



**The Nagaland Municipal  
Election Rules  
2023**

**Municipal Affairs Department  
Nagaland: Kohima**

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## CONTENTS

	<b>Page</b>
<b>Table of Contents</b>	<b>i-iii</b>
<b>PART I – Preliminary</b>	
1. Short title, extent, and Commencement	1
2. Definitions	1-2
<b>PART II – Registration of Electors</b>	
3. Role of Municipality	3
4. Disqualification for registration in a roll	3
5. Preparation of electoral rolls	3-4
6. Publication of Draft Roll	4
7. Manner of making and lodging claims and objections	5
8. Procedure for Authorised Officers and Registration Officers	6
9. Disposal of Claims and Objections	6
10. Final Publication of Roll	7
11. Revision of Rolls	7
12. Correction of Entries in Electoral Roll	8
13. Inclusion of names in the roll finally published	8
14. Manner for making application for correction of entries and inclusion of names in the roll	8-10
15. Appeal	10
16. Custody and preservation of rolls and connected papers	10
17. Inspection of rolls and connected papers	11
18. Disposal of rolls and connected papers	11
<b>PART III – Conduct of Elections</b>	
19. Notification of symbols	12
20. Election Programme and Appointment of Returning Officer	12-13
21. Dates to be fixed for nomination of candidates and scrutiny of nominations	14
22. Declaration of Votes and Candidature to be void	14
23. Nomination of Candidates	14
24. Deposit to be made by candidates	15-16
25. Notice of nomination and time and place for scrutiny	16
26. List of nominations to be posted	16
27. Scrutiny of nominations	16-17
28. Withdrawal of candidature	18
29. Assignment of symbols to candidates	18
30. List of contesting candidates	19
31. Candidates deemed to be elected if their number is equal to or less than the number of vacancies	19
32. Poll to be taken if number of candidates is more than number of vacancies	19

33, Death of a candidate before the poll	19
34, Election Agents	20
<b>PART IV– Polling Arrangements</b>	
35, Polling Stations	21
36, Polling Officers	21
37, Appointments of polling agents	22
38, Ban on meetings	22
39, Voting by Voter on Election Day	22
40, Arrangements at polling stations	23
41, Designs of ballot boxes	23
42, Form of ballot papers	23
43, Materials to be supplied at polling station	23
44, Preparation of ballot boxes for polls	24
45, Marked copy of electoral roll	25
46, Facilities for women electors	25
47, Staff for identification of electors	25
<b>PART V- Voting</b>	
48, Admission to polling station	26
49, Right to vote	26
50, Voting by marking ballot papers	27
51, Voting to be in person and not by proxy	27
52, Identification of electors	27
53, Challenging of identity	27
54, Safeguards against personation	28
55, Issue of ballot papers to electors	28
56, Maintenance of secrecy of voting by electors within polling stations and voting procedures	29
57, Recording of voter of blind or infirm electors	30
58, Spoilt and returned ballot papers	30
59, Tendered votes	31
60, Closing of polls	31
61, Sealing of Ballot Boxes after polls	32
62, Account of ballot papers	32
63, Sealing of other packets	32
64, Custody of polling materials after polling and before counting	33
65, Fresh poll in case of destruction of ballot boxes...etc	33
66, Booth Capturing	33
67, Adjournment of poll	34
<b>PART VI – Counting of votes at the election</b>	
68, Time and place for counting of votes	35
69, Appointment of counting agents and revocation of such appointment	35
70, Admission to the place of counting	36
71, Explaining the counting procedure	36
72, Opening of ballot boxes	36
73, Counting of votes	37
74, Counting of votes to be continuous	38

75, Recount of votes	38
76, Declaration of results and procedure in case of tie	39
77, Preparation of return	39
78, Choice of seat in case of election to more seats than one	39
79, Election papers to be forwarded to Deputy Commissioner	40
<b>PART VII-Miscellaneous</b>	
80, Custody of election papers	41
81, Filling of casual vacancies	41
82, Disposal of election papers	41
83, Final authority for interpretation of these rules	41
Form I-XV	42-66
Form 1-25	67-91

**GOVERNMENT OF NAGALAND  
MUNICIPAL AFFAIRS DEPARTMENT  
NAGALAND: KOHIMA**

**NOTIFICATION**

Dated Kohima, the 8<sup>th</sup> of December, 2023

**No. MA-65/2016:** In exercise of the powers conferred by Section 35 read with Section 59 of the Nagaland Municipal Act, 2023 (Act No. 9 of 2023), the State Government makes the following rules: -

**The Nagaland Municipal Election Rules, 2023**

**PART I**

**Preliminary**

**1. Short title, extent and commencement:**

- (1) These rules may be called the Nagaland Municipal Election Rules, 2023.
- (2) These rules shall apply to all Municipalities governed by the Nagaland Municipal Act, 2023 (Act No. 9 of 2023).
- (3) These rules shall come into force on and from the date of their publication in the Official Gazette.

**2. Definitions:**

- (i) "Act" means the Nagaland Municipal Act, 2023 (Act No. 9 of 2023);
- (ii) "Agent" means any person appointed in writing by a candidate at an election to be an agent for the purposes of these rules with the acceptance in writing by such person for an appointment;
- (iii) "Ballot Box" includes any box, bag or other receptacle for use for the insertion of ballot papers by electors;
- (iv) "Commission" means the State Election Commission, Nagaland;
- (v) "Election" means an election of a member, Chairperson or Deputy Chairperson of a Municipality;

- (vi) Constituency means a Ward, for the representation of which a member or members is or are to be or has or have been elected under these rules;
- (vii) "Elector" in relation to a Ward, means a person whose name is entered, in accordance with section 34 of the Act, in the Electoral Roll of that Constituency for the time being in force and who is not subject to any disqualification for voting;
- (viii) "Electoral Registration Officer" means the Officer designated or nominated under section 33 of the Act for the purposes of preparing Election Rolls for a particular Municipality;
- (ix) "Form" means a form appended to these rules and includes a manuscript or typewritten or photostat copy thereof;
- (x) "Roll" means the Electoral Roll of persons entitled to vote at a Municipal election as provided under Section 35(1) of the Act and under these rules;
- (xi) "Section" means a section of the Act;
- (xii) "Treasury" means a Government Treasury or Sub Treasury or a Bank to which the Government treasury business has been made over;
- (xiii) "Municipality" includes Municipal Council, Town Council and Urban Station Committee as constituted under the Nagaland Municipal Act, 2023
- (xiv) "A municipality" not divided into wards shall be deemed to be a ward for the purposes of these rules;
- (xv) Words and Expressions used herein and not defined in these rules shall have the same meaning as are assigned to them in the Act;
- (xvi) "Local authority" means Municipal councils, Town councils and Urban station committees.

**PART II**  
**Registration of Electors**

**3. Roll of Municipality:**

The Rolls of each constituency of a Municipality shall be the Electoral Rolls prepared by the Electoral Registration Officer under these rules.

**4. Disqualification for registration in a roll:**

A person shall be disqualified for registration in roll if he:

- (a) is not a citizen of India; or
- (b) is of unsound mind and stands so declared by a competent court; or
- (c) is for the time being disqualified for voting under the laws relating to corrupt practices and other offences in connection with elections including Parliamentary and State Elections; and
- (d) is less than eighteen years of age on the qualifying date.

*Explanation: - "Qualifying date" in relation to the preparation or revision of electoral roll means the 1st day of January, of the year in which it is so prepared or revised.*

**5. Preparation of Electoral Rolls:**

- (1) The Electoral Registration Officer shall under the superintendence, direction and control of the State Election Commission, Nagaland cause to be prepared/ revised rolls for each ward of the Municipality in accordance with these rules.
- (2) The Rolls shall be prepared in such form, in English and such other language as the State Election Commission, Nagaland may direct,
- (3) The Commission shall in relation to the preparation or revision of rolls specify by a notification published in the Official Gazette "the qualifying date" referred to in section 35(1) of the Act and shall in addition in the said notification specify, in the case of intensive revision, a programme regarding the period or date as the case may be on the following:
  - (a) Period for completion of enumeration and preparation of manuscript rolls;
  - (b) Date for completion of printing of Electoral Rolls;
  - (c) Date for publication of Draft Electoral Rolls;



- (d) Last date for filing of claims and objections which shall not be earlier than the tenth day and later than the thirtieth day of the date of publication of draft electoral rolls under clause (c) above;
- (e) Period for disposal of claims and objections;
- (f) Date for final publication of electoral rolls.

Provided that the Election Commission may, if it considers expedient so to do for sufficient reasons, extend the period for house-to-house enumeration, lodging of claims and objections, period for disposal of claims and may also make consequential changes with respect to the dates for draft and final publication of Electoral Rolls.

- (4) The notification shall also be affixed in a conspicuous place of the office of the Deputy Commissioner of the District and such other place(s) as the Government may specify.
- (5) For the purpose of preparation of the roll, the Electoral Registration Officer may send letters of request in Form I to the occupants of dwelling houses in the constituency or any part thereof and every person receiving any such letter shall furnish the information called for therein to the best of his/her ability;
- (6) For the purpose of preparing any roll or deciding any claim or objection to a roll, any Registration Officer and any person employed by him shall have access to any register of births and deaths and to the admission register of any educational institution, and it shall be the duty of every person in charge of any such register to give to the said officer or person such information and such extracts from the said register as he/she may require.

#### **6. Publication of Draft Roll:**

- (1) As soon as the roll for a constituency is ready but not later than the date given in the program notified by the Commission, the Electoral Registration Officer shall publish it as a draft together with a notice in Form II, intimating the date by which claims or objections with regard to the roll may be presented to the Electoral Registration Officer or such other officer as may be authorised by him/her and specified therein.
- (2) A copy of roll of each constituency shall be affixed by the Electoral Registration Officer at the following places:
  - (i) At the office of the Electoral Registration Officer;
  - (ii) At the concerned municipal office(s);
  - (iii) At such other areas in the concerned Municipal area as he/she thinks fit.He/she may further take steps in any other manner as he/she may think fit in order to give it wide publicity.

## **7. Manner of making and lodging Claims and Objections:**

- (1) Every claim shall be:
  - (a) in Form III:
  - (b) Signed by the person desiring his/her name to be included in the roll; and
  - (c) Countersigned by another person whose name is already included in the roll of the constituency in which the claimant desires his/her name to be included.
- (2) Every objection to the inclusion of a name in the roll shall be:
  - (a) in Form IV (in duplicate),
  - (b) preferred only by a person whose name is already included in that roll; and
  - (c) countersigned by another person whose name is already included in the roll in which the name objected to appear.
- (3) Every objection to a particular or particulars in an entry in the roll shall be
  - (a) in Form V and
  - (b) preferred only by a person to whom that entry relates.
- (4) Every claim or objection shall be addressed to the Electorate Registration Officer and shall be presented to him/her or such other officer as may be authorised by him/her in this behalf or be sent by registered post to him/her. Provided that any claim or objection, having been sent by registered post shall be rejected by the Electoral Registration Officer unless it is received by him/her on or before the last date specified for the purpose by the notification issued under rule 6(1).
- (5) Any claim or objection which is not lodged within the period, or in the form and manner herein specified or if lodged by a person not entitled to lodge the same, shall be rejected.
- (6) If an objection or claim is presented by a person to an Authority who is not authorized to receive it, such Authority shall at once return it to the person presenting it for presentation to the appropriate Authority.

## **8. Procedure for Authorised Officers and Registration Officers:**

- (1) **Authorised Officers:** Every officer authorised under sub-rule (4) of rule 7 shall maintain in duplicate a list of claims in form VIII, a list of objections to the inclusion of names in Form IX, and a list of objections to particulars in Form X entering therein the particulars of every claim or objection as the case may be and as and when it is received. A copy of each such list shall be exhibited on a notice board in his/her office.

Where a claim or objection is presented to him/her, he/she shall after complying with the requirements above, forward it with such remarks, if any, as he/she considers proper to the Registration Officer.

- (2) **Registration Officer:** The Registration Officer shall also maintain in duplicate the three lists in Forms VIII, IX and X, entering thereon the particulars of every claim or objection as and when it is received by him/her whether directly under rule 7 (4) or on being forwarded under rule 8(1) and keep exhibited one copy of each such list on a notice board in his/her office.

## **9. Disposal of Claims and Objections:**

- (1) Where a claim or objection is not disposed of under sub-rule (5) or sub-rule (6) of Rule 7 and the period prescribed for the presentation of claims and objections has expired and the Registration Officer feels that further enquiry is required, the Registration Officer shall specify in the list exhibited under sub-rule (2) of rule 8 the date, time and place of hearing of the claim or objection and give notice of hearing. One copy of the notice under this sub-rule shall be served on the person regarding whom it is made in Form XI in case of claim, Form XII in case of an objection, Form XIII to the person objection has been made and Form XIV in case of an objection to particulars in an entry.

Provided in all such cases where the Registration Officer is satisfied as to the validity of the claim and there is no written demand for inquiry, he/she may allow it without further inquiry after the expiry of one week from the date on which it is entered in the list exhibited by him/her under rule 8(2).

- (2) On the date and at the place fixed under sub-rule (1), the Electorate Registration Officer shall hear and decide the claims and objections according to their merits after

hearing the parties concerned or their authorized agents and, in the case of a claim any person who objects to the admission of such a claim and after considering such evidence as may be produced or may appear necessary to him/her, he/she shall:-

- (a) reject any claim or objection which does not comply with any of the provisions of these rules or pass such orders as he/she may deem fit;
  - (b) dismiss any case in which the claimant or objector is not present or is not represented.
- (3) Any person aggrieved by any such order may, within five days from the date of order apply to the Appellate Authority, which may be the Commission or any other authority as prescribed by the Commission by a notification, for revision and the Appellate Authority may as far as practicable, within ten days confirm such order, or set it aside or pass such other order with respect to the claim or objection as he/she may deem fit.
  - (4) The decision of the Appellate Authority on appeal, and subject to such decision, the order of the Registration Officer under sub-rule (2) shall be final.

#### **10. Final Publication of Roll:**

- (1) The Registration Officer shall thereafter:
  - (a) prepare a list of amendments to carry out his/her decisions or the decisions of the Appellate Authority under rule 9 and to correct any clerical or printing errors or other inaccuracies subsequently discovered in the roll.
  - (b) publish the roll, together with the list of amendments, by making a complete copy thereof available for inspection and displaying a notice in Form XV.
- (2) Any roll published/republished under the provisions of sub-rule (1), with or without a list or additions and corrections, shall come into force from the date of such publication/republication.

#### **11. Revision of Rolls:**

The roll shall be: -

- (1) Unless otherwise directed by the State Election Commission, Nagaland be revised in the prescribed manner before each general election to a Municipality and for any constituency before a bye-election to fill a casual vacancy in such a constituency; Provided that if for any reason the electoral roll is not revised the validity or continued operation of the existing electoral roll shall not thereby, be affected. Provided that, subject to other provisions of these rules, the electoral roll for the constituency as in force at the time of the issue of any such direction shall continue to be in force unto the completion of the special revision so directed.

- (2) The roll for every constituency shall be revised under sub-rule (1) either intensively or summarily, as the State Election Commission, Nagaland may direct.
- (3) Where the roll or any part thereof is to be revised intensively it shall be prepared afresh and rules 5 to 10 shall apply in relation to such revision as they apply in relation to the first preparation of a roll.
- (4) When the roll or any part thereof is to be revised summarily, the Electoral Registration Officer shall cause to be prepared a list of amendments to the relevant parts of the roll on the basis of such information as may be readily available and publish the roll together with the list of amendments in draft; and the provisions of rules 4 to 10 shall apply in relation to such revisions as they apply in relation to the first preparation of a roll.
- (5) Where at any time, between the publication of draft of the revised roll under sub-rule (3) read with rule 6 or of the roll and the list of amendments under sub-rule (4) and the final publication of the same under rule 10, any names have been decided to be included in the roll for the time being in force under rule 13 the Electoral Registration Officer shall cause the name to be included also in the revised roll unless there is in his opinion, any valid objection to such inclusion.

**12. Correction of Entries in Electoral Roll:**

Every application under section 36<sup>1</sup> of the Act shall be made to the Electoral Registration Officer in such manner as may be prescribed by the Commission,

**13. Inclusion of names in the roll finally published:**

Any person, whose name is not included in the roll of a constituency as finally published under rule 10 may apply in the manner hereinafter provided for the inclusion of his/her name in that roll.

**14. Manner for making application for correction of entries and inclusion of name in the roll:**

- (1) An application under rule 12 or 13 shall be made in duplicate in such one of the Forms III, V, VI or VII, as may be appropriate and shall be accompanied by a fee of 10(ten) rupees.

Provided that such application shall be addressed to the Electoral Registration Officer of the concerned municipality and presented to him/her at any time not later than four days from the date of publication of the election program under rule 20 excluding the date of publication.

- (2) The fee specified in sub-rule (1) shall be
- (a) paid by means of non-judicial stamps; or
  - (b) deposited in a government treasury or the State Bank of India in favour of the Electoral Registration Officer concerned; or
  - (c) paid in cash against proper receipt to the Electoral Registration Officer concerned or to any other officer authorized by him, in this behalf and shall not be refundable.
- (3) Where the fee is deposited under clause (b) of sub-rule (2), the applicant shall enclose with the application a Government treasury receipt and where the fee is paid in cash under clause (c) of sub-rule (2), the applicant shall enclose with the application, the proper receipt issued by the Electoral Registration Officer or the Officer authorized by

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*<sup>1</sup>If the electoral registration officer, on an application made to him/her or on his/her own motion, is satisfied after such enquiry as he/she thinks fit, that any entry in the electoral roll for any ward:*

- (a) is erroneous or defective in any particular; or*
- (b) should be transposed to another place in the roll on the ground that the person concerned has changed his/her place of residence within such ward; or*
- (c) should be deleted on the ground that the person concerned is dead or ceased to be ordinarily resident within such ward or is otherwise not entitled to be registered in that, the electoral registration officer shall, subject to such general or special directions, if any, as may be given by the Election Commission in this behalf, amend, transpose or delete the entry.*

*Provided that before taking any action on the ground specified in clause (a) or clause (b) or any action under clause (c) on the ground that the person concerned has ceased to be ordinarily resident within such ward or that he/she is otherwise not entitled to be registered in the electoral roll of such ward, the electoral registration officer shall give the person concerned a reasonable opportunity of being heard in respect of the action proposed to be taken in relation to him/her.*

him/her in this behalf to receive the fee in cash, in proof of the fee having been deposited or paid in cash by him/her.

- (4) The Electoral Registration Officer shall, immediately, on receipt of such application, direct that one copy thereof be pasted in some conspicuous place in his/her office together with a notice inviting objections to such applications within period of seven days from the date of such posting.
- (5) The Electoral Registration Officer shall after the expiry of the period specified in sub rule (4) consider the objections, if any, received by him/her and shall, if satisfied that the applicant is entitled to be registered in the roll direct his/her name to be included therein before the last date for making notification for election to that constituency:

Provided that if the applicant is registered in the roll of any other constituency, the Electoral Registration Officer shall inform the Electoral Registration Officer concerned of that constituency and the latter shall on receipt of such information, strike off the name of the applicant from that roll.

#### **15. Appeal:**

- (1) Where an application made under rule 13 or 14 is rejected, an appeal shall lie within a period of ten days from the date of rejection, to the Appellate Authority, which may be the Commission or any other Authority as prescribed by the Commission.
- (2) Every appeal under sub-rule (1) shall be:
  - (a) in the form of a memorandum signed by the applicant;
  - (b) accompanied by a copy of the order appealed against; and
  - (c) accompanied with fee of 10(ten) rupees which shall be paid by means of non-judicial stamps or in cash or in such other manner as directed by Commission.
- (3) The decision in appeal shall be final.
- (4) The Electoral Registration Officer shall cause such amendments to be made in the roll as may be necessary to give effect to the decision of the Appellate Authority.

#### **16. Custody and preservation of rolls and connected papers:**

- (1) After the roll for a Municipality or any of its constituency has been finally published the following papers shall be kept in the office of the Electoral Registration Officer or at such other place as the State Election Commission, may by order specify until the expiration of one year after the completion of the next intensive revision of that roll:
  - (a) one complete copy of the roll;

- (b) manuscript parts prepared by enumerating agencies and used for compiling the roll;
  - (c) all papers relating to claims and objections;
  - (d) all decisions and directions of the Revising Authority;
  - (e) all appeals submitted under Rules.
- (2) One complete copy of the electoral roll for each constituency duly authenticated by the Electoral Registration Officer or by any other officer authorised by him/her shall be kept at such place as the Commission may specify for a period of six years from the date of its final publication.

**17. Inspection of rolls and connected papers:**

Every person shall have the right to inspect the election papers referred to in rule 16 and to get attested copies thereof on payment of such fee as may be fixed by the commission.

**18. Disposal of rolls and connected papers:**

The papers referred to in rule 16 shall on the expiry of the period specified therein, be disposed of in such manner as the State Election Commission, Nagaland may in consultation with the State Government, direct.



**Part III**  
**Conduct of Elections**

**19. Notification of Symbols:**

- (1) The Commission shall by notification in the Official Gazette publish list of symbols along with the restrictions, if any, subject to which those may be chosen by the candidates at the election and may in the like manner add to or vary such list.
- (2) In each constituency every nomination paper delivered under rule 24 shall also contain a declaration specifying the particular symbol which the candidate has chosen for his/her first preference, out of the list for the time being in force under sub-rule (1) and also specifying two other symbols out of that list which he/she has chosen for his/her second and third preference respectively.

Provided that the choice to be made by a candidate under this sub-rule shall be subject to such restrictions as the Commission may think fit to impose in that behalf.

**20. Election Programme and Appointment of Returning Officer:**

- (1) On publication of notification under section 26(1) of the Act notifying that a general election to a municipality or an election to fill a casual vacancy be held by a particular date, the Commission shall frame a programme for elections hereinafter referred to as the "election programme" of a Municipality.
- (2) The Election Programme shall be published at least ten clear days before the first day fixed for making nominations and shall specify the date or dates on, by or within which

- (i) The nomination papers Shall be presented;

Provided that a period of not less than five days shall be prescribed for presentation of nomination papers;

- (ii) The list of validly presented nomination papers shall be posted;
- (iii) The nomination papers shall be scrutinized and list of validly nominated candidates shall be posted;
- (iv) Applications for the revision of the orders of the authority scrutinizing the nominations may be made to the Deputy Commissioners;

Provided that a period of not less than three days shall be allowed for filing of revising application;

- (v) The Revision application filed under clause (iv) shall be decided;
- (vi) A candidate may withdraw his candidature;

- (vii) The list of contesting candidates shall be posted;
  - (viii) The list of polling stations shall be posted;
  - (ix) The poll shall be held (here--- the hour at which the poll shall commence and the hour at which it shall close shall also be specified);
    - Provided that the date of poll shall not be earlier than the tenth day after the last date fixed for withdrawal of candidatures;
  - (x) The ballot papers shall be counted (here--- time and place fixed for the purpose shall also be specified); and
  - (xi) The result of election shall be declared.
- (3) The Deputy Commissioner of the District, as per the directions of the Election Commission shall designate a Returning Officer, who shall be an officer of the Government, for every Municipality;
- Provided that nothing in this rule shall prevent the same person to be designated as the Returning Officer for more than one Municipality; and
- (4) The Deputy Commissioner, as per the directions of the Election Commission may appoint one or more Assistant Returning Officers to assist the Returning Officer in his/her functions.
- (5) Every Assistant Returning Officer shall, subject to the control of 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 functions.
- (6) The election program shall be published at least ten clear days before the first date for making nominations, by posting a copy of it at the office of the Deputy Commissioner, at the office of the Municipality concerned and at such other conspicuous places in the said Municipality as may be determined by the Deputy Commissioner in this behalf. The last date for making nomination, their scrutiny and withdrawal shall not be public holidays. If any of the last dates for these purposes happens to be a public holiday such nominations, scrutiny or withdrawal shall take place, the next succeeding day, which is not a public holiday,
- (7) Subject to the provisions of sub-rule (6), the Commission may, by an order amend, vary or modify the election program at any time;
- Provided that unless the Commission otherwise directs, no such order shall be deemed to invalidate any proceedings already taken before the date of the order.

**21. Dates to be fixed for nomination of candidates and scrutiny of nominations:**

The Returning Officer shall on the date specified under sub-rule (2) of rule 20, by notices, in Form 1 posted at his/her office and at the office of the Municipality, and at such other places as he may determine

- (i) invite nomination papers of candidates for election;
- (ii) fix the date, time and place where and how the nomination paper shall be delivered;
- (iii) specify the authority to whom nomination papers shall be delivered; and
- (iv) fix the date, time and place for scrutiny of nomination papers of candidates.

**Explanation** -*The dates fixed under clauses (ii) and (iv) shall be the same as specified under rule 20 in this behalf.*

**22. Declaration of Votes and Candidature to be void:**

No person shall vote in more than one constituency or stand for election in more than one local authority, and in case of his/her voting or standing otherwise his/her votes or candidature as the case may be, shall be void.

**23. Nomination of Candidates:**

- (1) Any person not disqualified for membership of the Municipality under the provisions of section 42 of the Act or of any other rules or of the Act or any other Act, may be nominated as candidate for election.
- (2) On or before the date specified for the nomination of candidates under rule 20, between the hours of eleven o' clock of the forenoon and three o'clock of the afternoon or such other hours as the Returning Officer may fix to suit local requirements, each candidate shall, either in person or by his/her proposer or by an agent and unless such agent is a legal practitioner, his/her authorization as such duly verified by a magistrate deliver to the Returning Officer at the specified place, a nomination paper completed in Form 2 appended to these rules and subscribed by the candidate himself/herself as assenting to the nomination and by an elector as proposer.
- (3) Nothing in this rule shall prevent any candidate from being nominated by more than one nomination paper for election in the same constituency.
- (4) 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 the election in the same constituency.

- (5) On the presentation of a nomination paper, the Returning Officer shall satisfy himself that the names and electoral roll numbers of the candidate and his proposer as entered in the nomination paper are the same as those entered in the roll:

Provided that the Returning Officer may:

- a) permit any clerical error in the nomination paper in regard to the said names or numbers to be corrected in order to bring them in conformity with the corresponding entries in the roll, and
- b) where necessary, direct that any clerical or printing error in the said entries shall be overlooked.

**24 Deposit to be made by candidate:**

(1) The nomination paper of a candidate shall not be deemed to have been duly delivered unless at the time of delivery of the same under rule 23, the candidate has either deposited or caused to be deposited a sum shown in the table below with the Returning Officer in cash or enclose with the nomination paper a receipt showing that the said sum has been deposited in the Government treasury.

Type of Municipality	Amount of Deposit
Municipal Council	Rs. 1000
Town Council	Rs. 800

Provided 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/her under this sub-rule.

- (2) The deposit made under sub-rule (1) shall be returned to the person by whom it was made if,
- (a) the nomination paper in respect of which it has been made is rejected; or
  - (b) the candidate on whose behalf the deposit has been made, withdraws his/her candidature within the time specified under rule 28; or
  - (c) the candidate dies before the commencement of the poll; or
  - (d) the candidate has been elected, or the number of votes polled for him/her exceed one eight of the total number of votes polled.

(3) In all other case, the deposit referred to in sub-rule (1), shall be forfeited to the State Government.

**Explanation-** *for the purpose of clause (d) the number of votes polled shall be deemed to be the number of ballot papers other than rejected ballot paper counted.*

(4) The deposit shall, if it is not forfeited under sub-rule (3), be returned to the candidate or the person, who has made the deposit in his/her behalf as the case may be, and in case the person who made the deposit dies, the deposit shall be returned to his/her legal representative.

Provided that, if a candidate is duly nominated at an election by more than one nomination paper only the one deposited in his/her behalf shall be returned and the remainder shall be forfeited to the State Government.

## **25. Notice of nominations and time and place for scrutiny:**

The Returning Officer shall, on receiving the nomination papers under sub-rule (1) of rule 23, inform the person or persons delivering the same, of the date, time and place fixed for the scrutiny of nomination and shall enter on 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/her, and shall as soon as may be thereafter, cause to be affixed in some conspicuous place in his/her office a notice of the nomination, in Form 3 containing description similar to those contained in the nomination paper, both of the candidate and of the proposer.

## **26. List of validly presented nominations to be posted:**

The Returning Officer, on the date specified under rule 20 in this behalf post at his/her office and at the municipal office a list of all the candidates whose nomination papers have been validly presented under rule 23, together with descriptions similar to the contains in the nomination papers both of the candidates and the proposers. The list shall be in Form 3A.

## **27. Scrutiny of nominations**

(1) On the date fixed for the scrutiny of nomination; under rule 21, the candidate, one proposer and one other person duty authorized in writing by the candidate, but no other person, may attend at such time and place as the Returning Officer may appoint, and all reasonable facilities shall be given to them for examining the nomination paper of all candidates whose names are included in the list of candidates posted under rule 26.

(2) 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/her own motion, after such summary enquiry if any, as he/she may deem necessary, reject any nomination if, he/she is satisfied that:

- (a) the candidate was on the date fixed for the nomination of candidate's ineligible for election under the provisions of section 42 of the Act or any other rules of the Act or of any other Act and had not before that date been exempted by the State Government from any disqualification imposed upon him/her;
  - (b) the proposer was not qualified to subscribe the nomination paper under these rules;
  - (c) there has been any failure to comply with any of the provisions of rule 23 or rule 24
  - (d) the candidate or any proposer is not identical with the person whose number on the roll is given in the nomination paper as the number of such candidate or proposer as the case maybe; and
  - (e) the signatures of any candidate or of any proposer are not genuine or has been obtained by force or by fraud.
- (3) Nothing contained in clauses (b), (c) or (e) of sub-rule (2) shall be deemed to authorize the rejection of the nomination of any candidate on the ground of any irregularity in respect of a nomination paper if the candidate has been duly nominated by means of another nomination paper in respect of which no irregularity has been committed.
- (4) No nomination shall be rejected under clause (d) of sub-rule (2) if a summary enquiry is sufficient to establish the identity of the candidate or the proposer.
- (5) The Returning Officer shall endorse on each nomination paper his/her decision for accepting or rejecting it. In case a nomination paper is rejected he/she shall record in writing a brief statement of his/her reason for such rejection and attested copy of the decision accepting or rejecting a nomination paper shall be supplied by the Returning officer on the same day on an application having been made in this behalf by a person who is entitled to be present at the time of scrutiny of nomination papers.
- (6) Any persons aggrieved by any order passed under rule 27 may, within the date specified under rule 20 in this behalf, present in person or by counsel or by a duly authorized agent appointed by means of authority in writing and verified by a magistrate or a member of a local authority to the Deputy Commissioner an application for revision of such order.
- (7) On receipt of a revision application under sub-rule (6), the Deputy Commissioner, after hearing the application or his/her counsel, confirm the order already passed, or after sending by registered post notices to the parties concerned intimating the date of which such application will be heard, may, on such date, after hearing any representation which the

applicant or the other parties may make confirm the said order or may set it aside and pass such other order as he/she may deem fit.

- (8) Immediately after all the nomination papers have been scrutinized and decisions - accepting or rejecting the same have been recorded, the Returning Officer shall prepare a list of validly nominated candidates that is to say candidates, whose nominations have been found valid and affix it to his/her notice board. The list shall be in Form 4.

**28. Withdrawal of candidature:**

- (1) Any candidate may withdraw his/her candidature by notice 'in writing, in Form 5 and delivered to the Returning Officer before three o'clock in the afternoon or such other hours as the Returning Officer may fix to suit local requirements on or before the date specified under rule 20 in this behalf and no person who has thus withdrawn his/her candidature shall be allowed to cancel his/her withdrawal or to be re-nominated as a for the same election in the same constituency.
- (2) 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 notice to be affixed in some conspicuous place in his/her office. The notice shall be in Form 6.

**29. Assignment of symbols to candidates:**

- (1) If in any constituency a poll becomes necessary, under rule 32, the Returning Officer shall before preparing a list, of contesting candidates under rule 30, consider the choice of symbols expressed by the contesting candidates in their nomination papers and shall, subject to any general or special directions issued in this behalf by the Commission assign a different symbol to each contesting candidate in conformity, as far as practicable, with his choice. If more contesting candidates than one have indicated their preference for the same symbol, the Returning Officer shall decide by lot to which of such candidates the symbol will be assigned.
- (2) The assignment by the Returning Officer of any symbol to a candidate shall be final except where it is inconsistent with any directions, issued by the State Government in which case the Commission, may revise the assignment in such manner as it thinks fit.
- (3) Every candidate or his/her agent shall forthwith be informed of the symbol assigned to him/her and be supplied with a specimen thereof by the Returning Officer.

**30. List of contesting candidates:**

- (1) Immediately after the expiry of the period within which candidatures may be withdrawn under rule 28, the Returning Officer shall prepare a list of contesting candidates that is to say, candidates who were included in the list of validly nominated candidates and who have not withdrawn their candidature within the prescribed period and cause it to be posted at some conspicuous place in his/her office and at the Municipal Office.
- (2) The said list, in Form 7, shall contain the names in alphabetical order and addresses of the contesting candidates as given in the nomination papers together with the symbols assigned to each candidate, if poll is necessary, under rule 32.

**31. Candidates deemed to be elected if their number is equal to or less than the number of vacancies:**

- (1) If the number of contesting candidates in any constituency is equal to the vacancies of members to be filled the Returning Officer shall declare all such candidates to be duly elected, to fill these vacancies.
- (2) If the number of such candidates is less than the number of vacancies to be filled, the Returning Officer shall declare all such candidates to be elected and the Commission shall notify/frame fresh election programme under rule 20 to elect persons to fill the remaining vacancies.

Provided that where the constituency having already been called upon under this sub-section, has failed to elect a person or the requisite number of persons, as the case may be, to fill the vacancy or vacancies, the Commission shall not be bound to call again upon the constituency to elect a person or persons until it is satisfied that if called upon again, there will be no such failure on the part of the constituency,

- (3) All such results to uncontested vacancies shall be declared in Form 8

**32. Poll to be taken if number of candidates is more than number of vacancies:**

If the number of contesting candidates in any constituency is more than the number of vacancies to be filled for such constituency, a poll shall be taken.

**33. Death of a candidate before the poll:**

If a candidate dies before the poll and after the date fixed for the nomination of candidates and his/her nomination is or has been accepted as valid by the Returning Officer, the Returning Officer on receipt of such report before the commencement of poll and being reasonably satisfied of the fact of the death of the candidate countermand the poll for that constituency and report the fact to the Commission, and all proceedings with reference to the election of a member in the constituency or constituencies in which he/she was a candidate shall be commenced anew in all respects as if for a fresh election;

Provided that no fresh nomination shall be necessary in the case of a candidate whose name is entered on a list of contesting candidates posted under the provisions of rule 30.



### **34. Election Agents:**

- a. A candidate at an election may appoint any one person, other than himself/herself, to be his/her election agent. The appointment shall be made in Form 9 and the notice of such appointment shall be given by forwarding the same in duplicate to the Returning Officer who shall return one copy thereof to the election agent after affixing thereon his/her seal and signature in token of his/her approval of the appointment.

Provided that any person, who is for the time being disqualified under the Act for being a member of a Municipality or for voting at elections shall, so long as the disqualification subsists, also be disqualified for being an election agent at any election.

- b. 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. The revocation shall be in Form 10. In the event of the revocation of the appointment of an election agent or death of an election agent, whether such event occurs before or during the election or after the election but before the declaration of the result of the election, the candidate may appoint another person to be his/her election agent in the manner prescribed above for appointment of a fresh election agent.
- c. An election agent may perform such functions in connection with the elections as are authorised by or under these Rules to be performed by an election agent.

Part IV

**Polling Arrangements**

**35. Polling Stations:**

- (1) The Returning Officer shall, subject to such directions as may be issued by the Commission in this behalf, provide such number of polling stations as he/she may deem necessary and shall on the date specified under sub-rule (2)(viii) of rule 20 in this behalf post at his/her office and at the office of the Municipality a list showing the polling stations so provided, the polling area or the group of voters for which they have respectively been provided and the hours during which they shall remain open for the poll.
- (2) No person shall be permitted to vote except at the polling station of the area to which according to the roll he/she belongs and within the period for which the polling station remains open.

**36. Polling Officers:**

- (1) The Returning Officer shall appoint a Presiding Officer for each polling station and such number of Polling Officers as are considered necessary and if before or at the time of the poll the Presiding Officer or the Polling Officer refuses to act or becomes incapable of acting as such, the Returning Officer shall appoint another person to act as a Presiding Officer or Polling Officer as the case may be, and the Returning Officer may at any time, if he/she thinks fit appoint any other persons so to act in place of any person previously appointed.

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

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

- (2) The Presiding Officer shall in addition to performing any other duties imposed upon him by these rules be in general charge of all arrangements at the polling station and may issue orders as to the manner in which the person shall be admitted to the polling station and generally for the preservation of peace and order at or in the vicinity of the polling station.

- (3) A Polling Officer shall assist the Presiding Officer of the Polling Station in the performance of his/her functions and shall, if so, directed by the Presiding Officer, perform all or any of the functions of a presiding officer under these rules.
- (4) If the Presiding Officer, owing to illness or other unavoidable cause, is obliged to absent himself/herself from the polling station, his/her functions shall be performed by such Polling Officer as has been previously authorised by the Returning Officer to perform such functions during such absence.

**37. Appointment of Polling Agents:**

- (1) A contesting candidate may appoint one agent and two relief agents, to act as polling agents of such candidates for each polling station provided under sub-rule (1) of rule 35.
- (2) Every such appointment shall be made in Form 11 and shall be made over to the polling agents for production at the polling station or the place fixed for the poll as the case may be;
- (3) No polling agent shall be admitted into the polling station unless he/she has delivered to the presiding officer the instrument of his/her appointment under sub-rule (2) after duly completing and signing before the Presiding Officer the declaration contained therein.
- (4) Any revocation of the appointment of a polling agent shall be made in Form 12, signed by the candidate or his/her election agent and lodged with the presiding officer. The revocation shall operate from the date on which it is lodged with the presiding officer. In the event of any such revocation or death of the polling agent before the close of the poll, the candidate or his/her election agent may, at any time before the poll is closed, make a fresh appointment in the manner specified above and the provisions of the rule shall apply to every such agent
- (5) A polling agent may perform such functions in connection with the poll as are authorised by or under these Rules to be performed by the polling agent.

**38. Ban on meetings:**

No person shall convene, hold or attend any public meeting within the municipal limits of the town in any area of which poll is to be taken, during the period of forty-eight hours ending with the hour fixed for the conclusion of the poll for any election in that town.

**39. Voting by Voter on Election Duty:**

- (1) An elector on election duty who wishes to vote shall at least three days before the date of poll, approach the Returning Officer concerned and make an application in Form 13 for the issue of the ballot paper in order to enable him/her to cast his/her vote.
- (2) The Returning Officer shall, on being satisfied as to the identity of such voter on production of the letter of appointment in connection with the election:
  - (a) have the person's name marked in the electoral roll, and
  - (b) issue to such voter a ballot paper and permit him/her to vote on the spot with the instrument provided in Form 22 for the purpose.

- (3) After recording his vote, such voter shall make over the ballot paper to the Returning Officer in a sealed cover
- (4) The Returning Officer shall keep the counterfoil of such ballot paper in a separate sealed cover and keep the cover containing the counterfoil of the ballot paper in his/her safe custody.

**40. Arrangements at polling stations:**

- (1) outside each polling station there shall be displayed prominently:
  - (a) a notice specifying the polling area the electors of which are entitled to vote at the polling station and, where the polling area has more than one polling station, the particulars of the electors so entitled, and
  - (b) a copy of the list of contesting candidates.
- (2) At each polling station, there shall be set up one or more voting compartments in which electors can record their votes screened from observation.

**41. Design of Ballot Boxes:**

Every ballot box shall be of such design as may be approved by the Commission.

**42. Form of Ballot Papers:**

- (1) Every ballot paper shall have a counter foil attached thereto, and the said ballot paper and the counterfoil shall be in such form as the Commission may direct.
- (2) The names of the candidate shall be arranged on the ballot paper in the same order in which they appear in the list of contesting candidates.
- (3) If two or more candidates bear the same name, they shall be distinguished by the addition of their occupation or residence or in some other manner.

**43. Material to be supplied at polling:**

The Deputy Commissioner shall provide at each polling station sufficient number of ballot boxes, copies of the relevant part of the electoral roll, ballot papers, instruments for stamping the distinguishing mark on ballot papers, articles necessary for electors to mark the ballot papers and any other article necessary during the process of poll.

#### **44. Preparation of ballot boxes for poll:**

- (1) Where a paper seal is used for securing a ballot box, the Presiding Officer shall affix his/her own signature on the paper seal and obtain thereon the signatures of such polling agents present as are desirous of affixing the same.
- (2) The Presiding Officer shall thereafter fix the paper seal so signed in the space meant therefore in the ballot box and shall then secure and seal the box in such manner that the slit for the insertion of ballot paper thereinto remains open.
- (3) The seals used for securing a ballot box shall be affixed in such manner that after the box has been closed, it is not possible to open it without breaking the seals.
- (4) Where it is not necessary to use paper seals for securing the ballot boxes, the Presiding Officer shall secure and seal the ballot box in such manner that the slit for the insertion of ballot papers remains open and shall allow the polling agents present to affix, if they so desire, their seals.
- (5) Every ballot box used at a polling station shall bear labels, both inside and outside, marked with.
  - (a) name of Municipality,
  - (b) constituency No. (Ward No.):
  - (c) polling station No.
  - (d) serial number of the ballot box (to be filled in at the end of the poll on the label outside the ballot box only);
  - (e) the date of the poll and
  - (f) place of the poll.
- (6) Immediately before the commencement of the poll, the Presiding Officer shall demonstrate to the polling agents and other persons present that the ballot-box is empty and bears the labels referred to in sub-rule (5),
- (7) The ballot box shall then be closed, sealed and secured and placed in full view of the Presiding Officer and the polling agents.

**45. Marked copy of electoral roll:**

Immediately before the commencement of the poll, the presiding officer shall also demonstrate to the polling agents and others present that the marked copy of the roll to be used during the poll does not contain any mark against any elector other than made in pursuance of rule 39.

**46. Facilities for women electors:**

1. Where a polling station is for both men and women electors, the Presiding Officer may direct that they shall be admitted into the polling station alternately in separate batches.
2. The Returning Officer or the Presiding Officer may appoint a woman to serve as an attendant at any polling station to assist women electors and also to assist the Presiding Officer generally in taking the poll in respect of women electors, and in particular, to help in searching any woman elector in case it becomes necessary.

**47. Staff for Identification of Electors:**

The Presiding Officer may employ at the polling station such person as he/she thinks fit to help in the identification of electors or to assist him/her otherwise in taking the poll.

## Part V

### Voting

#### 48. Admission to Polling Station:

The Presiding Officer shall regulate the number of electors to be admitted at any one time inside the polling station and shall exclude there from all persons other than:

- (a) polling officers
- (b) public servants on duty in connection with the election;
- (c) persons authorised by the Commission;
- (d) candidates, their election agents and one polling agent of each candidate;
- (e) a child in arms accompanying an elector;
- (f) a person accompanying a blind or infirm elector who cannot move without help, and
- (g) such other persons as the Returning Officer or the Presiding Officer may employ under sub rule (2) of rule 46 or sub-rule (1) of rule 47.

#### 49. Right to vote<sup>1</sup>:

- (1) No person who is not, and except as expressly provided by the Act or the rules framed thereof, every person who is, for the time being entered into the Electoral Roll of any constituency shall be entitled to vote in that constituency.
- (2) No person shall vote in any constituency if he/she is subject to any of the disqualifications referred to in section 16 of the Representation of the Peoples Act, 1950 and under rule 4.
- (3) No person shall vote in more than one constituency and if a person votes in more than one constituency his/her votes in all such constituencies shall be void.
- (4) No person shall at any election vote in the same constituency more than once, notwithstanding that his/her name may have been registered in the electoral roll for that constituency more than once and if he/she does so vote, all his/her votes in that constituency shall be void,
- (5) No person shall vote at any election if he/she is confined in a prison, whether under a sentence of imprisonment or transportation or otherwise, or is in the lawful custody of the police,

Provided that nothing in this sub-rule shall apply to a person subjected to preventive detention under any law for the time being in force,

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<sup>1</sup> Also provided in s. 43 of the Act.

**50. Voting by marking ballot papers:**

The voting shall be by marking the ballot papers,

**51. Voting to be in person and not by proxy:**

Voting shall be in person and not by proxy.

**52. Identification of Electors:**

- (1) As each elector enters the polling station, the presiding officer or the polling officer authorised by him/her in this behalf shall check the elector's name and other particulars with the relevant entry in the electoral roll and then call out the serial number, name and other particulars of the elector.
- (2) In deciding the right of a person to obtain a ballot paper the Presiding Officer or the Polling Officer as the case may be, shall overlook merely clerical or printing errors in an entry in the roll, if he/she is satisfied that such person is identical with the elector to whom such entry relates.

**53. Challenging of Identity:**

- (1) Any polling agent may challenge the identity of a person claiming to be a particular elector by first depositing a sum of 10 (ten) rupees in cash with the Presiding Officer for each such challenge.
- (2) On such deposit being made, the Presiding Officer shall
  - (a) warn the person challenged of a penalty for personation;
  - (b) read the relevant entry in the electoral roll in full and ask him/her whether he/she is the person referred to in that entry;
  - (c) enter his/her name and address in the list of challenged votes in Form 14, and
  - (d) require /her to affix his/her signature in the said list,
- (3) The Presiding Officer shall thereafter hold a summary enquiry into the challenge and may for that purpose:
  - (a) require the challenger to adduce evidence in proof of the challenge and the person challenged to adduce evidence in proof of his/her identity.
  - (b) put to the person challenged any question. necessary for the purpose of establishing his/her identity and require him/her to answer them on oath and
  - (c) administer an oath to the person challenged and any other person offering to give evidence.
- (4) If, after the enquiry, the Presiding Officer considers that the challenge has not been established, he/she shall allow the person challenged to vote; and if he/she considers that the challenge has been established, he/she shall debar the person challenged from voting.
- (5) If the Presiding Officer is of the opinion that the challenge is frivolous or has not been made in good faith, he/she shall direct that the deposit made under rule (1) be forfeited to the State



Government, and in any other case, he/she shall return it to the challenger at the conclusion of the enquiry.

**54. Safeguards against personation:**

- (1) Every elector about whose identity the Presiding Officer or the Polling Officer as the case may be, is satisfied, shall allow his/her left forefinger to be inspected by the Presiding Officer or Polling Officer and indelible ink mark to be put on it.
- (2) If any elector refuses to allow his/her left forefinger to be inspected or marked in accordance with sub-rule (1) or has already such a mark on his/her left forefinger or does any act with a view to removing the ink mark, he/she shall not be supplied with any ballot paper or allowed to vote.
- (3) Any reference in this rule to the left forefinger of an elector shall, in the case where the elector has his/her left forefinger missing, be construed as a reference to any other finger of his/her hand, and shall in the case where all the fingers of his/her left hand are missing, be construed as a reference to the forefinger or any other finger of his/her right hand, and shall in the case where all his/her fingers of both the hands are missing be construed as a reference to such extremity of his/her left or his/her right arm as he/she possesses.
- (4) The Commission may by a separate notification provide for the production before the Presiding Officer or the Polling Officer of a polling station by every elector of his/her identity card before the delivery of a ballot paper or ballot papers to him/her if, under the rules made in that behalf under the Representation of Peoples Act, 1950 electors of the constituency in which the polling station is situated have been supplied with identity cards with or without their respective photographs attached thereto.

**55. Issue of ballot papers to electors:**

- (1) Every ballot paper before it is issued to an elector and the counterfoil attached thereto shall be stamped on the back with such distinguishing mark as the Commission may direct, and every ballot paper, before it is issued, shall be signed in full on its back by the Presiding Officer.
- (2) At the time of issuing a ballot paper to an elector the Polling Officer shall record on its counter-foil the electoral roll number of the elector as entered in the marked copy of the roll of the concerned constituency of the Municipality; obtain the signatures or thumb impressions of the elector on the said counter-foil; and mark the name of the elector in the marked copy or the electoral roll to indicate that a ballot paper has been issued to him/her without however recording therein the serial number of the ballot paper issued to that elector.

Provided that no ballot paper shall be delivered to an elector unless he/she has put his/her signatures or thumb impression on the counterfoil of the ballot paper. Provided further that it shall not be necessary for the Presiding Officer or polling officer or any other officer to attest the signatures or the thumb impression of the elector on the counterfoil.

- (3) No person in the polling station shall note down the serial number of the ballot papers issued to a particular elector(s).

**56. Maintenance of secrecy of voting by electors within polling station and voting procedure:**

- (1) Every elector to whom a ballot paper has been issued under these rules, shall maintain secrecy of voting, within the polling station and for that purpose observe the voting procedure hereinafter laid down.
- (2) The elector on receiving the ballot paper shall forthwith:
  - (a) proceed to one of the voting compartments;
  - (b) there makes a mark on the ballot-paper with the instruments supplied for the purpose on or near the symbol of the candidate for whom he/she intends to vote.
  - (c) fold the ballot paper so as to conceal his/her vote,
  - (d) if required, show to the Presiding Officer the distinguishing mark on the ballot papers
  - (e) insert the folded ballot paper into the ballot box;
  - (f) quit the polling station.
- (3) Every elector shall vote without undue delay.
- (4) No elector shall be allowed to enter a voting compartment when another elector is inside it.
- (5) If an elector to whom a ballot paper has been issued, refuses, after warning given by the Presiding Officer, to observe the procedure as laid down in sub-rule (2), the ballot paper issued to him/her shall, whether he/she has recorded his/her vote thereon or not, be taken back from him/her by the Presiding Officer or a Polling Officer under the direction of the Presiding Officer.
- (6) After the ballot paper has been taken back, the Presiding Officer shall record on its back the words "Cancelled: Voting Procedure Violated" and put his/her signatures below those words
- (7) All the ballot papers on which the words "Cancelled: Voting Procedure Violated" are recorded, shall be kept in a separate cover which shall bear on its face the words ballot Papers: "Voting Procedure Violated".

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

**57. Recordings of votes of blind or infirm electors:**

- (1) If the Presiding Officer is satisfied that owing to blindness or other physical infirmity, an elector is unable to recognize the symbols on the ballot paper or to make a mark thereon without assistance, the Presiding Officer shall permit the elector to take with him/her a companion of not less than eighteen years of age to the voting compartment for recording the vote on the ballot paper on his/her behalf and in accordance with his/her 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 elector, at any polling station on the same day.

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

- (2) The Presiding Officer shall keep a record in Form 15 of all cases under this rule.
- (3) The Presiding Officer shall, when he/she is so requested by the companion of an elector, explain to him/her the instructions for the recording of votes.

**58. Spoilt and Returned Ballot Papers:**

- (1) An elector who has inadvertently dealt with his/her 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/her 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/she shall return it to the Presiding Officer and the ballot paper so returned and the counter foil 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.

**59. Tendered Votes:**

- (1) If person representing himself to be a particular elector applied for a ballot paper after another person has already voted as such elector, he/she shall, on satisfactorily answering such question relating to his/her identity as the Presiding Officer may, ask, be entitled, subject to the following provisions of this rule, to mark a ballot-paper (herein after in these rules referred to is a "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/her name against the entry relating to him/her in a list in Form 16.
- (3) A tendered ballot paper shall be the same as the other ballot-paper used at the polling except that:
  - (a) such tendered ballot paper shall be serially the last in the bundle of ballot papers issued for use at the polling stations, and
  - (b) such tendered ballot paper and its counterfoil shall be endorsed on the back with the words "tendered ballot paper" by the Presiding Officer in his/her own hand and signed by him/her.
- (4) The elector, after marking a tendered ballot paper in the voting compartment and folding it, shall instead of putting it into the ballot-box, give it to the presiding officer, who shall place it in a cover specially kept for the purpose.

**60. Closing of poll:**

- (1) Except as provided in sub-rule (3) the Presiding Officer shall close the polling station at the hour fixed in that behalf under sub-rule (1) of rule 35 and shall not thereafter admit any elector into the polling station.

Provided that all electors present at the polling station before it is closed shall be allowed to cast their votes.

- (2) If any question arises whether an elector was present at the polling station before it was closed, it shall be decided by the Presiding officer and his/her decision shall be final.
- (3) If for any reason it was not possible to open the polling station at the hour fixed under sub-rule (1) of rule 35 or if by reason of disorders at the polling station or for any other reason the Presiding Officer has considered it necessary, to stop the polling for a certain time, the Presiding Officer shall keep the polling station open for a further period equal to the period that elapsed between the hour appointed for the opening of the polling station and the hour at which it was actually opened or the time during which polling was stopped, as the case may be.

(4) If polling is to take place on more than one day at any polling station in respect of the election in any one constituency the Presiding Officer shall in the presence of candidates or their agents, who may be present close the slit of each ballot box and when a box does not contain any mechanical device for closing the slit, seal up the slit and secure the ballot boxes used at the polling station during the day and shall then hand them over to the officer in-charge of the police station for safe custody.

**61. Sealing of Ballot Boxes after poll:**

- (1) As soon as practicable after the closing of the poll, the presiding officer shall close the slit of the ballot box, and where the box does not contain any mechanical device for closing the slit, he/she shall seal up the slit, and also allow any polling agent present to affix his/her seal.
- (2) The ballot box shall thereafter be sealed and secured.

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 subrules (1) and (2) before another ballot box is put into use.

**62. Account of Ballot Paper:**

- (1) The Presiding Officer shall, at the close of the poll, prepare a ballot paper account in Form 17 and enclose it in a separate cover with the words "Ballot Paper Account" super scribed thereon.
- (2) The Presiding Officer shall furnish to every polling agent present at the close of the poll a true copy of the entries made in the ballot paper account after obtaining a receipt from the said polling agent thereon and shall also attest it as a true copy.

**63. Sealing of other Packets:**

- (1) The Presiding Officer shall then make separate covers into separate packets
  - (a) the marked copy of the roll;
  - (b) the counterfoil of the used ballot-papers;
  - (c) the ballot papers signed in full by the Presiding Officer under sub-rule (1) of rule 55 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 under rule 56;
  - (f) any other cancelled ballot papers;
  - (g) the cover containing the tendered ballot papers and the list in Form 16.
  - (h) the list of challenged votes; and
  - (i) any other paper(s) directed by the Commission 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/her election agent or of his/her polling agent who may be present at the polling station and may desire to affix his/her seals thereon.

**64. Custody of polling material after polling and before counting:**

As soon as possible after the close of the poll, if the counting is to be held in a centralised place as notified, the Presiding Officer of a polling station shall deposit the sealed ballot boxes sealed under rule 61, account of ballot papers as prepared under rule 32 and other sealed packets as prepared under rule 63 to the Returning Officer, who shall arrange to keep the sealed ballot boxes under safe custody at a place to be notified by him/her at least seven days before the date of the poll, till commencement of counting under rule 68.

Provided that each contesting candidate shall be at liberty to affix his/her seal by himself/herself or through his/her election agent on the lock of the entry door of the place where the said ballot boxes are stored.

**65. Fresh poll in case of destruction etc. of Ballot Boxes:**

- (1) If at any election any ballot-box used at a polling station or at any other place fixed for the poll is unlawfully taken out of the custody of the Presiding Officer or is accidentally or intentionally destroyed or lost, or damaged or tampered with and the Returning Officer is satisfied that in consequence thereof the result of the poll of that polling station or place cannot be ascertained he/she shall report the facts to the Commission who shall:
  - (a) declare the poll, at that polling station to be void;
  - (b) appoint and fix the hours for taking a fresh poll at the polling station, and
  - (c) notify the day so appointed and the hours so fixed by him/her in the manner provided in these rules
- (2) The provisions of these rules shall apply to every such fresh poll as they apply to the original poll.

**66. Booth Capturing:**

If at any election, booth capturing has taken place at a polling station or place of counting in such a manner that the result of the poll or counting at that place cannot be ascertained, the Returning Officer shall forthwith report the matter to the Commission who shall after taking all material circumstances into account, either,

- (a) declare that the poll at that polling station is void and appoint a day, fix the hours for taking a poll and notify it; or

(b) countermand the election in that constituency keeping in view the extent of booth capturing.

**Explanation:** - *In this rule, "booth capturing" shall have the same meaning as in section 135A of the Representation of the People Act, 1951.*

**67. Adjournment of Poll:**

(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 or such place on account of any natural calamity or any other sufficient cause, the Presiding Officer for such polling station or the Returning Officer presiding over such place shall announce an adjournment of the poll to a date to be notified later and submit a report to the Returning Officer concerned. The Returning Officer shall immediately report the circumstances to the appropriate authority and the Commission and shall, as soon as may be, with the previous approval of the Commission appoint the day on which the poll shall recommence, and fix the polling station or place at which, and the hours during which, the poll will be taken, and shall not count the votes cast at such election until such adjourned poll shall have been completed.

Provided that in every such case as aforesaid, the Returning Officer shall notify in such manner as the Commission may direct the date, place and hours of polling fixed above.

- (2) When an adjourned poll is recommended under sub-rule (1), the electors who have already voted at the poll so adjourned shall not be allowed to vote again.
- (3) The provisions of the foregoing rules shall apply to in relation to the conduct of adjourned poll as they apply in relation to the poll before it was adjourned.

## **Part VI**

### **Counting of Votes at the Election**

**68. Time and place for counting of votes:**

As soon as possible after the close of the poll at each polling station, votes shall be counted at the time and place fixed by the Election Commission in the Election Program published under rule 20(2) and notice in Form 21.

**69. Appointment of counting agents and revocation of such appointment:**

- (1) A contesting candidate or his/her election agent may appoint one or more persons in the manner prescribed herewith, to be present as his/her counting agent or agents at the counting of votes.
- (2) The number of counting agents that a candidate may appoint under sub-rule (1) shall, subject to such general or special direction as the Commission may issue in this behalf, not exceed the number of counting tables, fixed for the counting of votes of the ward plus one more for the table of the Returning Officer.
- (3) Every such appointment shall be made in Form 18 in duplicate, one copy of which shall be retained by the Returning Officer while the other shall be made over to the counting agent for production before the Returning Officer not later than one hour before the time fixed for counting.
- (4) No counting agent shall be admitted into the place fixed for counting unless he/she has delivered to the Returning Officer the second copy of his/her appointment under sub-rule (3) after duly completing and signing the declaration contained therein and receiving from the Returning Officer an authority for entry into the place for counting.
- (5) A contesting candidate or his/her election agent may revoke the appointment of his/her counting agent before the commencement of counting of votes in Form 19 and lodge it with the Returning Officer. In the event of such revocation, the candidate or his/her election agent may appoint in the manner prescribed above another counting agent.
- (6) In the event of any such revocation before the commencement of the counting of votes, the candidate or his/her election agent may make a fresh appointment in accordance with sub-rule (2).



**70. Admission to the place for counting:**

- (1) The Returning Officer shall exclude from the place of counting of votes all persons other than:
  - (a) such Government servants, to be known as counting supervisors and counting assistants, as he/she may appoint to assist him/her in the counting;
  - (b) public servants on duty in connection with the election or authorised by the Returning Officer;
  - (c) member of the Commission or any other person authorised by it; and
  - (d) candidates and their counting agents.
- (2) The Returning Officer shall make the seating arrangement of the counting agents for their watching the counting of votes on the table and shall also maintain order and discipline in the counting place.
- (3) Any person, who during the counting of votes, misconducts himself/herself or fails to obey the lawful directions of the Returning Officer, may be removed from the place of counting by the Returning Officer or by any police officer on duty or any person authorized in this behalf by the Returning Officer.

**71. Explaining the counting procedure:**

The Returning Officer shall, before the commencement of the counting, briefly explain the counting procedure to all those allowed admission in the counting place under sub-rule (1) of rule 70 and caution them as to the maintenance of secrecy, the violation of which shall be an electoral offence under section 53 of the Act.

**72. Opening of ballot boxes:**

- (1) Before any ballot box is opened at the counting table, the candidates or their agents present shall be allowed to inspect the seal, which might have been affixed thereon to satisfy themselves that it is intact.
- (2) The Returning Officer shall, with the help of the officers appointed by the Returning Officer to assist him for the purpose, thereafter in the presence of the persons allowed in the counting place, open at the table the used ballot box at the polling station or, if more than one ballot box was used, all such ballot boxes simultaneously, mix their contents, and proceed with the counting of the ballot papers found in such box or boxes.

### 73. Counting of votes:

(1) The ballot papers taken out of the ballot box or boxes shall first be arranged in convenient bundles of 50 or 100, and the total number of ballot papers found in such box or boxes shall be ascertained as shown in item 3 of Ballot Paper Account of Form 17 under Rule 62(1). Thereafter, the ballot papers taken out of all such boxes shall be scrutinized by the Returning Officer with the help of the officers appointed by the Returning Officer to assist him/her for the purpose. The Returning Officer shall also scrutinize the ballot papers cast by voters on election duty and kept in sealed cover under sub-rule 39(4).

(2) The Returning Officer shall reject a ballot paper: -

- (a) if it bears any mark or writing by which the elector can be identified; or
- (b) if it bears no mark to indicate the vote or, it bears a mark made otherwise than with the instrument supplied for the purpose; or
- (c) if votes are given on it in favour of more than one candidate; or
- (d) if the mark indicating the vote thereon is placed in such manner as to make it doubtful to which candidate the vote has been given; or
- (e) if it is a spurious ballot-paper; or
- (f) if it is so damaged or mutilated that its identity as a genuine ballot paper cannot be established; or
- (g) if it bears a serial number, or is of a design, different from the serial numbers or as the case may be design of the ballot papers authorized for use at the particular polling station; or
- (h) if it does not bear both the distinguishing mark and the signature which it should have borne under the provisions of sub-rule (1) of rule 55. .

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 the mistake or failure on his/her own part or that of a 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 candidate or his/her agent present a reasonable opportunity to inspect the ballot papers but shall not allow him to handle it or any other ballot paper.

- (4) The Returning Officer shall endorse on every ballot-paper which he/she rejects the word "Rejected" and the grounds of rejection in abbreviated form in his/her own hand and shall initial such endorsement.
- (5) All ballot-papers rejected under this rule shall be bundled together.
- (6) Every ballot-paper, which is not rejected under this rule shall be counted as one valid vote. Provided that no cover containing tendered ballot paper shall be opened and no such paper shall be counted.

**74. Counting of votes to be continuous:**

- (1) The Returning Officer shall as far as practicable proceed continuously with the counting of the votes and shall during any intervals when the counting has to be suspended, keep the ballot papers, packets and other documents relating to the election sealed with his/her own seal and the seals of such candidates or agents as may desire to affix their seals and shall cause adequate precautions to be taken for their safe custody.  
Provided that if under any circumstances the counting of ballot papers of any constituency of any Municipality is postponed, the ballot boxes used in each constituency of that Municipality, shall be kept in safe custody by the Returning Officer as per the directions of the Commission.
- (2) After the counting of all ballot-papers contained in all the ballot boxes used at a polling has been completed, the Returning Officer shall fill in and sign the result of counting in Form 20 and announce the particulars and unless there is recounting of votes.

**75. Recount of Votes:**

- (1) After announcement under sub-rule (2) of rule 74 a candidate or in his/her absence his/her agent may apply in writing to the Returning Officer to recount the votes either wholly or in part stating the ground on which he/she demands such recount.
- (2) On such an application being made, the Returning Officer shall decide the matter and may allow application in whole or in part or may reject it in toto if it appears to him/her to be frivolous or unreasonable.
- (3) Every decision of the Returning Officer under sub-rule (2) shall be in writing and contain the reasons thereof.
- (4) If the Returning Officer decides under sub-rule (2) to allow a recount of votes either wholly or in part, he/she shall:
  - (a) do the recounting accordingly;
  - (b) amend the counting-sheet in Form 20 to the extent necessary after such recount; and

(c) announce the amendments so made by him/her and submit the same to the Returning Officer.

(5) No application for recount shall be entertained after the declaration of results under rule 76.

**76. Declaration of results and procedure in case of tie:**

When the counting of votes has been completed and if no fresh poll is required to be held in that constituency the Returning Officer shall forthwith consolidate the account of ballot-papers in Form 23 and declare the result in the following manner:

(a) The candidate who is found to have obtained the largest number of valid votes shall be declared to have been elected.

(b) If, after consolidating the result in Form 23, a tie is found to exist between any candidates, and the addition of one vote will entitle any of those candidates to be declared elected, the Returning Officer shall forthwith decide between those candidates by lot, and the candidate on whom the lot falls shall be considered to have received an additional vote and shall be declared to be duly elected.

**77. Preparation of return:**

When the result has been declared under rule 76, the Returning Officer shall forthwith prepare a return, in Form 24 showing the names of the candidates, the number of votes recorded for each and the names of the candidates declared to have been elected and shall forthwith post a copy of the return in a conspicuous place at his/her office and send a copy thereof to the Deputy Commissioner. The Returning Officer shall also issue a certificate of election to the returned candidate in Form 25.

The Deputy Commissioner shall immediately forward the names of the candidates elected to the Commission who shall notify, the same in the Official Gazette as specified in section 44 of the Act.

**78. Choice of seat in case of election to more than one:**

Any candidate who is elected in more than one constituency shall, by notice in writing signed by him/her and delivered to the Deputy Commissioner within seven days of the publication of the result of election in the Official Gazette, choose for which of those constituencies he/she shall serve. If he/she does not deliver such notice within the aforesaid period, the Deputy Commissioner shall within fourteen days from the date of the publication of the result declare for which constituency he/she shall serve. Such choice or declaration, as the case may be, shall be final. Resulting vacancy or vacancies in the Constituency or Constituencies not chosen or declared shall be filled under rule 81.

**79. Election papers to be forwarded to Deputy Commissioner:**

- (1) The Returning Officer shall seal up, polling station wise, in separate packets on the outside of which shall be endorsed a description of their content and submit it to the Deputy Commissioner or as the Commission may direct for safe custody:
  - (a) the marked copy of the roll;
  - (b) the counterfoil of the used ballot papers;
  - (c) the ballot papers signed in full by the Presiding Officer under sub-rule (1) of rule 55 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 under sub-rule (6) of rule 56;
  - (f) any other cancelled ballot papers;
  - (g) the cover containing, the tendered ballot papers and the list in Form 16.
  - (h) the list of challenged votes; and
  - (i) any other paper(s) directed by the Commission to be kept in a sealed packet.
- (2) The Returning Officer shall allow a candidate or his/her agent who may so desire to affix his/her seal on each of the said packets.

**Part VII**  
**Miscellaneous**

**80. Custody of election papers:**

(1)The Deputy Commissioner shall retain the packets forwarded to him/her under the provisions of rule 79 in his/her custody until the expiry of one year from the date of election and shall then subject to, any direction to the contrary made by the Commission, a competent court or a person or persons appointed to hold an enquiry into an election under the Act, cause them to be destroyed.

(2)A candidate may apply to the Deputy Commissioner for inspection. or supply of certified copies of any document relating to an election other than ballot papers, counterfoils of the used ballot papers and the marked copy of the roll referred to in rule 79, on payment of a fee as the Commission may direct.

**81. Filling of casual vacancies:**

Election to fill a vacancy shall be conducted and completed within six months from the date of occurrence of the vacancy in the manner prescribed in these rules for a general election and the programme of the election shall be framed as soon as may be convenient and the electoral roll in force under the provisions of rule 10 or 11, as the case may be, shall be deemed to be the roll for the purpose of holding the election.

**82. Disposal of election papers:**

Subject to any direction to the contrary given by the Commission or by a competent court or tribunal, the packets and other papers referred to in rule 79 shall be disposed of after the expiry of one year in such manner as the Deputy Commissioner may deem fit;

Provided that if an election petition is pending, the packets and other papers referred to in the said rule shall not be disposed off unless the petition is finally decided.

**83. Final authority for interpretation of these rules:**

If any question arises regarding the interpretation of these rules, otherwise than in connection with an election petition, which has actually been presented, it shall be referred by the person interested or the official concerned to the Deputy Commissioner who, if he/she thinks fit, may refer it to the State Government whose decision shall be final.

**FORM I**  
[ See Rule 5 (5) ]

**Letter of request**

Place.....

Date :.....

To,  
The occupant of.....

Sir/Madam.

The Preparation of the electoral roll for the constituency of the ..... Municipality within the jurisdiction of which you are residing, has been taken in hand. It will greatly facilitate my work if you will kindly complete the statement below after reading the attached instructions and hand it over to my assistant who will call for it.

.....  
Electoral Registration Officer

.....Municipality

**Statement**

Name and particulars of adult citizens ordinarily residing in the above remises

No.	Name of citizen	Particulars as to the father or husband	Age on the qualifying date, i.e., .....
1			
2			
3			
4			
5			
6			

Signature.....

Date.....

## **Instructions**

1. Enter the name of all persons who have completed 18 years of age on or before the qualifying date of the year and who are ordinarily residing in the premises.
2. Only the names of those who are citizens of India should be entered.
3. Enter against Serial No.1 in the first column, the name of the head or other senior member of the family, provided he or she has the qualifications mentioned in paragraphs 1 and 2 above.
4. “Ordinarily residing” does not mean that the person should be actually in the house where you are filling in the Form. The person who normally live in the house should be included even though they may not be temporarily present, e.g., on journey or on business or in hospital. On the other hand, a guest or visitor, who normally lives elsewhere but happens to be in the house at the time should not be included.
5. All ordinary residents of the house should be included, whether they are members of the family or not.
6. In the case of every male citizen, enter in the second column the name of his/her father preceded by the words “son of”.
7. In the case of every female citizen, enter in the second column-
  - I. The name of the husband preceded by the words “wife of”, if she be married; and
  - II. The name of the late husband preceded by the words “widow of”, if she be a widow and,
  - III. The name of the father preceded by the words “daughter of”, if she be unmarried.
8. In the third column, enter the age of the citizen as accurately as possible, giving only the number of complete years and ignoring the months.



**FORM II**  
[ See Rule 6 (I)]

**Notice of publication of electoral roll in draft**

To

The Electors of Constituency No./ Nos ..... of.....Municipality.

NOTICE is hereby given that the electoral roll has been prepared in accordance with the Nagaland Municipal Election Rules, 2023, and a copy thereof is available for inspection at my office, and at..... during office hours,

The qualifying date for the preparation of the electoral roll is.....

If, with reference to the above mentioned qualifying date, there be any claim for the inclusion of name in the roll or any objection to the inclusion of a name or any objection to particulars in any entry it should be lodged on or before the objection to the inclusion of a name or objection to particulars in any entry, it should be lodged on or before the.....20.....in Forms 3, 4 or 5 as may be appropriate.

Every such claim or objection should either be presented in my office or to ..... or sent by post to the address given below so as to reach me not later than the aforesaid date.

.....  
Electoral Registration Officer

..... Municipality

Date.....

(Address).....

**FORM III**

[See Rules 7 (1)(a) and 14 (1)]

**Claim application for inclusion of name**

To,

The Electoral Registration Officer..... Municipality  
Ward/ Constituency No.....

Sir/Madam,

I request that my name be included in the electoral roll for the Constituency No  
.....of the above Municipality in Part No.....

My name (in full) .....

Sex .....

My \* Father's/ Mother's/ Husband's name.....

Occupation.....

Particulars of my place of residence are: -

House No.....

Street/ Road/ Lane.....

Name and address of Landlord.....

Post Office.....

Police Station.....

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..... (qualifying date) was.....years  
and..... months;
- (iii) that I am ordinarily resident at the address given below;
- (iv) that I have not applied for the inclusion of my name in the electoral roll for any  
other Municipality or Village;

(v) that my name has not been included in the electoral roll for this or any other Municipality or Village; that my name may have been included in the electoral roll of the.....

Municipality or..... Village in which I was ordinarily resident earlier at the address mentioned below and, if so, I request that the same may be excluded from that electoral roll: -

.....  
.....

Place.....

Date.....

.....

Signature or thumb impression of claimant.

I am an elector included in the electoral roll in which the claimant applied for inclusion and my name is included at Serial No. .... in Part No. .... of the roll. I support this claim and countersign it.

.....

Signature or thumb impression of elector

Name (in full) .....

\* Strike out the word not applicable.

..... (Perforation).....

**Intimation of action taken**

The application Form III of \* Shri/ Shrimati/ Kumari.....  
Address .....  
has been

(a) accepted and his/ her name has been included in the electoral roll vide Serial  
No ..... in Part No.....

(b) rejected for the reason.....

Date.....

.....

Electoral Registration Officer

.....Municipality

..... **Perforation**.....

**Receipt for application**

Received the application in Form III from Shri / Shrimati/ Kumar.....  
Address.....

.....

Date .....

.....

Electoral Registration Officer

.....Municipality

\* To be filled in by the applicant.  
\* Strike out the word not applicable

**FORM IV**  
[See Rule 7 (2)(a)]  
**Objection to inclusion of name**

To

The Electoral Registration Officer, ..... Municipality  
Ward/Constituency No.....

Sir/Madam,

I object to the inclusion of the name of.....  
at Serial No .....in Part No. of the  
electoral roll for the following reason (s):

.....  
.....  
.....

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

My name has been included in the electoral roll for this Constituency as follows:

Name (in full) .....

\* Father's/ Mother's Husband's Name.....

Serial No.....

Part No.....

Date.....

.....  
Signature or thumb impression of objector

(Full Postal Address) .....

.....

I am an elector included in the electoral roll in which the name objected to appear and  
my name is enrolled in Serial No..... Part No. of the roll. I  
support this objection and countersign it.

.....

Signature of the elector

Name (in full) .....

*Note : Any person who makes a statement or declaration which is false and which he  
either knows or believes to be false or does not believe to be true is punishable under  
sub-section (4) of Section 52 of the Nagaland Municipal Act' 2023..*

*\*Strike out the word not applicable.*

**Intimation of action taken**

The objection in Form IV lodged by \* Shri/ Shrimati/ Kumari.....

Address.....

.....

has been

(a) accepted and the name of \* Shri/Shrimati/ Kumari.....

as appearing at Serial No.....in Part No.....  
has been deleted.

(b) Rejected for the reason .....

Date.....

.....

Electoral Registration Officer

..... Municipality

.....**Perforation**.....

**Receipt for application**

Received the application in Form IV from\*Shri/Shrimati/Kumari.....

Address.....

.....

Date.....

.....

Electoral Registration Officer

.....Municipality

*\*To be filled in by the applicant.  
Strike out the word(s) not applicable.*

**FORM V**

[ See Rule 7 (3) (a) and 14 (1) ]

**Objection to particulars in an entry**

To,

The Electoral Registration Officer..... Municipality  
Ward/ Constituency No.....

Sir/Madam

I submit that the entry relating to myself which appear at Serial No.....  
.....in Part No of the electoral roll as .....is  
not correct. It should be corrected to read as follows: -

Place.....

Date.....

.....  
Signature or thumb impression of the elector

NOTE: • Any person who makes a statement or declaration which is false and  
which he/she either knows or believes to be false or does not believe to be true is  
punishable under sub-section (4) of Section 52 of the Nagaland Municipal Act, 2023.

*\*Strike out the word not applicable.*

*Note: Any person who makes a statement or declaration which is false and which he either knows  
or believes to be false or does not believe to be true is punishable under sub-section (4) of Section  
52 of the Nagaland Municipal Act, 2023*

*\*Strike out the word not applicable*

**Intimation of action taken**

The objection in Form V lodged by \*Shri/ Shrimati/ Kumari .....

Address.....

has been

(a) accepted and the relevant entry has been corrected to read as follows:

“ .....

.....

(b) rejected for the reason

Date.....

.....  
Electoral Registration Officer  
.....Municipality

..... **Perforation**.....

**Receipt for application**

Received the application in Form V from \* Shri/Shrimati/ Kumari.....

Address.....

.....

Date.....

.....  
Electoral Registration Officer  
.....Municipality

*\*To be filled in by the applicant.*

*\*Strike out the word(s) not applicable.*



**FORM VI**  
[See Rule 14 (1)]

**Application for transposition of entry in electoral roll**

To

The Electoral Registration Officer.....  
Municipality Ward/ Constituency No.....

Sir/Madam,

I submit that the entry at Serial No.....in Part No ..... of the electoral roll for the above-mentioned constituency relating to (\*myself, namely) ..... \*son/wife/daughter of .....should be transposed to Part No. of this roll, because \* I have/ the said elector has changed \*my/his/her place of ordinary residence to ..... which is within the same constituency of the Municipality.

I declare that I am an elector of this constituency being enrolled at Serial No. ....  
in Part No..... of the roll.

Date.....

Place.....

.....

\* Signature or thumb impression of applicant  
(Full Postal Address) .....

*Note: Any person who makes a statement or declaration which is false and which he either knows or believes to be false or does not believe to be true is punishable under sub-section (4) of Section 52 of the Nagaland Municipal Act 2023. \* Strike out the word (s) not applicable.*

**FORM VII**  
[(See Rule 14(1))]

**Application for deletion of entry in electoral roll**

To,  
The Electoral Registration Officer, .....Municipality  
Wards/ Constituency No.....

Sir/Madam,

I submit that the entry at Serial No.....in part no.....  
of the electoral roll for this Constituency/ Municipality relating to Shri/Shrimati/  
Kumari.....\* son/ wife/ daughter of .....  
requires to be deleted as the said person \* is dead/\* is no longer ordinarily resident in this  
locality \* is not entitled to be registered in the electoral roll for the following reasons: -

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

I declare that I am an elector of this constituency being enrolled at Serial No  
.....in Part No..... of  
the roll.

Date.....  
Place.....

.....\*  
Signature or thumb impression of objector  
(Full Postal Address)  
.....  
.....

*Note : Any person who makes a statement or declaration which is false and which he either  
knows or believes to be false or does not believe to be true is punishable under sub-section  
(4) of Section 52 of the Nagaland Municipal Act 2023.*

*\*Strike out the word(s) not applicable*

.....Perforation.....

**Intimation of action taken**

The application in Form VII lodged by \* Shri/ Shrimati/Kumari .....  
Address

.....  
.....

has been

(a) accepted and the name of Shi/ Shrimati/ Kumari  
.....appearing at Serial No..... in  
Part No. has been deleted.

(b) rejected for the reasons.....

Date.....

.....  
Electoral Registration Officer

..... Municipality

..... Perforation.....

**Receipt for application**

Received the application in Form VII from \* Shri/ Shrimati/ Kumari .....  
Address.....

.....

Date.....

.....  
Electoral Registration Officer

.....Municipality

*\*To be filled in by the applicant.*

*\*Strike out the word(s) not applicable.*

**FORM VIII**  
[ See Rule 8(1)]

**List of claims**

.....Municipality.....

Date of receipt	Serial No.	Name of Claimant	Name of father/husband/mother	Place of residence	Date, time and place of hearing
1	2	3	4	5	6

Date.....

.....  
Electoral Registration Officer  
.....Municipality

**FORM IX**

[ See Rule 8(1)]

**List of objections to inclusion of names**

.....Municipality Ward/Constituency No.....

Date of receipt	Serial No.	Full name of objector	Part No.	Serial no.	Name in full	Reasons in brief for objection	Date , time and place of hearing
1	2	3	4	5	6	7	8

Date.....

.....  
Electoral Registration Officer  
.....Municipality

**FORM X**

[ See Rule 8(1)]

**List of objections to particulars in entries**

.....Municipality Ward/Constituency No.....

Date of receipt	Serial No.	Name in full of electors objecting	Part No. and Serial No. of entry	Nature of objection	Date, time and place of hearing
1	2	3	4	5	6

Date.....

.....  
Electoral Registration Officer  
.....Municipality

**DUPLICATE**  
(Office copy)

**FORM XI**  
[See Rule 9 (1)]  
**Notice of hearing of a claim**

To

(Full name and address of claimant)

.....  
.....

Reference: Claim No.....

Take notice that your claim for the inclusion of your name in the electoral roll will be heard at ..... (place) at ..... o' clock on the.....

day of..... 20..... You are directed to be present at the hearing with such evidence as you may like to adduce.

Date.....

Place.....

.....  
Electoral Registration Officer  
.....Municipality

Original

(To be served on the claimant)

**FORM XI**

[See Rule 9 (1)]

**Notice of hearing of a claim**

To

(Full name and address of claimant)

.....  
.....

Reference: Claim No.....

Take notice that your claim for the inclusion of your name in the electoral roll will be

heard at ..... (place) at ..... o'clock on the..... day of.....20..... You are directed to be present at the hearing with such evidence as you may like to adduce.

Date.....

Place .....

.....  
Electoral Registration Officer  
.....Municipality

**CERTIFICATE OF SERVICE OF NOTICE**

**Received notice of the date of hearing**

Date.....

Calamint

Certified that the notice on the claimant has been duly served by me this ..... day of.....(name) personally/ by affixing on residence.

Place.....

Date.....

.....  
Serving Officer *N.B.: If this notice is served by post, attach the receipt here.*



**FORM XII**

**Duplicate**

(Office copy)

[ See Rule 9 (1)]

**Notice to the objector**

To

(Full name and address of objector) .....

Reference: ..... Objection

No.....

Take notice that your objection to the inclusion of the name of .....will be heard at ..... (place) at .....o'clock on the ..... day of.....20..... You are directed to be present at the hearing with such evidence as you may like to adduce.

Date.....

Place .....

.....  
Electoral Registration Officer

.....Municipality

**FORM XII**

**Original**

(To be served to the objector)

[ See Rule 9 (1)]

**Notice to the objector**

To

(Full name and address of objector) .....

Reference: Objection No.....

Take notice that your objection to the inclusion of the name of.....will be heard at ..... (place) at ..... o' clock on the day of 20..... You are directed to be present at the hearing with such evidence as you may like to adduce.

Date.....

Place.....

.....  
Electoral Registration Officer

.....Municipality

**CERTIFICATE OF SERVICE NOTICE**

**Received notice of the date of hearing**

Date.....

.....  
Objector

Certified that the notice on the objector has been duly served by me this..... day  
of..... On..... (name) personally/ by affixing on residence.

Place.....

Date.....

.....  
Serving Officer

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

.....**Perforation** .....

**FORM XIII**  
[See Rule 9 (1)]

**Duplicate**  
(Office Copy)

**Notice to the person in respect of whom objection has been made**

(Full name and address of person objected to) .....

Reference: Objection No.....

Take notice that your objection to the inclusion of your name at Serial  
No.....in Part No..... of the electoral roll for  
constituency No..... of the ..... Municipality  
filed by (Full name and address of the objector)

..... will be heard  
at..... (place) at.....o'clock on  
the..... day of.....20.....

You are directed to be present at the hearing with such evidence as you may like to adduce. The grounds of objection (in brief) are: -

- (a)
- (b)
- (c)

Date.....  
Place.....

.....  
Electoral Registration Officer  
.....Municipality

**Original**

**FORM XIII**

(To be served on the person objected) [see Rule 9 (1)]

**Notice to the person in respect of whom objection has been made**

To,

(Full name and address of person objected to.....  
.....

Reference: Objection No.....

Take notice that objection to the inclusion of your name at Serial No..... in Part No..... of the electoral roll for constituency No..... of the..... Municipality filed by (Full name and address of the objector) .....will be heard .....(place) at..... o'clock on the ..... day of ..... 20.....

You are directed to be present at the hearing with such evidence as you may like to adduce.

The grounds of objection (in brief) are-

- (a)
- (b)
- (c)

Date.....

Place.....

.....

Electoral Registration Officer

.....Municipality

**FORM XIV**

[See Rule 9 (1)]

**Duplicate**

(Office Copy)

**Notice of hearing of an objection to particulars in an entry**

To,

(Full name and address of objector) .....

Reference: Objection No.....

Take notice that your objection to certain particulars in the entry relating to you will be heard at.....(place) at.....o'clock on the.....day of.....20.....

You are directed to be present at the hearing with such evidence as you may like to adduce.

Date.....

Place.....

.....  
Electoral Registration Officer  
.....Municipality

**FORM XIV**

[See Rule 9 (1)]

**Original**

(To be served on the objector)

**Notice of hearing of an objection to particulars in an entry**

To,

(Full name and address of objector) .....

Reference: Objection No.....

Take notice that your objection to certain particulars in the entry relating to you will be heard at..... (place) at..... o'clock on the.....day of .....20.....

You are directed to be present at the hearing with such evidence as you may like to adduce.

Date.....

Place.....

.....  
Electoral Registration Officer  
.....Municipality

**CERTIFICATE OF SERVICE OF NOTICE**

**Received notice of the date of hearing**

Date..... Objector

Certified that the notice on the objector has been duly served by me this..... Day of ..... on ..... (name) personally/by affixing on residence.

Place.....

Date.....

.....  
Serving Officer

*N.B: If this notice is served by post, attach the receipt he*

..... **Perforation** .....

**FORM XV**  
[ See Rule 10 (1) (b)]

**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 constituency/ constituencies; of the ..... Municipality has been prepared with reference to.....as the qualifying date and in accordance with the Nagaland Municipal Act, 2023. and the Nagaland Municipal Election Rules 2023, made thereunder. A copy of the said roll together with the said list of amendments has been published and will be available for inspection at my office.

Date.....

Place.....

.....

Electoral Registration Officer

.....Municipality

.....**Perforation** .....

**FORM 1**  
(See Rule 21)

**Notice for Nominations**

Notice is hereby given that:

- (1) an election is to be held of a member to Ward No..... of the ..... Municipality.
  
- (2) nomination papers may be delivered by a candidate or his proposer to the Municipal Returning Officer at .....between 11 A.M. and 3 P.M. on any day (other than public holiday) not later than the.....
  
- (3) forms of nomination paper may be obtained at the place and times aforesaid;
  
- (4) the nomination papers will be taken up for scrutiny on ..... at .....
  
- (5) notice of withdrawal of candidature may be delivered by a candidate or his proposer or his election agent (who has been authorized in writing by the candidate to deliver it) to the officer 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.....

Date.....

.....  
**Returning Officer**

..... **Perforation** .....



**FORM 2**  
[ See Rule 23 (2) ]  
**Nomination paper**

I nominate as a candidate for election to the .....

Municipality from Ward No..... of the said Municipality.

Candidate's name.....

\*Father's/Husband's name.....

Full postal address.....

.....

His name is entered at Serial No.....in Part No.....of the electoral roll for the.....Municipality.

My name is and it is entered at Serial No for Municipality in Part No .....of the electoral roll

Date.....

(Signature of Proposer)

I, the above-mentioned candidate, assent to this nomination and hereby declare: -

(a) that i have completed.....years of age;

(b) that I am set up at this election by the.....party, .

(c) that the symbols I have chosen are, in order of preference: -

(i)..... (ii.....) and (iii) .....

(d) that my name and my \* father's/ husband's' name have been correctly spelt out above in..... (name of the language);

(e) that to the best of my knowledge and belief, I am qualified and not also disqualified. for being chosen to fill the seat in the ..... Municipality.

Date.....

Signature of the Candidate

*\*Score out the word (s)/ paragraph, if not applicable.*

*(To be filled by the Returning Officer)*

Serial No. of nomination paper.....

This nomination was delivered to me at my office at..... (hour) on..... (date) by the, candidate/proposer.

Date.....

**Returning Officer**

.....

Decision of Municipal Returning Officer Accepting or Rejecting the Nomination Paper.

I have examined this nomination paper in accordance with Rule 27 of the Nagaland Municipal Election Rules, 2023, and decide as follows:

Date.....

**Returning Officer**

\* Strike 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 Ward No..... of the Municipality was delivered to me at my office at .....(hour)on..... (date) by the \* candidate/ proposer. All nomination paper will be taken up for scrutiny at..... (hour) on ..... (date) at ..... (place).

.....

**Returning Officer**

• *Strike out the word not applicable.*

**FORM 3**  
 [See Rule 25]  
**Notice of Nomination**

Election to Ward No..... of..... the Municipality

Notice is hereby given that the following nominations in respect of the above election have been received up to 3 P.M. today:

Serial Number of nomination	Name of candidate	Name of father/ husband	Age of candidate	Address	Party affiliation	Electoral roll number of candidate	Name of proposer	Electoral roll number of Proposer
1	2.	3.	4.	5.	6.	7	8	9

Place .....

Date.....

**Returning Officer**

- *Strike out the word not applicable.*

**Form 3 A**  
**(See Rule 26)**

**List of Validly Presented Nominations**

Name of the District/ State .....

Name of the Municipal / Town Council .....

<b>Sl. No</b>	<b>Name of Candidate</b>	<b>Address of Candidate</b>	<b>Symbol chosen in order of preference by the candidate</b>	<b>Name of political party (National/ State or Registered) by which the candidate claim to have been set up/ Independent candidate</b>	<b>Whether Form 'A' and 'B' have been received by 3:00 Pm on the last day for Nomination in respect of the candidate</b>	<b>Whether main candidate or substitute of the party (as per party's intimation in form B)</b>
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>

- (i) Candidate of recognized Nation and State Political Parties
- (ii) Candidate of registered political parties (other than recognized National and state political parties.)
- (iii) Other Candidate (Independent candidate)

Place .....

Date .....

Returning Officer

**FORM 4**  
(see Rule 27(8))

**List of Validly Nominated Candidates**

Election to Ward No.....of the..... Municipality

<i>Serial number</i>	<i>Name of candidate</i>	<i>Name of father/ husband</i>	<i>Address of candidate</i>	<i>Party affiliation</i>

Place.....

Date.....

**Returning Officer**

- *Strike out the word not applicable.*

**FORM 5**  
[See rule 28 (1)]

**Notice of Withdrawal of Candidature**

Election to Ward No..... of the..... Municipality.

To,

The Returning Officer,

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

Place.....

Date.....

Signature of validly nominated candidate

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

..... (date) by.....(name)\*\*the.....

.....

Date .....

Returning Officer

**Receipt of Notice of Withdrawal**

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

The notice of withdrawal of candidature by ..... a validly nominated candidate at the election to Ward No..... of the ..... Municipality was delivered to me by the \*\* ..... at my office at ..... (hour) on ..... (date).

.....

**Returning Officer**

- 
- \*\* Here insert one or the following alternatives as may be appropriate:(1) Candidate;  
(2) Candidate's proposer who has been authorized by the candidate to deliver it;  
(3) Candidate's election agent who has been authorized in writing by the candidate to deliver it

**FORM 6**

[See Rule 28(2)]

**Notice of Withdrawal of Candidatures**

Election to Ward No ..... of the ..... Municipality

Notice is hereby given that the following validly nominated \* candidate/ candidates of the above election withdraw his candidature/ their candidatures today,

<i>Name of validity nominated candidate</i>	<i>Address of validity nominated candidate</i>	<i>Remarks</i>
1		
2		
3		

Date \_\_\_\_\_

Returning Officer

*\*Strike out the word not applicable*

**FORM 7**

[ See Rule 30 (2) ]

**List of Contesting Candidates**

Election to Ward No..... of the.....Municipality.

<i>Serial Number</i>	<i>Name of Candidate</i>	<i>Address of candidate</i>	<i>Party Affiliation</i>	<i>Symbol allotted</i>
1	2	3	4	5
1				
2				
3				
4				
5				

Place.....

Date.....

.....  
**Returning Officer**

**FORM 8**  
[See Rule 31 (3)]

**Declaration of the results of Election when seat in uncontested**

Declaration of the Results of Election under sub-rule (1)/(2) of Rule 31 of the Nagaland Municipal Elections Rules, 2023.

Elections to Ward No..... of the..... Municipality.

In Pursuance of the Provisions contained in sub-rule (1)/(2) of Rule 31 of the Nagaland Municipal Election Rules, 2023, I declare that-

.....(Name)  
.....(Address)

Sponsored by.....

(Name of the recognized/registered political party)

Has been duly elected to fill the seat in that Municipality from the above ward.

Place.....

Date.....

.....  
**Returning Officer**



**FORM 9**

[See Rule 34 (1)]

**Appointment of Election Agent**

Election to Ward No..... of the.....Municipality.

To,  
The Returning Officer,  
Sir/Madam,

I..... of..... a candidate at the above election do  
hereby appoint..... of.....as my election agent from  
this day at the above election.

Place.....

Date.....

.....  
**Signature of the Candidate**

.....  
**Signature of the election agent approved**

I accept the above appointment

Place.....

Date.....

.....  
**Signature and seal of the Returning officer**

.....

**FORM 10**  
[See Rule 34 (2)]

**Revocation of Appointment of Election Agent**

Election to Ward No..... of the.....Municipality.

To,

The Returning Officer,

Sir/Madam,

I, .....a candidate at the above election, hereby revoke the  
appointment of..... my election agent.

Place.....

Date.....

.....  
**Signature of the Candidate**

**FORM 11**  
[See rule 37 (2)]

**Appointment of Polling Agent**

Election to Ward No..... of the.....Municipality.

I..... a candidate/the election agent of..... who is a candidate at the above election, do hereby appoint..... (name and address) as a polling agent to attend polling station

No.....at.....

Place.....

Date.....

.....  
**Signature of the Candidate/election agent**

I accept the above appointment

Place.....

Date.....

.....  
**Signature of Polling**

**Agent**

**Declaration of polling agent to be signed before Presiding Officer**

I hereby declare that at the above election I will not do anything which may attract the provisions contained in Section 52,53,54,55,57,58 of the Nagaland Municipal Act, 2023.

Which I have read/has been read over to me.

Date.....

.....  
**Signature of Polling**

**Agent**

*Signed before me*

Date.....

.....  
**Presiding officer**

**FORM 12**  
[See Rule 37 (4)]

**Revocation of Appointment of Polling Agent**

Election to Ward No..... of the..... Municipality.

To,

The Presiding Officer,

I.....\*the election agent

of..... a candidate at the above election, hereby  
revoke the appointment of..... \*my/his polling agent.

Place.....

Date.....

.....  
Signature of person revoking

*\*Strike out the word(s) not applicable*

.....  
**FORM 13**  
[See Rule 39 (1)]

**Application for Casting Vote by a Voter on Election Duty.**

To,

The Returning Officer,

Ward No..... of the..... Municipality.

Sir/Madam,

I intend to cast my vote at the ensuing election to  
the.....Municipality in Ward No.....to be taken  
at polling station No.....

My name is entered at Serial No.....in Part no.....of Ward  
No..... of the Electoral Roll of the.....Municipality.

I have been appointed to perform election duty and I produce herewith my letter of appointment.

I request that a ballot paper may be issued to me so that I may cast my vote.

Place.....

Date.....

Yours Faithfully,

**FORM 14**

[ See Rule 53 (2)(c)]

**List of challenged votes**

Election to Ward No. .... of the ..... Municipality.

Polling station number and name of polling station  
.....

		<i>Serial Number of</i>							
<i>Sl. No of Entry</i>	<i>Name of Elector</i>	<i>Part of roll</i>	<i>Elector's name in that part</i>	<i>Signature or thumb impression of the person challenged</i>	<i>Address of the person challenged</i>	<i>Name of Identifier, if any</i>	<i>Name of challenger</i>	<i>Order of presiding officer</i>	<i>Signature of challenger on receiving refund of deposit</i>
1.									
2.									

Date .....

.....

Signature of Presiding Officer

**FORM 15**

[ See Rule 57 (2)]

**List of Illiterate, Blind and Infirm Voters**

Election to Ward No ..... of the ..... Municipality.

Polling station number and name of polling station  
.....

<i>Part No. &amp; Serial No. of elector</i>	<i>Full name of elector</i>	<i>Full name of Companion</i>	<i>Address of Companion</i>	<i>Signature of Companion</i>

Date .....

.....

Signature of Presiding Officer

**FORM 16**

[ See Rules 59 (2) and 63 (1)(g)]

**List of Tendered Votes**

Election to Ward No. .... of the .....  
Municipality.

Polling station number and name of polling station  
.....

<i>Part number, serial number and name of elector</i>	<i>Address of elector</i>	<i>Serial number of tendered ballot paper</i>	<i>Serial number of ballot paper issued to the person who has already voted</i>	<i>Signature or thumb impression of person tendering vote</i>
1	2	3	4	5

Date .....

.....  
Signature of Presiding Officer

**Form 17**  
[ See Rules 62 (1)]

**Ballot Paper Account**

Election to Ward No ..... Of the .....  
Municipality

Polling station number and name of polling station  
.....

	<u>Serial No</u>		Total No.
	From	To	

- |  |                    |
|--|--------------------|
| 1. Ballot papers received                            |                    |
| 2. Ballot papers unused (i.e., not issued to votes): |                    |
| a) With the signature of the presiding officer       | _____              |
| b) Without the signature of the presiding officer    | Total: (a+b) _____ |

- |   |                       |
|---|-----------------------|
| 3. * Ballot papers used at the polling station (1-2=3)                                  |                       |
| 4. * Ballot papers used at the polling station but NOT<br>INSERTED INTO THE BALLOT BOX: |                       |
| (a) Ballot papers cancelled for violation of voting procedure<br>under Rule 56          |                       |
| (b) Ballot papers cancelled for other reasons   |                       |
| (c) Ballot papers used as tendered ballot papers  | Total: (a+b +c) _____ |

- |  |
|--|
| 5. * Ballot papers to be found in the ballot box (3-4=5) |
| • <i>Serial numbers need not be given.</i>               |

Date .....

.....  
Signature of Presiding Officer

**FORM 18**  
[ See Rule 69 (3)]

**Appointment of Counting Agents**

Election to Ward No. .... of the ..... Municipality

To

The Returning Officer

I, ....., \* candidate/ the election agent of  
..... who is a candidate at the above election, do hereby appoint  
the following person (s) as my counting agent (s) to attend the counting of votes at  
.....

<i>Sl. No.</i>	<i>Name of the counting agents (s)</i>	<i>Address of the counting agent (s)</i>
1.		
2.		
3.		

etc.

.....  
Signature of candidate/ election

agent \* I/ We agree to act as such counting agents (s).

1.

2.

3.

Etc

Place .....

Date .....

.....  
Signature of counting agent (s)



**Declaration of Counting Agents**  
(To be signed before the Counting Supervisor)

\* I/ we hereby declare that at the above election \* I/We will not do anything forbidden by Section 52 and 53 of the Nagaland Municipal Act, 2023, read with \*\* Section 128 of the Representation of the people Act, 1951 which I/ We have read/has been read over to me/ us.

- 1.
- 2.
- 3.
- Etc.

Date .....

\_\_\_\_\_  
Signature of Counting Assistant

***Signed before me***

Date .....

\_\_\_\_\_  
Counting Supervisor

---

\* To be handed over to the counting agents for production at the polling station or at the place fixed for counting of votes.

\* Strike out the words no applicable.

\*\* Section 128 of the Representation of the People Act, 1951:

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

(2) Any person who contravenes the provisions of sub-section (1) shall be punishable with imprisonment for a term which may extend to three months or with fine or with both.”

**FORM 19**  
[ See Rule 69 (5)]

**Revocation of Appointment of Counting Agents**

Election to Ward No. .... of the ..... Municipality

To

The Returning Officer

Sir/Madam

I, ....., \* the election agent of..... a  
candidate at the above election hereby revokes the appointment of .....

\* my/ his/her counting agent appoint earlier to attend the counting of votes at

.....

Place .....

Date .....

\_\_\_\_\_  
Signature of person revoking

\* *Strike out the words not applicable.*

**FORM 20**  
[ See Rules 74 (2)]

**Counting Sheet for Counting Supervisor**

Election to the ..... Municipality.

Ward No. ....

Polling Station No. ....

Date of Counting .....

**Votes secured by each of the candidates.**

<i>Number of ballot papers found in the ballot box(es)</i>	<i>Number of valid ballot papers</i>	<i>Number of rejected ballot papers</i>	<i>Discrepancy, if any, with reference to the ballot papers account</i>	<i>Serial No.</i>	<i>Name of the candidate</i>	<i>Valid votes secured by each of the candidates</i>
1	2	3	4	5	6	7
1.						
2.						
3.						

Place .....

Date .....

.....  
Signature of Counting Supervisor

**FORM 21**  
(See Rule 68)

**Notice**

Election to the ..... Municipality.  
Ward No. ....  
Date of Counting .....

Notice to the candidates and their election agents regarding the date, time and place for compilation and declaration of the result of election.

In pursuance of Rule 68 of the Nagaland Municipal Election Rules, 2023, the compilation of the results of counting of votes received from all the polling stations in the ward and the taking of account of votes cast by voters on election duty and declaration of result of the election will take place at ..... a.m./p.m. on the ..... day of ..... (month) 20.....at ..... (place).

Candidates and their election agents may remain present.

Place.....

Date.....

\_\_\_\_\_  
Signature of Returning Officer

**FORM 22**  
(See Rule 39)  
**Counting Sheet for Returning Officer**

Election to the ..... Municipality.

Ward No. ....

Date of Counting .....

**Votes cast by persons on election duty**

<i>Total number of sealed covers</i>	<i>Total number of valid ballot papers</i>	<i>Total number of rejected ballot papers</i>	<i>Serial No.</i>	<i>Name of the candidates</i>	<i>Valid votes secured by each candidate</i>
1.	2.	3.	4.	5.	6.
1.					
2.					
3.					
4.					

Total No. of valid vote :

Total No. of rejected votes :

Grand Total of votes:

(Valid and rejected) .....

Place .....

Date .....

\_\_\_\_\_  
Signature of Returning Officer

**FORM 23**  
(See Rule 76)

**Final Result Sheet**

Election to the ..... Municipality.

Ward No.....

Date of counting.....

<i>Name of Candidate</i>	<i>Record of votes at Polling Station No. (Valid) 123456 etc.</i>	<i>Record of votes given by person on election duty (valid)</i>	<i>Total of votes polled by the candidate</i>
1.	2.	3.	4.
1.			
2.			
3.			
4.			

Etc.

Total No. of valid votes :

Total No. of rejected votes :

Grand Total of votes:  
(Valid and rejected) .....

Place .....

Date .....

\_\_\_\_\_  
Signature of Returning Officer

**FORM 24**  
(See Rule 77)

**Return of Election**

Election to the ..... Municipality.

Ward No. ....

Date of Counting .....

Serial No.	Name of candidate	Number of votes recorded in favour of each of the candidates
1.	2.	3.
1.		
2.		
3.		
4.		

etc.

Total number of valid votes .....

Total number of invalid votes .....

Total number of tendered votes .....

In pursuance of the provisions contained in Rule 77 of the Nagaland Municipal Election Rules, 2023, I declare that the candidate, Shri/Shrimati/Kumari.....  
..... of ..... (address),  
to whom the largest number of votes has been given, has been duly elected to fill the seat as a Member to the Municipality from the Ward No. ....

Place .....

Date .....

\_\_\_\_\_  
Signature of Returning Officer

**FORM 25**  
(See Rule 77)

**Certificate of Election**

Election to the ..... Municipality.

Ward No. ....

I, Returning Officer for the Ward No. .... of the Municipality do hereby certify that I have on this the ..... day of ..... 20 ..... declared Shri/Shrimati/ Kumari ..... of ..... (address) to have been duly elected by the said ward to be a member of the ..... Municipality.

Place .....

Date .....

\_\_\_\_\_  
Signature of Returning Officer

**MA-65/2016**

**Dated Kohima, the 8<sup>th</sup> December, 2023.**  
**By order and in the name of Governor**



**(KENILO APON) IAS**  
**Commissioner & Secretary, Municipal Affairs**  
**Nagaland, Kohima.**



Printed at



DIRECTORATE OF PRINTING & STATIONERY  
NAGALAND, Kohima  
[https:// govtpress.nagaland.gov.in](https://govtpress.nagaland.gov.in)