of which he is an elector, he shall issue to the applicant a postal ballot paper.

2(i) The postal ballot paper referred to in sub-rule (1) shall be separate and distinct from the other ballot papers used for the concerned

constituency at an election and shall be of such design as may be considered appropriate by the Chief Electoral Officer.

- (ii) Such postal ballot paper and its counterfoil shall be signed by the Returning Officer in his own hand before issue.
- (3) Before issuing any postal ballot paper to a voter on election duty under sub-rule (1), the Returning Officer shall mark "P.B." against his name in the marked copy of the Electoral Roll to indicate that a postal ballot paper has been issued to him and ensure that he is not allowed to vote at the polling station where he would otherwise have been entitled to vote and shall also record on the counterfoil of such ballot paper the electoral roll number of the elector as entered in the marked copy of the electoral roll.
- (4) A postal ballot paper under sub-rule (1) shall be sent by post under certificate of posting to the elector together with :—
 - (a) a declaration in Form 11B
 - (b) a cover in Form 11C
 - (c) a large cover addressed to the Returning Officer in Form 11D with requisite service postage stamps, and
 - (d) instructions for the guidance of the elector in Form 11E.

Provided that the Returning Officer may deliver the ballot paper and forms, or cause them to be delivered, to such voter personally.

- (5) An elector who has received a postal ballot paper and desires to vote shall record his vote on the ballot paper in accordance with the instructions contained in Form 11E and then enclose it in the cover in Form 11C.
- (6) The elector shall sign the declaration in Form 11B in the presence of and attested by any Gazetted Officer to whom he is personally known or to whose satisfaction he is identified.
- (7) After an elector has recorded his vote and made the declaration under sub-rule (5) or sub-rule (6), he shall return the ballot paper and declaration to the Returning Officer in accordance with the instructions contained in Form 11E so as to reach the Returning Officer before the hour fixed for the commencement of counting of votes under rule 57.
- (8) If any cover containing a postal ballot paper is received by the Returning Officer after the expiry of the time fixed in sub-rule (7), he shall note thereon the date and time of its receipt and shall keep all such covers together in a separate packet.
- (9) The Returning Officer shall keep in safe custody until the commencement of the counting of votes all covers containing postal ballot papers received by him before the time fixed under sub-rule (7).

18. After rule 59 of the Principal Rules, the following rule shall be added, namely :—

"59A(1) The Returning officer shall first deal with the postal ballot papers in the manner hereinafter provided.

- (2) No cover in Form 11C received by the Returning officer after the expiry of the time fixed for counting of votes under rule 57 shall be

19. For the existing schedule appended to the Principle Rules the following schedule shall be substituted :—

“SCHEDULE

(See rule 19)

List of symbols

Table-I

Symbol reserved for recognised National Parties.

Name of National Party	Symbol reserved.
1	2
1. Indian National Congress	Hand
2. Communist Party of India	Ears of Corn and Sickle.
3. Communist Party of India (Marxist)	Hammer, Sickle and Star.
4. Janata Party	Haldhar within Wheel (Chakra Haldhar)
5. Bharatiya Janata Party	Lotus.
6. Lok Dal	Farmer Ploughing the Field (Khet Jotata Hua Kisan)

Table-II

(Symbol reserved for recognised State Parties)

Name of State Party	Symbol reserved.
1	2
1. Tripura Upajati Juba Samity	Two Leaves.

Table-III

(Free Symbols)

- | | |
|------------------|---|
| 1. Bicycle | 8. Spade |
| 2. Flaming Torch | 9. Sparrow |
| 3. Horse | 10. Swastik within a Circle |
| 4. Lion | 11. Spade and Stoker |
| 5. Pot | 12. Two cultivators returning after cutting crop. |
| 6. Rising Sun | 13. Tiger. |
| 7. Scales | |

20. In Form 5 appended to the Principal Rules, after the words “Notice of Election”, the words and marks “Notice is hereby given that :—” shall be inserted as a new paragraph.

21. In Form 6 appended to the Principal Rules, after the words “His name is entered at Sl. No..... in part No..... of the electoral roll for the..... District Council Constituency” the following shall be inserted :—

“My name is..... and it is entered at sl. No. in part no..... of the Electoral Roll for the District Council Constituency.”

22. After Form-7 appended to the Principal Rules, the following new form shall be added, namely :—

“Form-7A

Notice of withdrawal

(See rule 25(1))

Election to the

To
The Returning Officer,

..... Constituency

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

Place.....

Signature of Candidate

Date.....

This notice was delivered to me at my office at (hour) on
..... (date) by (name).

RETURNING OFFICER

..... (Perforation)

Receipt for Notice of Withdrawal

(to be handed over to the person delivering the notice)

This notice of withdrawal of candidature by a candidate
was delivered at my office at (hour) on (date).

RETURNING OFFICER”

23. After Form 11 appended to the Principal Rules the following Forms shall be inserted, namely :—

“(Form 11A)

Letter of intimation to Returning Officer

(See rules 47 A)

To

The Returning Officer for

..... District Council Constituency.

Sir,

I, being a Polling Officer/Presiding Officer/Public Servant on election duty in a constituency other than the Constituency in which I am enrolled as an elector intend to cast my vote by post at the ensuing election to the Tripura Tribal Areas Autonomous District Council from the District Council Constituency.

My name is entered at Sl. No in Part No

..... of the electoral roll for

(FROM 11C)

Cover

(See rule 47A)

Cover-A	NOT TO BE OPENED BEFORE COUNTING
Election to the*District Council Constituency
POSTAL BALLOT PAPER	
Serial number of ballot paper*

*Appropriate particulars of the election to be inserted here by the Returning Officer.

(FROM 11D)

Cover

(See rule 47A)

COVER- 'B'	Postal Stamp
ELECTION IMMEDIATE	
POSTAL BALLOT PAPER	
For*.....District Council Constituency.	
(NOT TO BE OPENED BEFORE COUNTING)	
To	
The Returning Officer**(Sub-Divisional Officer.....)	
	Post Office.....
	Dist.....
Signature of sender.....	

*Returning Officer to insert here the name of the appropriate District Council Constituency.

**Returning officer to mention here his full postal address.

FORM 11E

INSTRUCTIONS FOR THE GUIDANCE OF ELECTORS

(See rule 47A)

Election to the Tripura Tribal Areas Autonomous District Council from the
.....District Council Constituency.

The persons whose names are printed on the ballot paper sent herewith are candidates at the above election. If you desire to vote, you should record your vote in accordance with the directions given in Part I below and then follow the instructions detailed in Part II.

PART I-Directions to Electors

1. The number of members to be elected is one.
2. You have only one vote.
3. You must not vote for more than one candidate. If you do your ballot paper will be rejected.

District Council Constituency

The duplicate copy of the letter of my appointment for election duty is enclosed.

The ballot paper may be sent to me at the following address :—

Place.....

Date.....

Yours faithfully,

(FORM 11B)

Declaration by Elector

(See rule 47A)

Election to the..... District Council Constituency

I hereby declare that I am the elector to whom the postal ballot paper bearing serial number..... has been issued at the above election.

Signature/thumb* impression of elector.

Date.....

Address.....

Attestation of signature/thumb impression*

The above has been signed/thumb-impressed in my presence by..... (elector) who is personally known to me/has been identified to my satisfaction by..... (identifier) who is personally known to me.

Signature of identifier, if any.....

Address.....

Signature of Attesting Officer

Designation.....

Address.....

Date.....

CERTIFICATE

I hereby certify that—

- (1) the above named elector is personally known to me*/has been identified to my satisfaction by*..... (identifier) who is personally known to me ;
- (2) I'm satisfied that the elector is illiterate*/suffers from..... (infirmary) * and is unable to record his vote himself or sign his declaration ;
- (3) I was requested by him to mark the ballot paper on his behalf ; &
- (4) the ballot paper was marked by me on his behalf in his presence and in accordance with his wishes.

Signature of identifier, if any.....

Address.....

Signature of Attesting Officer

Designation.....

Address.....

Date.....

*Strike off the inappropriate alternative

4. Record the vote by placing clearly a mark opposite the name of the candidate to whom you wish to give that vote.
5. The mark should be so placed as to indicate clearly and beyond doubt to which candidate you are giving your vote. If the mark is so placed as to make it doubtful to which candidate you have given the vote that vote will be invalid.
6. Do not put your signature or write any word or make any mark, sign or writing whatsoever on the ballot paper other than the mark, which you are required to make thereon in accordance with paragraph 4.
7. An elector shall obtain the attestation of his signature on the declaration in Form 11B by any gazetted officer.

PART II-Instructions for Electors

(a) After you have recorded your vote on the ballot paper, place the ballot paper in the smaller cover marked 'A' sent herewith. Close the cover and secure it by seal or otherwise.

(b) You have then to sign the declaration in Form 11B also sent herewith in the presence of a gazetted officer competent to attest your signature (See direction 7 above). Take the declaration to any such officer and sign it in his presence after he has been satisfied about your identity. The officer will attest your signature and return the declaration to you. You must not show your ballot paper to the attesting officer nor tell him how you have voted.

(c) If you are unable to mark the ballot paper yourself in the manner indicated above by reason of illiteracy, blindness or other infirmity, you are entitled to have your vote marked on by any officer referred to in item (b). Such an officer will at your request mark the ballot paper in your presence and in accordance with your wishes. He will also complete the necessary certificate in this behalf.

(d) After your declaration has been signed and your signature has been attested in accordance with item (b) or item (c) place the declaration in Form 11B as also the smaller cover marked 'A' containing the ballot paper, in the larger cover marked 'B'. After closing the larger cover, send it to the returning officer by post or by messenger. (You have to give your full signature in the space provided on the cover marked 'B'. No postage stamp need be affixed by you.)

(e) You must ensure that the cover reaches the returning officer before*.....on.....*.

(f) Please note that—

(i) if you fail to get your declaration attested or certified in the manner indicated above, your ballot paper will be rejected ; and

(ii) if the cover reaches the returning officer after.....* on the.....*...your vote will not be counted.

(*Here specify the hour and date fixed for the commencement of counting of votes.)

24. In Form 13 appended to the Principal Rules, in item No.4(a), for the figure "61" the figure "45" shall be substituted.

25. In Form 14 appended to the Principal Rules:—

- (a) the word and figure "Part I" shall be deleted;
- (b) for the words and mark "Segment (in the case of election from a)" the word "constituency" shall be substituted;
- (c) the word "Segment" after the words "total no. of electors in the District Council Constituency" shall be deleted;
- (d) the words and mark "(to be filled in the case of election from an District Council Constituency)" shall be deleted.

26. In form 15 appended to the Principal Rules,

- (a) for the words, figures and marks "Declaration of the result of Election under Section of the (Conduct of Election) Rules, 1980, constituency in Tripura Tribal Areas Autonomous District Council (State)", the following shall be substituted—

"Declaration of the result of election under rule 65(7)(a) of the Tripura Tribal Areas Autonomous District Council (Conduct of Election) Rules, 1980.

Election to the District Council from the Constituency;

- (b) For the words, figures and mark "In pursuance of the Tripura Tribal Areas Autonomous District Council Act, 1979", the words, figure and mark "In pursuance of the provisions contained in clause (a) of sub-rule (7) of rule 65 of the Tripura Tribal Areas Autonomous District Council (Conduct of Election) Rules, 1980," shall be substituted.

27. After Form 15 appended to the principal rules, the following form shall be inserted:—

"FORM 15A

(For use in District Council Election when seat is uncontested).

(See rule 31(b).)

Declaration of the result of Election under rule 31(b) of the Tripura Tribal Areas Autonomous District Council (Conduct of Election) Rules, 1980.
Election to the District Council from the Constituency.

In pursuance of the provisions contained in clause (b) of rule 31 of the Tripura Tribal Areas Autonomous District Council (Conduct of Election) Rules, 1980, I declare that (Name).....

..... (Address) has been duly elected to fill the seat in the District Council from the above constituency.

Place..... Signature.....

Date..... (Returning Officer) "

28. In Form 16 appended to the Principal rules, for the words, figures and mark,

"Declaration of the result of Election under Section of the Tripura Tribal Areas Autonomous District Council (Conduct of Election) Rules, 1980.

Election to the District Council from the District Council Constituency in (State)

In pursuance of the provisions contained in Section of the Tripura Tribal Areas Autonomous District Council Act, 1979."

the following words, figure and mark shall be substituted—

"Declaration of the result of Election under clause (a) of sub-rule 7 of rule 65 of the Tripura Tribal Areas Autonomous District Council (Conduct of Election) Rules, 1980.

Election to the District Council from the.....constituency.

In pursuance of the provisions contained in clause (a) of sub-rule (7) of rule 65 of the Tripura Tribal Areas Autonomous District Council (Conduct of Election) Rules, 1980,"

29. After Form 16 appended to the principal rules, the following form shall be inserted, namely :—

"FORM 16A

(For the use in District Council Election to fill a casual vacancy when seat is uncontested)

(See urule 31(b))

Declaration of the result of Election under rule 31(b)

Election to the District Council from the.....constituency.

In pursuance of the provisions contained in rule 31(b),

I declare that—

.....(Name)

.....(Address)

has been duly elected to fill the vacancy caused in the District Council by the

*resignation of.....

*death of.....

*election of.....having been declared void.

*seat of.....**having become vacant.

**having been declared vacant.

Place.....

Signature.....

Date.....

Returning Officer"

* Score out, if inappropriate.

* Score out, if inappropriate.

S. R. Sankaran.

Chief Secretary to the Govt. of Tripura.

No. 209A

Registered No. N. E.—930.

TRIPURA



GAZETTE

PUBLISHED BY AUTHORITY
EXTRAORDINARY ISSUE

Agartala, Tuesday, November 24, 1981 A. D.

Agrahayan 3, 1903 S. E.

PART-I—Orders and Notifications by the Government of Tripura,
the High Court, Government Treasury etc.

Government of Tripura
Department of Welfare for Scheduled Castes
and Scheduled Tribes.

No. F. 4-135/TW/GL/79-80 Dated, Agartala, the 24th November, 1981.

NOTIFICATION

In exercise of the powers conferred by sections 18 and 52 of the Tripura Tribal Areas Autonomous District Council Act, 1979, the State Government hereby makes the following rules further to amend the Tripura Tribal Areas Autonomous District Council (Conduct of Election) Rules, 1980, namely :—

Short title and commencement 1. (1) These rules may be called the Tripura Tribal Areas Autonomous District Council (Conduct of Election) (Third Amendment) Rules, 1981.

2. They shall come into force on and from the date of their publication in the Official Gazette.

Amendment of
rule 9.

2. In sub-rule (9) of rule 9 of the Tripura Tribal Areas Autonomous District Council (Conduct of Election) Rules, 1980, in the fourth line, after the words "be printed" and before the words "in the form of", the words "or cyclostyled or prepared in hand written manuscript" shall be inserted.

S. R. Sankaran
Chief Secretary to the
Government of Tripura.

No. 212B.

Registered No. N. E.—930.

TRIPURA



GAZETTE

Published by Authority
EXTRAORDINARY ISSUE

Agartala, Tuesday, December 1, 1981 A. D.

Agrahayan 10, 1903 S. E.

**PART-I—Orders and Notifications by the Government of Tripura,
the High Court, Government Treasury etc.**

**GOVERNMENT OF TRIPURA
DEPARTMENT OF WELFARE FOR SCHEDULED TRIBES AND
SCHEDULED CASTES.**

No. F. 4-135/TW/GL/79-80.

Dated, Agartala, the 1st December, 1981.

NOTIFICATION

In exercise of the powers conferred by sections 18 and 52 of the Tripura Tribal Areas Autonomous District Council Act, 1979, the State Government hereby makes the following rules further to amend the Tripura Tribal Areas Autonomous District Council (Conduct of Election) Rules, 1980, namely :—

Short title and
commencement.

1. (1) These rules may be called the Tripura Tribal Areas Autonomous District Council (Conduct of Election) (Fourth Amendment) Rules, 1981.

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

Amendment of
rule 9.

2. In rule 18 of the Tripura Tribal Areas Autonomous District Council (Conduct of Election) Rules, 1980, in the first line the words "appointing the date or time of poll" after the word "notification" and before the words "has been" shall be deleted.

S. R. Sankaran,
Chief Secretary to the
Government of Tripura.

Part-II—Advertisements and Notices

FORM—4
(See rule 8 (9))

No. 676-97

NOTICE OF FINAL PUBLICATION OF ELECTORAL ROLL

It is hereby notified for public information that the list of amendments to the draft electoral roll for the 27—Purba Muharipur Bhuratali (ST) and 28—Silachari Manu Bankul (ST) District Council Constituencies has been prepared in accordance with the Tripura Tribal Areas Autonomous District (Conduct of Election) Rules, 1980 a copy of the said roll together with the said lists of amendments has been published and will be available for inspection at my office.

R. K. VAISH.

Electoral Officer,

(Sub-Divisional Officer)

Place :— S. D. O's Office,
Sabroom.

Date :— 27. 11. 81 (FRIDAY)

27—Purba Muharipur Bhuratali (ST) &
28—Silachari Manu Bankul (ST) D.C.C.
Sabroom, South Tripura.

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No. 2-A.

Registered No. N. E.—930.

TRIPURA



GAZETTE

PUBLISHED BY AUTHORITY
EXTRAORDINARY ISSUE

Agartala, Saturday, January 2, 1982 A. D.

Pausa 12, 1903 S. E.

PART-I—Orders and Notifications by the Government of Tripura,
the High Court. Government Treasury etc.

GOVERNMENT OF TRIPURA
DEPARTMENT OF WELFARE FOR SCHEDULED CASTES
AND SCHEDULED TRIBES.

No. F. 4-135/TW/GL/79-80.

Agartala, January 2, 1982.

NOTIFICATION :

In exercise of the powers conferred by section 18 and 52 of the Tripura Tribal Areas Autonomous District Council Act, 1979, the State Government hereby makes the following rules to amend the Tripura Tribal Areas Autonomous District Council (Conduct of Election) Rules, 1980, namely :-

1. (1) These rules may be called the Tripura Tribal Areas Autonomous District Council (Conduct of Election) (Fifth Amendment) Rules, 1982.

(2) They shall be deemed to have come into force on and from First Day of December, 1981.



2. In the Tripura Tribal Areas Autonomous District Council (Conduct of Election) Rules, 1980, in Chapter-VII -

- (i) In sub-rule (1) of rule 70, for the words "the District Judge, Tripura" the words "the authority appointed under that sub-section" shall be substituted ;
- (ii) for the words "the District Judge" wherever they occur, the words "the authority appointed under sub-section (1) of section 25 of the Act" shall be substituted.

By order of the Governor,

S. R. Sankaran

Chief Secretary,

Government of Tripura.