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GOVERNMENT OF KARNATAKA

No: UDD 34 BBS 2021

Karnataka Government Secretariat, Vikasa soudha,
Bangalore, Dated: 27-06-2022.

NOTIFICATION

Whereas, the draft of the Bruhat Bengaluru Mahanagara Palike (Election) Rules, 2021, was published as required by sub-section (2) of section 316 of the Bruhat Bengaluru Mahanagara Palike Act, 2020 (Karnataka Act 53 of 2020), vide Government Notification No. UDD 34 BBS 2021 dated: 18-11-2021 in Part IV-A of the Karnataka Gazette Extraordinary, (number 864), dated 18-11-2021 inviting objections and suggestions from all persons likely to be affected within thirty days from the date of its publication in the Official Gazette.

And whereas, the objections or suggestions received in this regard have been considered by the State Government.

Now, therefore, in exercise of the powers conferred under Section 316 read with Section 47 of the Bruhat Bengaluru Mahanagara Palike Act, 2020 (Karnataka Act 53 of 2020), the Government of Karnataka hereby makes the following rules, namely,-

RULES

Chapter-I

1. Title and commencement:- (1) These rules may be called the Bruhat Bengaluru Mahanagara Palike (Election) Rules, 2021.

2. Definitions:-(1) In these rules, unless the context otherwise requires,-

(a) "Act"means the Bruhat Bengaluru Mahanagara Palike Act, 2020 (Karnataka Act 53 of 2020);

(b) "Ballot Box or Ballot paper" means Ballot Box or Ballot paper where-ever used in these rules shall be construed as electronic voting machine where-ever applicable.

(c) "Caste certificate" means a Caste certificate or Income and Caste certificate issued by the Tahsildar of a revenue taluk under the Karnataka Scheduled Castes, Scheduled Tribes and other Backward Classes (Reservation of Appointment etc.) Act, 1990;

(d) "Councillor" meansa Councillor appointed under section 11 of the Act and includes a person appointed to act as Councillor under section 18 of the Act;

(e) "Corporation" means the Bruhat Bengaluru Mahanagara Palike;

(f) "Chief Commissioner" means the Chief Commissioner appointed under section 63 and includes

a person appointed to act as Chief Commissioner under section 64 of the Act;

(g) "Form"means form appended to these rules;

(h) "Government" means the Government of Karnataka;

(i) "Presiding officer"means any person appointed under section 17 as presiding officer and includes any polling officer performing any of the functions of a presiding officer under rule 8;

(j) "Public holiday"means any day which is a public holiday for the purposes of section 25 of the Negotiable Instruments Act, 1881 (Central Act 26 of 1881);

(k) "Qualified Candidate" or "Candidate qualified to be chosen"means a candidate who is qualified to be chosen in an election held under the provisions of the Act and the rules made there under;

(l) "Reserved seat"means a seat reserved for the scheduled castes, scheduled tribes, backward classes and women under section 7 of the Act;

(m) "Returning officer"means any person appointed under rule 5 as returning officer and includes an assistant returning officer performing any of the functions of a returning officer; and (n) "Section"means section of the Act;

(2)Words and expressions used in these rules but not defined shall have the same meaning assigned to them in the Act.

CHAPTER -II

3. Conduct of election:-(1) Election to the Corporation shall be conducted under the superintendence, direction and control of the State Election Commission.

(2)Subject to the superintendence, direction and control of the State Election Commission, the Chief Commissioner shall co-ordinate and supervise all works in connection with the conduct of election to the Corporation. The Chief Commissioner shall also perform such other functions pertaining to the election as may be entrusted to him by the State Election Commission.

4. Electoral Roll:-(1) The electoral roll referred to in section 14 of the Act for each ward of the city shall be split into one or more parts taking into consideration the area within the ward wherein the voters to be included in each part reside, so that the voters to be included in each part belong to a named area, street or road within the ward and the electoral roll so split up in respect of the several parts of the ward shall together constitute the electoral roll for such ward.

(2)A copy of such electoral roll in respect of each ward shall also be kept open for inspection in the office of the Corporation.

5. Returning officer:-(1) For every general election of the Councillors or for an election to fill a casual vacancy, the Chief Commissioner shall designate or nominate one or more Returning officers who shall be an officer of the State Government or of a local authority:

Provided that, if more than one Returning officer is nominated or designated, the Chief Commissioner shall specify the ward or wards for which each such officer is nominated or designated.

(2)The Chief Commissioner may, in the same manner designate or nominate one or more Assistant Returning officers who shall be officers of the State Government or of a local authority to assist the Returning officer in the performance of his functions.

(3)Every Assistant Returning officer shall, if so directed by the Returning officer, be competent to perform all or any of the functions of the Returning officer.

6. General duty of the Returning Officer:- It shall be the general duty of the Returning Officer at any election to do all such acts and things as may be necessary for effectually conducting the election in the manner provided by the Act and t

7. **Polling Stations:-** The Returning officer shall, in consultation with the Chief Commissioner, provide sufficient number of polling stations for each ward and shall publish a list showing the polling stations so provided and the polling areas or group of voters for which they have respectively been provided, in such manner as the State Election Commission may direct.

8. **Duties of the presiding officer:-** It shall be the general duty of the presiding officer at a polling station to keep order there at and to see that the poll is fairly taken.

9. Duties of polling officer:- It shall be the duty of the polling officer at a polling station to assist the presiding officer for such station in the performance of his functions.

10. Notification of Election:-(1) The Chief Commissioner shall with the approval of the State Election Commission notify in

Form-1, the intended election referred to in section 13 of the Act.

(2)The State Election Commission shall, in such notification specify the following, namely:-

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

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

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

(iv)the date on which the poll shall, if necessary, be taken which shall be a date not earlier than seventh day after the last day for the withdrawal of candidatures and the hours during which the poll shall be taken, the total period of which on any allotted day shall not be less than eight hours; and

(v)the date before which the election shall be completed.

(3)On the issue of the notification under sub-rule (1) the Returning officer shall give a public

Form-1A by displaying it on the notice board in his office and in the office of the Corporation and at such other places as deemed necessary, inviting nominations for such election.

(4)The Returning officer shall specify in the notice, among other things the last date for receipt of nominations, the place at which nominations are to be delivered, date of scrutiny of nominations, last date for withdrawal of candidature, date or dates on which a poll shall, if necessary be taken and the hours of poll and the date before which elections shall be completed which shall conform to the dates notified in that behalf by the Chief Commissioner under sub-rule (2).

11. Nomination of candidates for election:- Any person may be nominated as a candidate to fill a seat in any of the wards of the city, if he is qualified to be chosen to fill that seat under the provisions of the Act.

12. Presentation of nomination paper:- (1) On or before the date appointed under rule 10 for making nominations, each candidate shall either in person or by his proposer, between the hours of 11:00 a.m. and 3:00 p.m., deliver to the Returning officer at the place specified in this behalf in the public notice referred under rule 9, a nomination paper duly completed in

Form-2 along with his recent passport size photograph, nomination papers signed by the candidate and six electors of the ward as proposers.

Provided that, a candidate setup by a recognized political party, shall be deemed to be duly nominated for election from a ward of the nomination paper is subscribed by one proposer being elector of the ward:

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

(2)In a ward wherein,-

(a)the seat is reserved for the backward classes, scheduled castes or scheduled tribes, a candidate shall not be deemed to be qualified to be chosen to fill that seat unless his nomination paper contains a declaration by him specifying the particular class, caste or tribe of which he is a member and said class, caste or tribe is a backward class, scheduled caste, or scheduled tribe; and

(b)the seat is reserved for women, the nomination paper shall contain a declaration that the candidate is a woman.

(3) 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 electoral roll:

Provided that, no misnomer or inaccurate description or clerical, technical or printing error in regard to the name of the candidate or his proposer or any other person or in regard to any place mentioned in the electoral roll or the nomination paper and no clerical, technical or printing error in regard to the electoral roll number of any such person in the electoral roll or nomination paper shall affect the full operation of the electoral roll or nomination paper with respect to such person or place in any case where the description in regard to the name of the person or place is such as to be understood and the Returning officer shall permit any such misnomer or inaccurate description or clerical, technical or printing error to be corrected and where necessary direct that, any such misnomer, inaccurate description, clerical, technical or printing error in the electoral roll or in the nomination paper shall be overlooked.

(4)Nothing in this rule shall prevent any candidate from being nominated by more than one nomination paper:

provided that such nominations shall not exceed four.

(5)A candidate shall not deemed to be duly nominated for election from any ward unless, he deposits or causes to be deposited before the nomination paper is delivered to the Returning officer, a sum of five thousand rupees or where the candidate is a member of a backward class or a scheduled caste or a scheduled tribe or a woman, a sum of two thousand and five hundred rupees:

Provided that, where a candidate has been nominated by more than one nomination paper for election in the same ward, not more than one deposit shall be required of them under this sub-rule.

(6)Any sum required to be deposited under sub-rule (5) shall not deemed to have been deposited in that sub-rule unless, at the time of delivery of nomination paper under sub-rule (1) the candidate has either deposited or caused to be deposited that sum with the Returning officer in cash or enclosed with nomination paper a receipt showing that the said sum has been deposited by him or in his behalf to the Government treasury.

13. Receiving nominations in case of seats reserved:- Notwithstanding anything contained in these rules, where a seat is reserved under the proviso to sub-section (3) of section 7,- (i)for a person belonging to category-A of the rning officer may accept nomination

papers from person belonging to both category-A and category-B of the backward classes, but shall return the nomination paper filled by a person belonging to category-B along with the deposit made, in case nomination paper is received from any person belonging to category-A, before the expiry of the date and time fixed for making nomination. However, he may proceed to consider the nomination paper filed by a candidate belonging to category-B only, when no nomination paper is received from a person belonging to category A, before the expiry of the date and time fixed for making nomination; and

(ii)for a person belonging to category-B of the backward classes the Returning officer may accept nomination papers from person belonging to both category-A and category-B of the backward classes but shall return the nomination paper filled by the person belonging to category-A along with the deposit made, in case nomination paper is received from any person belonging to category-B before the expiry of the date and time fixed for making nomination. However, he may proceed to consider the nomination paper filed by a candidate belonging to category-A only when no nomination paper is received from a person belonging to category-B, before the expiry of the date and time fixed for making nomination.

14. Notice of nominations and the time and place for their scrutiny:- The Returning officer shall, on receiving the nomination paper under rule 12, inform the person delivering the same of the date, time and place fixed for scrutiny of nominations 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 and shall as soon as may be thereafter cause to be fixed in some conspicuous place in his office a notice of the nomination in

Form-3, containing descriptions similar to those contained in the nomination paper both of the candidate and of the proposer.

15. Scrutiny of nominations:- (1) On the date fixed for scrutiny of nominations under rule 10, the candidates, their election agents, one proposer of each candidate and one other person duly authorized in writing by each candidate, but no other person, may attend at such time and place as the

Returning officer may appoint and the Returning officer shall give them all reasonable facilities for examining the nomination papers of all candidates which have been delivered within the time and in the manner laid down in rule 12.

(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 own motion, after such summary enquiry as he thinks necessary, reject any nomination on any of the following grounds, namely:-

(i) that on the date fixed for the scrutiny of nominations the candidate either is not qualified or is disqualified for being chosen to fill the seat under the provisions of the Act;

(ii)that there has been a failure to comply with any of the provisions of the Act or these rules;

(iii)that the signature of the candidate or the proposer on the nomination paper is not genuine.

(3) Nothing contained in clause (ii) or (iii) of sub-rule (2) shall be deemed to authorize the rejection of nomination of any candidate on the ground of any irregularity in respect of 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)The Returning officer shall not reject any nomination paper on the ground of any defect which is not of a substantial character.

(5)The Returning officer shall hold the scrutiny on the date appointed in this behalf under rule 10 and shall not allow any adjournment of the proceedings except when such proceedings are interrupted by riot or open violence or by causes beyond his control:

Provided that, in case an objection is raised by the Returning officer or is made by any other person, the candidate concerned may be allowed time to rebut it not later than the next day, but one following the date fixed for scrutiny and the Returning officer shall record his decision on the date to which the proceedings have been adjourned.

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

(7)Immediately after all the nomination papers are scrutinized and decision accepting or rejecting the same are recorded, the Returning officer shall prepare a list of validly nominated candidates in

Form-4, that is to say candidates whose nominations are found valid and affix it to notice board of his office.

(8)For the purpose of this rule, a certified copy of an entry in the electoral roll for the time being in force of a ward shall be conclusive evidence of the fact that the person referred to in that entry is an elector for that ward.

16. Withdrawal of candidature:-(1) Any candidate may withdraw his candidature by a notice in writing in Form-5 and delivered before 3:00 p.m. on the date fixed under rule 10 to the Returning officer either by such candidate in person or by his proposer or election agent who has been authorized in this behalf in writing by such candidate.

(2)On receipt of such notice under sub-rule (1), the Returning officer shall note thereon the date and time at which it was delivered.

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(3)No person who has given notice of withdrawal of his candidature under sub-rule (1) shall be allowed to cancel the said notice.

(4)The Returning officer shall, on being satisfied as to the genuineness of a notice of withdrawal and the identity of the person delivering it, cause the notice in

Form-6 to be affixed on the notice board of his office.

17. Preparation of list of contesting candidates:-(1) Immediately after the expiry of the period, within which candidature may be withdrawn under rule 16, the Returning officer shall prepare and publish in Kannada language a list of contesting candidates that is to say candidates who are included in the list of validly nominated candidates and who have not withdrawn their candidature within the said period.

Provided that, the State Election Commission may direct that in any election, the list of contesting candidates may be prepared in a language other than Kannada.

(2)The said list shall contain the names in Kannada alphabetical order and the address of the contesting candidates as given in the nomination paper.

(3)Where a poll becomes necessary, the Returning officer shall consider the choice of symbols expressed by the contesting candidates in their nomination papers and shall allot the symbols in accordance with rule 21.

(4)The allotment of any symbol to a candidate shall be final.

(5)Every candidate or his election agent shall forthwith be informed of the symbol allotted to the candidate and be supplied with a specimen thereof by the Returning officer.

Form-7.

18. Recognition of Political Parties:-Every political party recognized by the Election Commission of India as a national party or as a state party in the State of Karnataka under the Election Symbols (Reservation and Allotment) Order, 1968, shall be a recognized political party for the purpose of election to the Corporation.

19. Publication of list of recognized political parties and symbols:-(1) For the purpose of these rules the State Election Commission shall notify, a list of recognized political parties and symbols reserved to each such recognized political party and a list of free symbols.

(2) The State Election Commission shall notify a list of symbols of political parties which are registered or recognized in other states.

20. Publication of list of unrecognized political parties:-The State Election Commission shall notify a list of unrecognized political parties in the State of Karnataka.

21. Allotment of symbols:-(1) A candidate set up by any recognized political party in the election shall choose and shall be allotted the symbol reserved for that party and no other symbol shall be allotted.

(2)A reserved symbol shall not be chosen by or allotted to any candidate other than a candidate set up by a recognized political party.

(3)Any candidate other than the candidate set up by a recognized political party in the election shall choose and shall be allotted in accordance with the rules hereinafter provided, one of the symbols specified as free symbols:

Provided that, in case of a candidate set up by an unrecognized political party in the election, shall be allotted the free symbol chosen by such candidate and no one else and in case the candidates set up by two or more unrecognized political parties choose the same free symbol, the Returning officer shall decide by lot to which of those candidates set up by such unrecognized political parties that free symbol shall be allotted and allot that free symbol to the candidate to whom the lot falls and to no one else. The remaining free symbols shall be allotted to other candidates.

Explanation: For the purpose of this rule and rule 20, the expression "unrecognized political party" means a political party registered as a political party under section 29-A of the Representation of People Act, 1951 (Central Act 43 of 1951) and having its registered office or a branch office in Bengaluru and which is not a recognized national party or a recognized state party in Karnataka within the meaning of the Election Symbol (Reservation and Allotment) Order, 1968.

(4)Where a free symbol other than the one chosen by a candidate set up by an unrecognized political party has been chosen by only one candidate at the election, the Returning officer shall allot that symbol to that candidate and to no one else.

(5)Where the same free symbol other than the one chosen by a candidate set up by any unrecognized political party is chosen by more than one candidate, then,-

(i)the Returning officer shall decide by lot to which of those candidates that free symbol shall be allotted and shall allot it to the candidate, to whom the lot falls and to no one else; and

(ii)Where there are more number of candidates than the number of free symbols specified, the Returning officer shall allot any other symbol in his discretion to the remaining candidates.

Explanation: For the purpose of these rules a candidate shall deemed to be set up by a political party, if and only if,-

(a)the candidate has made a declaration to that effect in his nomination paper;

(b)a notice in writing to that effect has been delivered to the Returning officer before 3:00 p.m. on the last date for making nominations; and

(c)the said notice is signed by the president or the secretary or any other office bearer of the party and the president, secretary or such other office bearer is authorized by the party to send such notice and the name and specimen signature of the president, the secretary or such other office bearer is communicated in advance to the Returning officer of the ward and to the State Election Commission. In the case of a national party the authorization may be made by the president of the party's unit at the state level or any other office bearer of such unit who is empowered by it.

(6)If a political party is a registered and recognized party in Karnataka or any other state and such party has setup the candidates to contest the election in the State, the symbols allotted to the candidates of that party in other State itself may be allotted, if they fulfill the following conditions, even though the symbols were not in the list of free symbol, namely:-

(i) the president of such party shall submit a representation in writing to the State Election Commission, requesting to allot particular symbol to the candidates who are contesting from his party, within three days from publication of calendar of events by the State Election Commission.

(ii)if more than one party, which have been recognized in other states have chosen the same symbol as their reserved symbol of their party and such parties have submitted requisition for allotting the same symbol for their candidates, the State Election Commissioner shall allot the symbol to the candidate of such party through lot. The candidates of other party shall choose remaining any one of the free symbols.

(iii) the candidate shall declare in the nomination that which party has filed him as a candidate. In case anything contrary to this is found in the nomination or

Form C or D, such candidate shall not be allotted the symbol reserved and such candidate shall be allotted a symbol by the election commissioner out of the list of free symbols.

(iv)it shall be satisfied by the State Election Commission that there is no appropriate reason to reject the application. They shall not claim for allotment of the same symbol for any other election, conducted in future.

22. Publication of list of contesting candidates:-(1) The Returning officer shall immediately after the preparation of the list of contesting candidates under rule 17, cause a copy thereof to be affixed on the notice board of his office.

(2)If a poll becomes necessary the Returning officer shall supply a copy of the list of contesting candidates and specimen of the picture of the symbol allotted to each such candidate or his election agent.

23. Appointment of election agent:-(1) Subject to provisions under section 27, a candidate at an election may appoint an election agent in Form-8 and 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 seal and signature in token of his approval of the appointment.

Form-9. In the event of such revocation or death of an election agent, the candidate may at any time before the election is over, make a fresh appointment in the manner specified in sub-rule (1).

24. Appointment of polling agents:-(1) A contesting candidate or his election agent may appoint one polling agent and two relief agents to act as such on his behalf in each polling station.

(2)Every such appointment shall be made in Form-10 and shall be made to the polling agent for production at the polling station.

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

Form- 11.

(5)In the event of any such revocation or death of a polling agent, the candidate or his election agent may, at any time before the poll is closed make a fresh appointment in the manner specified in sub-rule (2).

25. Attendance of contesting candidate or his election agent at polling stations:- (1) At every election where a poll is taken, each contesting candidate at such election and his election agent shall have right to be present at any polling station provided under rule 7, for taking of the poll.

(2)A contesting candidate or his election agent may, do any act or thing which any polling agent or the counting agent of such contesting candidate if appointed, would have been authorized under these rules to do or may assist any polling agent or the counting agent of such contesting candidate in doing any such act or thing.

26. Non-attendance of polling or counting agents:-Where any act or thing is required or authorized under these rules to be done in the presence of the polling or counting agent, the non-attendance of any such agent at the time and place appointed for said purpose shall not, if the act or thing is otherwise duly done, invalidate the act or thing done.

CHAPTER-III

27. Particulars of account of election expenses:- (1) The candidate or his election agent shall maintain the account of election expenses under section 43, in

Form 11-A, which shall ordinarily contain the following particulars in respect of each item of expenditure from day to day, namely:-

(i)date on which the expenditure was incurred or authorised;

(ii)the nature of expenditure (for example traveling, postage or printing and the like);

(iii)the amount of the expenditure with break-up of the following, namely,-

(a)the amount paid;

(b)the amount outstanding; and

(c)date of payment;

(iv)the name and address of the payee;

(v)the serial number of vouchers, in case of amount paid;

(vi)the serial number of bills, if any, in case of amount outstanding; and

(vii)the name and address of the person to whom the amount outstanding is payable.

(2)A voucher shall be obtained for every item of expenditure, unless from the nature of the case, such as postage, travel by rail and the like, it is not practicable to obtain a voucher.

(3)All vouchers shall be lodged along with the account of election expenses, arranged according to the date of payment and serially numbered by the candidate or his election agent and such serial numbers shall be entered in the account under item (e) of sub-rule (1).

(4)It shall not be necessary to give particulars mentioned in item (e) of clause (iii) of sub-rule (1) in regard to items of expenditure for which vouchers have not been obtained under sub-rule (2).

(5)Every candidate shall make a declaration in Form 11-B, while lodging his statement of expenditure before the Returning officer and the Returning officer shall acknowledge the same in Form 11-C.

28. Notice by Returning officer:- The Returning officer shall, within two days from the date on which the account of election expenses has been lodged by a candidate under section 44, cause a notice to be affixed on the notice board of the office, specifying the following namely:-

(a)the date on which the account has been lodged;

(b)the name of candidate; and

(c)the time and place at which such account may be inspected.

29. Report by the Returning officer as to the lodging of the account of election expenses and the decision of the State Election Commission thereon:- (1) As soon as may be after the expiration of the time specified in section 44 for lodging of the accounts of election expenses at any election, the Returning officer shall report the following to the State Election Commission, namely:- (a) the name of each contesting candidate;

(b)whether such candidate has lodged his account of election expenses and if so, the date on which such account has been lodged; and

(c)whether in his opinion such account has been lodged within the time and in the manner required by the Act and these rules.

(2)Where the Returning officer is of the opinion, that the account of election expenses of any candidate has not been lodged in the manner required by the Act under these rules, he shall, with every

such report forward to the State Election Commission, the account of election expenses of that candidate and the vouchers lodged along with it.

(3)Immediately after the submission of the report referred to in sub-rule (2), the Returning officer shall publish a copy thereof by affixing the same on the notice board.

(4)As soon as may be, after the receipt of the report referred to in sub-rule (2), the State Election Commission shall consider the same and decide whether any contesting candidate has failed to lodge the account of election expenses within the time and in the manner required by the Act and these rules.

(5)Where the State Election Commission decides that a contesting candidate has failed to lodge his account of expenses within time and in the manner required by the Act and these rules, it shall, by notice in writing call upon the candidate to show cause why he should not be disqualified under section 45 for such failure.

(6)Any contesting candidate who has been called upon to show cause under sub-rule (5) may, within twenty days of the receipt of such notice submit in respect of the matter, a representation in writing to the State Election Commission and shall, at the same time send to the Returning officer a copy of his representation together with a complete account of his election expenses, if he had not already furnished such an account.

(7)The Returning officer shall, within five days of the receipt there of, forward to the State Election Commission a copy of the representation and the account (if any) with such comments as he deems fit, to make thereon.

30. Maximum limit of election expenses:- The maximum limit of the expenditure that may be incurred by each candidate or his election agent in connection with the election, shall not exceed rupees five lakhs.

31. Death of candidate before the poll:-If a candidate set up by a recognized political party,-

(a)dies at any time after 11:00 a.m. on the last date for making nominations and his nomination is found valid on scrutiny under rule 15;

(b)whose nomination has been found valid on scrutiny under rule 15 and who has not withdrawn his candidature under rule 16 dies and in either case a report of his death is received at any time before the publication of the list of contesting candidates under rule 22; or

(c)dies as a contesting candidate and a report of his death is received before the commencement of the poll, the returning officer shall, upon being satisfied about the fact of the death of the candidate, by order, countermand the poll and report the fact to the State Election Commission and all proceedings with reference to the election shall be commenced afresh in all respects, as if for a new election:

Provided that, no order for countermanding a poll shall be made in a case referred to in clause (a), except after the scrutiny of all the nominations including the nomination of the deceased candidate.

Provided further that, no further nomination shall be necessary in the case of a person was a contesting candidate at the time of the countermanding of the poll;

Provided also that, no person who has given a notice of withdrawal of his candidature under sub-rule (1) of rule 16before the countermanding of the poll shall be ineligible for being nominated as a candidate for the election after such countermanding.

32. Procedure in contested and uncontested election:-(1) If the number of contesting candidates is more than the number of seats to be filled, a poll shall be taken.

(2)If the number of such candidates is equal to the number of seats to be filled the Returning officer shall forthwith declare all such candidates to be duly elected to fill these seats in

(3)If the number of such candidates is less than the number of seats to be filled in that ward, the returning officer shall forthwith declare all such candidates to be duly elected in

Form 12 or Form 12-A as may be appropriate and the Chief Commissioner shall, with the approval of the State Election Commission, by notification in the official Gazette call upon the ward to elect a person or persons to fill the remaining seat or seats.

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

(2)Whenever a poll is adjourned under sub-rule (1), the Returning officer shall immediately report the circumstances to the Chief Commissioner and the State Election Commission and shall, as soon as may be, with the previous approval of the State Election Commission publish a notice appointing the day on which the poll shall recommence and fix the polling station and the hours during which the poll shall be taken and shall not count the votes cast at the election of such ward until such adjourned poll shall have been completed.

(3)In every such case as aforesaid, the Returning officer shall notify in such manner as the State Election Commission may direct, the date, place and hours of polling fixed under sub-rule (2).

34. Procedure on adjournment of poll:-(1) If the poll at any polling station is adjourned under rule 33, the provisions of the rules 62, 63, 65 and 66 shall, as far as practicable, apply as if the poll was closed at the hour fixed in that behalf under rule 10.

(2)When an adjourned poll is recommended under sub-rule (2) of rule 33, the electors who have already voted at the poll so adjourned shall not be allowed to vote again.

(3)The Returning officer shall provide the presiding officer of the polling station at which such adjourned poll is held, with the sealed packet containing the marked copy of the electoral roll and a new ballot box.

(4)The presiding officer shall open the sealed packet in the presence of the polling agents present and use the marked copy of the electoral roll for marking the names of the electors to whom the ballot papers are issued at the adjourned poll, without however recording therein the serial number thereof.

(5)The provisions of rules 38 to 44 and 53 to 66 shall apply in relation to the conduct of an adjourned poll as they apply in relation to the poll before it was so adjourned.

35. Adjournment of poll or countermanding of election on the ground of booth capturing:- (1) If at any election,-

(a)booth capturing has taken place at a polling station or at a place fixed for the poll (hereinafter in this rule referred to as a place) in such a manner that the result of the poll at that polling station or place becomes unascertainable; or

(b)booth capturing takes place in any place for counting of votes in such manner that the result of the counting at the place becomes un ascertainable.

the returning officer shall forthwith report the matter to the State Election Commission and the Chief Commissioner.

(2)The State Election Commission shall, on receipt of a report from the returning officer under sub-rule (1) and after taking all material circumstances into account, either,-

(a)declare that the poll at that polling station or place be void, appoint a day and fix the hours for taking fresh poll at that polling station or place and notify the date so appointed and hours so fixed in such manner as it may deem fit; or

(b)if satisfied that, in view of the large number of polling stations or places involved in booth capturing, the result of the election is likely to be affected or that booth capturing had affected counting of votes in such a manner as to affect the result of the election, countermand the election in that ward.

Explanation: For the purpose of this rule "booth capturing" includes, among other things, all or any of the following activities, namely:-

(i) seizure of polling station or a place fixed for the poll by any person, making polling authorities surrender the ballot papers or voting machines and doing of any other act which affects the orderly conduct of elections;

(ii)taking possession of a polling station or a place fixed for the polling by any person and allowing only himself or his own supporters to exercise their right to vote and prevent other from voting;

(iii)threatening any elector and preventing them from going to the polling station or a place fixed for the poll to cast his vote;

(iv)seizure of a place for counting of votes by any person or persons, making the counting authorities surrender the ballot papers or voting machines and the doing of anything which affects the orderly counting of votes; and

(v)doing by any person in the service of Government, of all or any of the aforesaid activities or aiding or conniving at, any such activity in the furtherance of the prospects of the election of a candidate.

36. Fresh poll in the case of destruction etc. of ballot boxes:- (1) If at any election,-

(a)any ballot box used at a polling station is unlawfully taken out of the custody of the presiding officer or the Returning officer or is accidentally or intentionally destroyed or lost or is damaged or tampered with, to such an extent, that the result of the poll at that polling station or the ward becomes unascertainable; or

(b)any such error or irregularity in procedure as is likely to vitiate the poll is committed at a polling station;

then the Returning officer shall forthwith report the matter to the State Election Commission.

(2)There upon the State Election Commission shall, after taking all material circumstances into account, either,-

(a)declare the poll at that polling station to be void, appoint a day and fix the hours for taking fresh poll at that polling station and notify the day so appointed and the hours so fixed on the notice board; or

(b)if satisfied that the result of a fresh poll at that polling station shall not, in any way, affect the results of the election of that ward or that the error or irregularity in procedure is not material, issue directions to the Returning officer as he may deem proper for the further conduct and completion of the election.

(3)These rules shall apply to every fresh poll under sub-rule (2) as they apply to the original poll.

37. Manner of voting:-At every election where a poll is taken, vote shall be given by ballot and all the voters voting at an election shall do so in person at the polling station and no vote shall be received by proxy.

38. Form of ballot paper:-(1) Every ballot paper shall have a counterfoil attached thereto and the said ballot paper and the counterfoil shall be in such form and the particulars therein shall be in the language or languages as the State Election Commission may direct.

(2)The names of the candidates shall be arranged in 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.

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39. Design of ballot boxes:-Every ballot box shall be of such design as may be approved by the State Election Commission.

40. Arrangement at polling stations:-(1) Outside each polling station the following details shall be displayed prominently, namely:-

(a)a notice specifying the polling area, the electors of which are entitled to vote at the polling station and when 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 the electors can record their votes, screened from observation.

(3)The Returning officer 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 the ballot papers and articles necessary for electors to mark the ballot papers and such other materials as are necessary for the conduct of poll.

41. Admission to polling stations:-The presiding officer shall regulate the number of electors to be admitted at any time inside the polling station and shall exclude there from all persons other than the following, namely:-

(i)polling officers;

(ii)public servants on duty in connection with the election;

(iii) persons authorized by the Chief Commissioner and the State Election Commission.

(iv)candidates, their election agents and one polling agent of each candidate;

(v)a child in arms accompanying an elector;

(vi)a person accompanying a blind or infirm elector who cannot move without help; and

(vii)such other persons as the Returning officer or the presiding officer may employ for the purpose of election.

42. Facilities for women electors:-(1) Where a polling station is both for 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 presiding officer generally in taking the poll in respect of women electors and in particular to help in searching any women elector in case it becomes necessary.

43. Identification of electors:-(1) The Returning officer or the presiding officer may employ at the polling station such persons as he thinks fit to help in the identification of the electors or to assist the presiding officer otherwise in taking the poll.

(2)As each elector enters the polling station, the presiding officer or the polling officer authorized by him 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.

(3)In deciding the right of a person to obtain a ballot paper from the presiding officer or the polling officer, as the case maybe, shall overlook mere clerical or printing errors in an entry in the electoral roll if they are satisfied that such person is identical with the elector to whom such entry relates.

44. Facilities for public servants on election duty:-(1) Voters on election duty who wish to vote by post at an election shall send an application in Form-15 to the Returning officer so as to reach him at least seven days or shorter period as the Returning officer may allow before the date of a poll and if the Returning officer is satisfied that the applicant is on election duty in any place outside the ward in which he is a voter, the officer shall issue a postal ballot paper of such concerned ward.

(2)Where such voter being a presiding officer, a polling officer or other public servant on election duty in a polling station other than the one in which he is entitled to vote wishes to vote in the polling station in which he is on election duty, he shall send an application in

Form-13 to the Returning officer so as to reach at least four days or such shorter period as the Returning officer may allow before the day of poll and if the Returning officer is satisfied that the applicant is a public servant and voter on election duty, he shall,-

Form-14;

(b)mark Election Duty Certificate against his / her name in the marked copy of the electoral roll to indicate that an Election Duty Certificate has been issued to him/her; and

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

(3) The provisions of rule 43 shall not apply to any person who produces at the polling station an Election Duty Certificate in

Form-14 and asks for the issue of a ballot paper, although the polling station is different from the one where he is entitled to vote. On production of such certificate the presiding officer shall,-

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

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

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

45. Persons entitled to vote by post:-The following persons shall, subject to fulfilling the requirements hereinafter specified, be entitled to vote by post, namely:-

(a)persons to whom provisions of sub-section (3) or sub-section (6) of section 20 of the Representation of the peoples Act, 1950 (Central Act 43 of 1950) applies;

(b)voters on election duty in any place outside the ward in which they are entitled to vote; and

(c)electors subject to preventive detention.

46. Electors under preventive detention:-(1) The Corporation shall, within fifteen days of the calling of an election, ascertain and intimate to the Returning officer the names of electors, if any, subject to preventive detention together with their addresses and electoral roll numbers and the particulars about their places of detention.

(2) Any elector subjected to preventive detention may, within fifteen days of the calling of an election, send intimation to the Returning officer that he wishes to vote by post specifying his name, address, electoral roll number and place of detention.

(3) The Returning officer shall on receipt of such intimation issue a postal ballot paper to every elector subjected to preventive detention whose name has been intimated to him under sub-rule (1) or under sub-rule (2).

47. Intimation by voters who are entitled to vote by post:-Subject to rules 44 and 46, the person referred to in rule 45 who wish to vote by post in an election shall send an intimation in

Form-15 to the Returning officer so as to reach him at least ten days before the date of poll and on receipt of the intimation the Returning officer shall issue a postal ballot paper to him.

48. Form of postal ballot paper:-The postal ballot paper shall be same as that of the other ballot issued to voters who are entitled to vote in person.

49. Issue of postal ballot paper:-(1) A postal ballot paper shall be sent by post under certificate of posting to the elector together with,-

(i)a declaration in Form-16;

(ii)a cover in Form 16-A;

(iii)a large cover addressed to the Returning officer in

Form 16-B; and

(iv)instructions for the guidance of the elector in

Form 16-C.

Provided that, the Returning officer may, in the case of a voter on election duty who is entitled to vote by post, deliver the ballot paper and forms or cause him to be delivered to such voter personally.

(2)The Returning officer shall at the same time,-

(a)record on the counterfoil of the ballot paper, the electoral roll number of the elector as entered in the marked copy of the electoral roll;

(b)mark the name of the elector in the marked copy of the electoral roll to indicate that a postal ballot paper has been issued to him without recording therein the serial number of the ballot paper issued to that elector; and (c)ensure that the elector is not allowed to vote at a polling station.

(3)Every officer under whose care or through whom a postal ballot paper is sent shall ensure its delivery to the addressee without delay.

50. Recording of votes:-(1) An elector who has received a postal ballot paper and desires to vote shall record his vote on the ballot paper in accordance with the directions contained in part-I of

Form16-C and then enclose it in the cover in Form 16-B.

Form-16 in the presence of and have the signature attested by a Magistrate or any Gazetted officer to whom he is personally known or to whose satisfaction he has been identified.

(3)In case of a voter falling under clause (a) of rule 45, the attestation shall be by the commanding officer of the unit, ship or establishment in which the voter or voter's spouse, as the case may be, is employed.

(4)In case of a voter on election duty, any Gazetted officer or the presiding officer of the polling station at which he is on election duty may attest.

(5)In case of an elector under preventive detention the Superintendent of the jail in which the elector is under detention may attest.

51. Return of the postal ballot paper:- (1) After an elector has recorded their vote and made his declaration, he shall return the postal ballot paper and declaration to the Returning officer in accordance with the instructions communicated to him, so as to reach the returning officer before the hour fixed for commencement of counting of votes.

(2)If any cover containing a postal ballot paper is received by the Returning officer after the expiry of the time fixed in sub-rule (1), he shall note thereon the day and time of its receipt and shall keep all such covers together in a separate packet.

(3)The Returning officer shall keep the covers containing postal ballot papers received by him in safe custody, until the commencement of the counting of votes.

52. Right to vote:-(1) No person whose name is not entered in the electoral roll of any ward shall be entitled to vote in that ward.

(2)No person shall vote at an election if he is subject to any of the disqualifications referred in section 42.

(3)No person shall vote in more than one ward, notwithstanding his name may have been registered in the electoral roll of more than one ward and if a person votes in more than one ward, his votes in all such wards shall be void.

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

(5)No person shall vote at any election if he is confined in a prison, whether under a sentence of imprisonment or otherwise or is in the lawful custody of the police:

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

53. Preparation of ballot boxes for the poll:-(1) Immediately before the commencement of the poll, the presiding officer shall demonstrate to the polling agents that the ballot box shall be empty and shall bear the labels referred to in sub-rule (7).

(2)The ballot box shall then be closed, sealed and secured and placed in full view of the presiding officer and the polling agents.

(3)Where a paper seal is used for securing a ballot box, the presiding officer shall affix his own signature on the paper seal and obtain thereon the signatures of such of the polling agents present as are desirous of affixing the same.

(4)The presiding officer shall there after fix the paper seal so signed in the space meant there for in the ballot box and shall then secure and seal the box in such manner that the slit for the insertion of ballot paper there into remains open.

(5)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 seal.

(6)Where it is not necessary to use paper seals for securing the ballot boxes, the presiding officer shall secure and seal the ballot boxes 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.

(7)Every ballot box used at a polling station shall bear labels, both inside and outside, marked with the following details, namely:-

(i)the serial number, if any, and the name of the ward;

(ii)the serial number and name of the polling station;

(iii)the serial number of the ballot box (to be filled in at the end of the poll on the label outside the ballot box only); and

(iv)the date of poll.

54. Marked copy of the electoral roll:-Immediately before the commencement of the poll the presiding officer shall allow the polling agents and others present to inspect the marked copy of the electoral roll which shall be supplied by the Returning officer and be used during the poll.

55. 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 two rupees in cash with the presiding officer for each such challenge.

(2)on such deposit being made, the presiding officer shall,-

(i)warn the person challenged of the penalty for personation;

(ii)read the relevant entry in the electoral roll in full and ask him whether he is the person referred to in that entry;

Form- 17; and

(iv)require him to affix his signature or left thumb impression in the said list.

(3)The presiding officer shall thereafter hold a summary enquiry into the challenge and for that purpose may,-

(i)require the challenger to adduce evidence in proof of the challenge and the person challenged to adduce evidence in proof of his identity;

(ii)put to the person challenged any question for the purpose of establishing his identity and require him to answer the officer on oath; and

(iii)administer the oath to the person challenged and any other person offering to give evidence.

(4)If after the inquiry the presiding officer considers that the challenge has not been established, he shall allow the person challenged to vote and if he considers that the challenge has been established, he shall debar the person challenged from voting.

(5)If the presiding officer is of the opinion that the challenge is frivolous or has not been made in good faith, he shall direct that the deposit made under sub-rule (1) be forfeited to the Government and in any other case he shall return it to the challenger at the conclusion of the inquiry.

56. 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 left forefinger to be inspected by the presiding officer or polling officer and an indelible ink mark to be put on it as far as possible just below the root of the nail so that the ink also spreads on the ridge between the skin and the root of the nail.

(2)If any elector refuses to allow his left forefinger to be inspected or marked in accordance with sub-rule (1) or has already such a mark on his left forefinger or does any act with a view to remove the ink mark, he 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 left forefinger missing be construed as a reference to any other finger of their left hand and shall in the case where all the fingers of his left hand are missing be construed as reference to the forefinger or any other finger of his right hand and in the case where all their fingers of both the hands are missing shall be construed as a reference to such extremity of his left or right arm as he possesses.

57. 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 marks as the State Election 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,-

(a)record on its counterfoil, the electoral roll number of the elector as entered in the marked copy of the electoral roll;

(b) obtain the signature or thumb impression of the elector on the said counterfoil; and
(c)mark the name of the elector in the marked copy of the electoral roll to indicate that a ballot paper has been issued to him, without, however, recording therein the serial number of the ballot paper issued to that elector.

Provided that, no ballot paper shall be delivered to an elector unless he has signed or has put thumb impression on the counterfoil of that ballot paper.

(3) It shall not be necessary for any presiding officer or any polling officer or any other officer to attest the thumb impression of the elector on the counterfoil.

(4)No person in the polling station shall note down the serial numbers of the ballot papers issued to particular electors.

58. 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 rule 57 or under any other provision of 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;

(i)proceed to one of the voting compartments;

(ii)there make a mark on the ballot paper with instrument supplied for the purpose on or near the symbol of the candidate for whom he intends to vote;

(iii)fold the ballot paper so as to conceal their vote;

(iv)if required show to the presiding officer the distinguishing mark on the ballot paper;

(v)insert the folded ballot paper into the ballot box; and

(vi)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 any elector to whom a ballot paper has been issued, refuses, after warning given by the presiding officer, to observe the procedure as laid down, in sub-rule (2), the ballot paper issued to him shall, whether he has recorded his vote thereon or not, be taken back from him by the presiding officer or a polling officer under the direction of the presiding officer.

(6)After the ballot paper has been taken back, the presiding officer shall record on its back the words “cancelled; voting procedure violated” and put his signature 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, the vote, if any, recorded on such ballot paper shall not be counted.

59. Recording 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 a companion of not less than eighteen years of age to the voting compartment for recording the vote on the ballot paper on his behalf and in accordance with his wish 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 a t as the companion of an elector on any

day under this rule the person shall be required to declare that he shall keep secret, the vote recorded by him on behalf of the elector and that he has not already acted as the companion of any other elector at any polling station on that day.

Form-18 of all cases under this rule.

60. Tendered votes:-(1) If a person representing himself to be a particular elector applies for a ballot paper after another person has already voted as such elector, he shall, on satisfactorily answering such questions relating to his identity as the presiding officer may ask, be entitled, subject to the provisions of this rule, to mark a ballot paper (hereinafter in these rules referred to as a "tendered ballot paper") in the manner as any other elector.

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

Form-19.

(3)A tendered ballot paper shall be the same as the other ballot papers 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 station; 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 own hand and signed by him.

(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.

61. Closing of the poll:- (1) The presiding officer shall close the polling station at the hour fixed in that behalf and shall not thereafter admit any elector into the polling station.

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

(2)If any question arises whether an elector was present at the polling station before it was closed, it shall be decided by the presiding officer and his decision shall be final.

62. Sealing of ballot boxes after the 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 shall seal up the slit and also allow any polling agent to affix his seal.

(2)The ballot box shall thereafter be sealed and secured.

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

63. Account of ballot papers:-(1) The presiding officer shall, at the close of the poll, prepare a ballot paper account in

Form-20 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 there for and shall also attest it as a true copy.

64. Spoilt and returned ballot papers:-(1) An elector who has inadvertently dealt with his ballot paper in such manner that it cannot be conveniently used as a ballot paper may, on returning it

to the presiding officer and on satisfying him of the inadvertence be given another ballot paper and the ballot paper so returned and the counterfoil of such ballot paper shall be marked “Spoilt: Cancelled” by the presiding officer.

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

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

65. Sealing of other packets:-(1) The presiding officer shall then make into separate packet,-

(a)the marked copy of the electoral roll;

(b)the counterfoils of the used ballot papers;

(c)the ballot paper signed in full by the presiding officer 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 58; (f)any other cancelled ballot papers;

(g)the cover containing the tendered ballot papers and the list in

Form-19;

(h)the list of challenged votes; and

(i)any other papers directed by the State Election Commission to be kept in a sealed packet.

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

66. Transmission of ballot boxes, etc. to the Returning officer:- (1) The presiding officer shall then deliver or cause to be delivered to the Returning officer at such place as the Returning officer may direct,-

(a)the ballot boxes;

(b)the ballot paper account;

(c)the sealed packets referred to in rule 65; and

(d)all other papers used at the poll

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

67. Appointment of counting agent:-(1) A contesting candidate or his election agent may appoint not more than one counting agent in respect of each counting table at the place or at each of the place fixed for counting, to be present as his agent at the time of counting of votes of the ward in which he is a candidate.

(2)Every such appointment shall be made in Form-21 and a copy there of shall be forwarded to the Returning officer, another copy 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 of votes.

(3)No counting agent shall be admitted into the place fixed for counting unless he has delivered to the Returning officer, the second copy of his appointment under sub-rule (2), after duly completing and signing the declaration contained therein and receiving from the Returning officer an authority for entry into the place fixed for counting.

(4)The revocation of an appointment of a counting agent shall be made in

Form-22 lodged with the Returning officer.

(5)In the event of any such revocation before the commencement of the counting of votes, the candidate or his election agent may make a fresh appointment in accordance with sub-rule (2).

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

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

69. Admission to the place fixed for counting:-(1) The Returning officer shall exclude, from the place fixed for counting of votes, all persons except,-

(a)such persons to be known as counting supervisors and counting assistants, appointed to assist in the counting;

(b)persons authorized by the State Election Commission;

(c)public servants on duty in connection with the election; and

(d)candidates, their election agents and counting agents.

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

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

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

70. Maintenance of secrecy of voting:-The Returning officer shall, before the commencement of the counting read out the provisions of section 32 to such persons as may be present.

71. Counting of votes received by post:-(1) The Returning officer shall first deal with postal ballot papers in the manner provided in this rule.

(2)No cover in Form 16-B received by the Returning officer after the expiry of the time fixed in this behalf shall be opened and no vote contained in any such cover shall be counted.

(3)The other covers shall be opened one after another and as each cover is opened, the Returning officer shall first scrutinize the declaration in

Form-16 contained therein.

(4)If the said declaration is not found or has not been duly signed and attested or is otherwise substantially defective or if the serial number of the ballot paper as entered in it differs from the serial number endorsed on the cover in

Form 16-A, that cover shall not be opened and after making an appropriate endorsement thereon, the Returning officer shall reject the ballot paper therein contained.

(5)Each cover so endorsed and the declaration received with it shall be replaced in the cover in

Form 16-B and all such covers in Form 16-B shall be kept in a separate packet which shall be sealed and on which shall be recorded the name of the ward the date of counting and a brief description of its contents.

(6)The returning officer shall then place all the declarations in

Form-16 which he has found to be in order in separate packet which shall be sealed before any cover in Form 17-A is opened and on which shall be recorded the particulars referred to in sub-rule (5).

(7)The covers in

Form 16-A, not already dealt with under the foregoing provisions of this rule shall then be opened one after another and the Returning officer shall scrutinize each ballot paper and decide the validity of the vote recorded thereon.

(8)A postal ballot paper shall be rejected, if,-

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

(ii)no vote is recorded there on;

(iii)votes are given on it in favour of more candidates than the candidates to be elected;

(iv)it is a spurious ballot paper;

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

(vi)it is not returned in the cover sent along with it to the elector by the Returning officer.

(9)A vote recorded on the postal ballot paper shall be rejected if the mark indicating the vote is placed on the ballot paper in such manner as to make it doubtful to which candidate the vote has been given.

(10)A vote recorded on a postal ballot paper shall not be rejected merely on the ground that the mark indicating the vote is indistinct or made more than once, if the intention that the vote shall be for a particular candidate clearly appears from the way the paper is marked.

(11)The Returning officer shall count all the valid votes given by postal ballot in favour of each candidate, record the total thereof in the result sheet in

Form-23 and announce the same.

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

72. Scrutiny and opening of ballot boxes:-(1) The Returning officer shall open or cause to be opened simultaneously the ballot boxes used at more than one polling station of a ward and shall have the total number of ballot papers found in such boxes counted and recorded in part-II of

Form-20.

(2)Discrepancy, if any, between the total number of such ballot papers recorded as aforesaid and the total number of ballot papers issued to voters as shown in item 3 of part-I of

Form-20 minus the number of ballot paper cancelled as shown in item 4 and the number of ballot papers used as tendered ballot papers as shown in item 5 of that part, shall also be recorded in part-II of Form-20.

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

(4)The Returning officer shall satisfy himself that none of the ballot box has been tampered with.

(5)If the Returning officer is satisfied that any ballot box has been tampered with, he shall not count the ballot papers contained in that box and shall follow the procedure laid down in rule 36 in respect of that polling station.

73. Counting of votes:-(1) subject to such general or special directions, if any, as may be given by the State Election Commission in this behalf the ballot papers taken out of all boxes used in a ward shall be mixed together and then arranged in convenient bundles and scrutinized.

(2)The Returning officer shall reject a ballot paper, if,-

(i) it bears any mark or writing by which the elector can be identified;

(ii)it bears no mark at all or to indicate the vote it bears a mark elsewhere than on or near the symbol of the candidate on the face of the ballot paper or if it bears a mark made otherwise than with the instrument supplied for the purpose;

(iii)votes are given on it in favour of more candidates than the candidates to be elected;

(iv)the mark indicating a vote thereon is placed in such manner as to make it doubtful to which candidate vote has been given;

(v) it is a spurious ballot paper;

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

(vii)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

(viii)it does not bear both the mark and the signature which it should have borne under the provisions of the sub-rule (1) of rule 57.

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

Provided further that, a ballot paper shall not be rejected merely on the ground that the mark indicating the vote is indistinct or made more than once, if the intention that the vote shall be for a particular candidate clearly appears from the way the paper is marked.

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

(4)The Returning officer shall endorse on every ballot paper which they reject the word “rejected” and the grounds of rejection in abbreviated from either in their own hand or by means of a rubber stamp and shall initial such endorsement.

(5)All ballot papers rejected under this rule shall be bundled together.

(6)Every ballot paper which is not rejected under this rule shall be counted:

Provided that, no cover containing tendered ballot paper shall be opened and no such ballot paper shall be counted.

(7)After the counting of all ballot papers contained in all the ballot boxes used in a ward has been completed, the Returning officer shall make the entries in a result sheet in

Form-23 and announce the particulars.

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

75. Recount of votes:- (1) After the completion of counting, the Returning officer shall record in the result sheet in

Form-23 the total number of votes polled by each candidate and announce the same.

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

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

(4)Every decision of the Returning officer under sub-rule (3) shall be in writing and contain the reason there for.

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

(i)do the recounting in accordance with the rules applicable for counting;

Form-23 to the extent necessary after such recount; and

(iii)announce the amendments so made by him.

(6)After the total of votes polled by each candidate has been announced under sub-rule (1) or sub-rule (5), the Returning officer shall complete and sign the result sheet in

Form-23 and no application for recount shall be entertained thereafter:

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

76. Sealing of used ballot papers:-The valid ballot papers and the rejected ballot papers shall thereafter be bundled separately and the bundles made in to a separate packet which shall be sealed with the seals of the Returning officer and of such of the candidates, their election agents or counting agents, as may desire to affix their seals thereon and on the packets so sealed shall be recorded the following particulars, namely:-

(i)the name of the ward; and

(ii)the date of counting

77. Declaration of result of election and return of election:-The Returning officer shall, subject to the provisions of section 20, if and so far as they apply to any particular case, then,- (a)declare in

Form-24 the candidate to whom the largest number of valid votes has been given to be elected and send signed copies thereof to the Government, the State Election Commission and the Chief Commissioner; and

(b)complete and certify the returns of election in

Form-25 and send signed copies thereof to the Government, the State Election Commission and the Chief Commissioner.

78. Grant of certificate of election to the returned candidate:- As soon as may be after a candidate is declared, by the Returning officer under the provisions of rules 32 and 77 as elected, the Returning officer shall grant to such candidate a certificate of election in

Form-26 and obtain from the candidate an acknowledgement of its receipt duly signed by him and immediately send the acknowledgement to the Chief Commissioner.

CHAPTER- III

In case of Election by Electronic Voting Machine

79. Design of Electronic Voting Machines:- (1) The provisions of this chapter shall apply wherever electronic voting machine is used in during the conduct of elections.

(2)Every electronic voting machine (hereinafter referred to as the voting machine) shall comprise of two units, a control unit and a balloting unit and shall be of such design as may be approved by the State Election Commission.

80. Preparation of voting machine by the Returning officer:-(1) The balloting unit of the voting machine shall contain such particulars in Kannada language and other languages as the State Election Commission may specify.

(2)The names of the candidates shall be arranged on the balloting unit 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 father's name or residence or in some other manner.

(4)Subject to the foregoing provisions of this rule, the Returning officer shall,-

(a)fix the label, containing the names and symbol of the contesting candidates in the balloting unit and secure that unit with his seal and the seals of such of the contesting candidates or their election agents present as are desirous of affixing the same.

(b)set the number of contesting candidates and close the candidate set section in the control unit and secure it with his seal and seals of such of the contesting candidates or their election agents present as are desirous of affixing the same.

81. Arrangements at the 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 when 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 the electors can record their votes free from observation.

(3)The Returning officer shall provide at each polling station one voting machine and copies of relevant part of the electoral roll and such other election material as may be necessary for taking the poll.

(4)Without prejudice to the provisions of sub-rule (3), the Returning officer may, with the previous approval of the State Election Commission, provide one common voting machine for two or more polling stations located in the same premises.

82. Admission to polling stations:-The provisions specified under rule 41 shall be followed.

83. Preparation of voting machine for poll:-(1) The control unit and balloting unit of every voting machine used at polling station shall bear a label marked with the following details, namely:-

(a)the serial number, if any, and the name of the constituency;

(b)the serial number and name tions as the case may be;

(c)the serial number of the unit; and

(d)the date of poll.

(2)Immediately before the commencement of the poll, the presiding officer shall demonstrate to the polling agents and other persons present that no vote has been already recorded in the voting machine and it bears the paper seal referred to in sub-rule (4).

(3)A paper seal shall be used for securing the control unit of the voting machine and the presiding officer shall affix his own signature on paper seal and obtain thereon the signature of such of the polling agents as are desirous of affixing the same.

(4)The presiding officer shall thereafter fix the paper seal so signed in the space meant there for in the control unit of the voting machine and shall secure and seal the same.

(5)The seal used for securing the control unit shall be fixed in such manner that after the unit has been sealed, it is not possible to press the "result button" without breaking the seal.

(6)The control unit shall be closed and secured and placed in full view of the presiding officer and the polling agents and the balloting unit placed in the voting compartment.

84. Marked copy of the electoral roll:-Immediately before the commencement of the poll, the presiding officer shall demonstrate to the polling agents and others present that the marked copy of the electoral roll to be used during the poll does not contain,-

(a) any entry other than that made in pursuance of rule 47; and

(b) any mark other than the mark made in pursuance of clause (b) of sub rule (2) of rule 49.

85. Facilities for women electors:-The provisions specified under rule 42 shall be applicable.

86. Identification of electors:-(1) The provisions specified under rule 43 shall be followed.

(2)Where the polling station is situated in a ward electors of which have been supplied with identity cards under the provisions of the Registration of Electors Rules, 1960 made under the Representation of People Act, 1950, (Central Act 43 of 1950), the elector shall produce his identity card before the presiding officer or the polling officer authorized by him in this behalf.

87. Facilities for public servants on election duty:- The provisions specified under rule 44 shall be applicable.

88. Challenging the identity:- The provisions specified under rule 55 shall be applicable.

89. Safeguards against personation:- (1) The provisions specified under rule 56 shall be applicable.

(2) If any elector fails or refuses to produce his identity card as required by sub-rule (3) of rule 86 he shall not be allowed to vote.

(3)Where a poll is taken simultaneously in a parliamentary constituency and or assembly constituency and a ward, an elector whose left finger has been marked with indelible ink or who has produced his identity card at one such election, shall not, withstanding anything contained in sub-rule (1) and (2), be permitted to cast his vote for the other election.

90. Procedure for voting by voting machines:-(1) Before permitting an elector to vote, the polling officer shall,-

(a)record the electoral roll number of the elector as entered in the marked copy of the electoral roll in a register of voters in

Form-27.

(b)obtain the signature or the thumb impression of an elector on the said register of voters; and

(c)mark the name of the elector in the marked copy of the electoral roll to indicate that he has been allowed to vote:

Provided that, no elector shall be allowed to vote unless he has put his signature or thumb impression on the register of voters.

(2) Notwithstanding anything contained in sub-rule (1), it shall be necessary for any presiding officer or polling officer or any other officer to attest the thumb impression of the elector on the register of voters.

91. Maintenance of secrecy of voting by electors within the polling station and voting procedure:- (1) Every elector who has been permitted to vote under rule 90 shall maintain secrecy of voting within the polling station and for that purpose observe the voting procedure hereinafter laid down.

(2)Immediately on being permitted to vote the elector shall proceed to the presiding officer or the polling officer in charge of the control unit of the voting machine who shall, by pressing the appropriate button on the control unit, activate the balloting unit for recording of elector's vote.

(3)The elector shall there after forthwith,-

(a) proceed to voting compartment;

(b)record his vote by pressing the button on the balloting unit against the name and symbol of the candidate for whom he intends to vote; and

(c)come out of the voting compartment and leave the polling station.

(4)Every elector shall vote without undue delay.

(5)No elector shall be allowed to enter the voting compartment when another elector is inside it.

(6)If an elector who has been permitted to vote under rule 90 or rule 94 refuses, after warning given by the presiding officer to observe the procedure laid down in sub-rule (3), the presiding officer or the polling officer under the direction of the presiding officer, shall not allow such elector to vote.

(7)Where an elector is not allowed to vote under sub-rule (6), a remark to the effect that voting procedure has been violated shall be made against the elector's name in the register of voters in

Form-27 by the presiding officer under his signature.

92. Recording of votes of blind or infirm or visually challenged electors:-(1) If the presiding officer is satisfied that owing to the blindness or other physical infirmities an elector is unable to recognize the symbol on the balloting unit of the voting machine or unable to record his vote by pressing the appropriate button thereon without assistance, the presiding officer shall permit the elector to take with him a companion, not less than eighteen years of age, to the voting compartment for recording the vote on his behalf and in accordance with his wish:

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 that person shall be required to declare that he shall keep secret the vote

recorded by him on behalf of the elector and that he has not already acted as the companion of any other elector at any other polling station on that day.

93. Elector deciding not to vote:- If an elector, after his electoral roll number has been duly entered in the register of voters in

Form-27 and has put his signature or thumb impression thereon as required under sub-rule (1) of rule 90, decides not to record his vote, a remark to this effect shall be made against the said entry in Form-27 by the presiding officer and the signature or thumb impression of the elector shall be obtained against such remark.

94. Tendered votes:- (1) If a person representing himself to be a particular elector seeks to vote after another person has already voted as such elector, he shall, on satisfactorily answering such questions relating to his identity, as the presiding officer may ask, be instead of being allowed to vote through the balloting unit, supplied with a tendered ballot paper, which shall be of such design, and the particulars of which shall be in Kannada and other languages as the State Election Commission may specify.

(2)Every such elector shall before being supplied with tendered ballot paper write his name against the entry relating to them in

Form 19-A.

(3)Every voter receiving the ballot paper shall forthwith,-

(a)proceed to the voting compartment;

(b)record his vote on the ballot paper by placing a cross mark 'X' with the instrument or article supplied for the purpose on or near the symbol of the candidate for whom he intends to vote;

(c)fold the ballot paper so as to conceal his vote;

(d)show to the presiding officer, if required, the distinguishing mark on the balloting paper;

(e)give it to the presiding officer who shall place it in a cover specially kept for the purpose; and

(f)leave the polling station.

(4)If owing to blindness or physical infirmities, such elector is unable to record his vote without assistance; the presiding officer shall permit him to take with him a companion, subject to the condition and for following the procedure as specified under rule 92, for recording the vote in accordance with his wish.

95. Presiding officer's entry in the voting compartment during poll:-(1) The presiding officer may, whenever he considers it necessary so to do, enter the voting compartment during poll and take such steps as may be necessary to ensure that the balloting unit is not tampered or interfered with in any way.

(2)If the presiding officer has reason to suspect that an elector who has entered the voting compartment is tampering or otherwise interfering with the balloting unit has remained inside the voting compartment for unduly long period, he shall enter the voting compartment and take such steps as may be necessary to ensure the smooth and orderly progress of the poll.

(3)Whenever the presiding officer enters the voting compartment under this rule, he shall permit the polling agents present to accompany them if they so desire.

96. Closing of the poll:-The provisions specified under rule 61 shall be applicable.

97. Account of votes recorded:-(1) The presiding officer shall at the close of the poll prepare an account of votes recorded in

Form 20-A (EVM) and enclose it in a separate cover with the words “Account of Votes Recorded” 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

Form 20-A (EVM) after obtaining receipt from the said polling agent there for and shall attest it as a true copy.

98. Sealing of voting machine after poll:-(1) As soon as practicable after the closing of the poll, the presiding officer shall close the control unit to ensure that no further votes shall be recorded and shall detach the balloting unit from the control unit.

(2)The control unit and the balloting shall thereafter be sealed and secured separately in such manner as the State Election Commission may direct and the seal used for securing them shall be so affixed that it shall not be possible to open the units without breaking the seals.

(3)The polling agents present at the polling station, who desire to affix their seals shall also be permitted to do so.

99. Sealing of other packets:-(1) The presiding officer shall then make into separate packet,-

(a)the marked copy of the electoral roll;

Form 19-A;

(d)the list of challenged votes; and

(e)any other papers directed by the State Election Commission to be kept in a sealed packet.

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

100. Transmission of voting machines, etc. to the Returning officer:-(1) The presiding officer shall then deliver or cause to be delivered to the Returning officer at such place, as the Returning officer may direct,-

(a)the voting machine;

Form 20-A (EVM);

(c)the sealed packets referred under rule 99; and

(d)all other papers used at the poll.

(2)The Returning officer shall make adequate arrangements for the safe transport of the voting machine, packets and other papers for the safe custody until the commencement of the counting of votes.

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101. Procedure on adjournment of poll:-(1) If the poll at any polling station is adjourned under rule 33, provisions of rules 97 to 100 shall, as far as practicable, apply as if the poll was closed at the hour fixed in that behalf under rule 61.

(2)When an adjourned poll is recommended under rule 34, the electors who have already voted at the poll so adjourned shall not be allowed to vote again.

(3)The Returning officer shall provide the presiding officer of the polling station at which such adjourned poll is held, with the sealed packet containing the marked copy of the electoral roll, register of voters in

Form-27 and a new voting machine.

(4)The presiding officer shall open the sealed packet in the presence of the polling agents present and use the marked copy of the electoral roll for marking the names of the electors who are allowed to vote at the adjourned poll.

(5)The provisions of rule 2 and rule 79 to 100 shall apply in relation to the conduct of an adjourned poll before it was so adjourned.

102. Closing of voting machine in case of booth capturing:- Where the presiding officer is of the opinion that booth capturing is taking place at a polling station or at a place fixed for the poll, he shall immediately close the controlling unit of the voting machine to ensure that no further votes may be recorded and shall detach the balloting unit from the control unit.

103. Counting of votes where electronic voting machines are used:-In relation to the counting of votes at a polling station, where voting machine is used the provisions of rule 2 and rule 67 to 70 shall mutatis mutandis apply.

104. Scrutiny and inspection of voting machines:-(1) The Returning officer may have the control units of the voting machines used at more than one polling station, taken up for scrutiny and inspection and votes recorded in such units counted simultaneously.

(2)Before the votes recorded in any control unit of voting machine are counted under sub-rule (1), the candidate or his election agent or counting agent present at the counting table, shall be allowed to inspect the paper seal and such other vital seals as might have been affixed on the unit and to satisfy themselves that the seals are intact.

(3)The Returning officer shall satisfy himself that none of the voting machines has been tampered with.

(4)If the Returning officer is satisfied that any voting machine has been tampered with, he shall not count the votes recorded in that machine and shall follow the procedure laid down in rule 35 or rule 36 as may be applicable, in respect of the polling station, where that machine was used.

105. Counting of votes:- (1)After the Returning officer is satisfied that a voting machine has not been tampered with, he shall have the votes recorded therein counted by pressing the appropriate button marked “Result”, provided in the control unit, whereby the total votes polled and votes polled by each candidate shall be displayed in respect of each such candidate on the display panel provided for the purpose in the unit.

(2)As the votes polled by each candidate are displayed on the control unit, the Returning officer shall have,-

(a)the number of such votes recorded separately in respect of each candidate in Part-II of

Form 20-A (EVM);

(b)Part-II of Form 20-A (EVM) completed in other respects and signed by the counting supervisor and also by the candidates or their election agents or counting agents present; and

(c)corresponding entries made in a result sheet in Form 23- A (EVM) and the particulars so entered in the result sheet announced.

106. Sealing of voting machines:- (1) After the result of voting recorded in a control unit has been ascertained candidate-wise and entered in Part-II of

Form 20-A (EVM) and Form 23-A (EVM), under rule 71(11), 73(7) and 75(1), 75(5), 75(6), the Returning officer shall reseal the unit with his seal and the seals of such of the candidates or their election agents present, who may desire to affix the seals thereon, however that the result of voting recorded in the unit is not obliterated and the unit retains the memory of such result.

(2)The controlling unit so sealed shall be kept in specially prepared boxes on which the Returning officer shall record the following particulars, namely:-

(a)the name of the ward

(b)the particulars of the polling station or stations where the control unit has been used;

(c)serial number of the control unit;

(d)date of poll; and

(e)date of counting.

(3) The provisions of rule 74 to 76 shall, so far as may be, apply in relating to voting by voting machines and any reference in those rules to,-

(a)ballot paper shall be construed as including a reference to such voting machine; and

(b)any rule shall be construed as a reference to the corresponding rule in chapter-II or as the case may be, to rule 104 or 105.

107. Custody of voting machines and papers relating to election:-(1) All voting machines used at an election shall be kept in such custody as the Chief Commissioner or the State Election Commission, may direct.

(2) All voting machines used at an election shall be kept in the custody of the concerned district election officer.

(3)The district election officer shall keep in safe custody,-

(a)the packets of unused postal ballot papers with counter foils attached thereto;

(b)the packets of used postal ballot papers whether valid, tendered or rejected;

(c)the packets of counter foils of used postal ballot papers;

(d)the packets of the marked copy of the electoral roll or as the case may be;

Form-27, including voters slip; and

(f)the packets of the declarations by electors and the attestation of their signatures.

108. Applicability of central rules, statutory orders, etc:- Without prejudice to the foregoing provisions, wherever no specific provisions are made in these rules, the provisions of the Conduct of election Rules, 1961 made under the Representation of the people Act, 1951 and

instructions, statutory orders and clarifications issued by the Election Commissions of India shall mutatis mutandis apply for the cases under these rules.

CHAPTER-IV

109. Filling up of casual vacancies:-The provisions for the election of Councillors shall, mutatis mutandis be applicable for the purpose of filling up casual vacancies of the Councillors. **110. Custody of ballot boxes and papers relating to election:-** (1) All ballot boxes used at an election shall be kept in such custody, as the State Election Commission may direct.

(2)The Returning officer shall keep the following in safe custody, namely:-

(i)the packets of unused ballot papers with counterfoils attached thereto;

(ii)the packets of unused ballot papers whether valid, tendered or rejected;

(iii)packets of counterfoils of used ballot papers;

(iv)the packets of the marked copy of the electoral roll;

(v)the packets of the declaration by voters and the attestation of their signatures; and (vi)all other papers relating to election.

111. Production and inspection of election papers:-(1) While in the custody of the Returning officer,-

(a)the packets of unused ballot papers with counterfoil attached thereto;

(b)the packets of used ballot papers whether valid, tendered or rejected;

(c)packets of counterfoils of used ballot papers;

(d)the packets of the marked copy of the electoral roll; and

(e)the packets of the declaration by voters and the attestation of their signatures.

shall not be opened and their contents shall not be inspected by or produced before, any person or authority except under the orders of a competent court or tribunal.

(2)Subject to such conditions and to the payment of such fee as the State Election Commission may direct,-

(a)all other papers relating to the election shall be open to public inspection; and

(b)copies thereof shall, on application be furnished.

(3)Copies of the returns by the Returning officer forwarded under rule 78 shall be furnished by the Returning officer.

112. Disposal of election papers:-Subject to any directions to the contrary, given by the State Election Commission or by a competent court or tribunal,-

(a)the packets of unused ballot papers shall be retained for a period of six months and shall thereafter be destroyed in such manner as the State Election Commission may direct; and

(b)the other packets, referred to in sub-rule (1) of rule 110 shall be retained for a period of one year and shall thereafter be destroyed:

Provided that, packets containing the counterfoils of used ballot papers shall not be destroyed except with the previous approval of the State Election Commission.

(c)all other papers relating to the election shall be retained for such period as the State Election Commission may direct.

113. Return or forfeiture of candidate's deposit:- (1)The deposit made under rule 12 shall, either be returned to the person making it or his legal representative or be forfeited to the Corporation.

(2)Except in cases mentioned in this rule the deposit shall be returned as soon as practicable, after the result of the election is declared.

(3)If the candidate is not shown in the list of contesting candidates or if he dies before the commencement of the poll, the deposit shall be returned as soon as practicable, after the publication of the list or after the death, as the case may be.

(4)Subject to the provisions of sub-rule (3), the deposit shall be forfeited if, at an election where a poll has been taken, the candidate is not elected and the number of valid votes polled by him does not exceed one-sixth of total number of valid votes polled by all the candidates divided by the number of members to be elected.

Provided that, in the case of a candidate belonging to backward classes, scheduled castes, scheduled tribes or women, the deposit shall not be forfeited unless the number of valid votes polled by him is less than one-sixteenth of the total number of valid votes polled.

(5)Notwithstanding anything contained in sub-rules (2), (3) and (4), if a candidate is contesting in more than one ward, not more than one of the deposits shall be returned and the others shall be forfeited.

114. Punishment for contravention of rules:- Any person who contravenes any of these rules shall, on conviction be punished with fine which may extend to five hundred rupees.

115. Report of casual vacancy in a Corporation:- When a casual vacancy occurs in the office of a Councillor, the Chief Commissioner shall give notice of such vacancy within seven days from the date of its occurrence, to the State Election Commission. The State Election Commission shall thereupon take action in the manner provided in these rules for the election of a Councillor in such vacancy.

CHAPTER –V

116. Manner of serving the order of requisition of premises, vehicles etc:- An order of requisition under section 48 shall be served,-

(a)where the person to whom such order is addressed is a corporation or firm, in the manner provided for the service of summons in rule 2 of Order XXIX or rule 3 of Order XXX, as the case may be, in the First schedule to the Code of Civil Procedure, 1908 (Act V of 1908); and

(b)where the person to whom such order is addressed is an individual,-

(i)personally by delivering or tendering the order;

(ii)by registered post; or

(iii)if the person cannot be found, by leaving an authentic copy of the order with any adult member of his family or by affixing such copy to some conspicuous part of the premises in which he is known to have last resided or carried on business or personally worked for gain.

117. Presiding officer for election of Mayor, Deputy Mayor and members of the Standing Committees:- The Regional Commissioner of the respective division shall be the presiding officer, in the first meeting of the corporation held after the general election and in every subsequent meeting, held for the purpose of election of Mayor, Deputy Mayor and members of the Standing Committees.

118. Filing of nominations:- Not less than two hours before the time fixed for the meeting for the election of Mayor, any Councillor may nominate another Councillor referred to in clause (a) sub-section (1) of section 3, for being elected as Mayor, be delivering to the presiding officer a nomination paper.

119. Councillors to nominate not more than one candidate:- No Councillor shall nominate, under rule 118, more than one candidate for the office of the Mayor:

Provided that, if a Councillor nominates more than one candidate for the office of the Mayor, the nomination which is received first by the presiding officer shall be considered for scrutiny.

120. Scrutiny of nominations:- After the commencement of the meeting, the presiding officer shall scrutinize all the nomination papers delivered to him under section 17 of the Act and shall read out to the Councillors present at such meeting, the names of the Councillors who in their opinion have been duly nominated together with those of the proposers.

121. Withdrawal of candidature:- (1)Any candidate may withdraw his candidature by notice in writing subscribed by them and delivered to the presiding officer, immediately after the scrutiny of nomination papers under rule 120.

(2) The notice may be given either by the candidate in person or by his proposer who is authorised in this behalf in writing, by the candidate.

(3) No person who has given a notice of withdrawal of his candidature under sub-rule (1) shall be allowed to cancel the notice of withdrawal.

(4) The presiding officer shall, on being satisfied as to the genuineness of the notice of withdrawal and the identity of the person delivering it under sub-rule (2), read out to the Councillors present at such meeting, the names of the persons withdrawing their candidature.

122. Procedure in contested and uncontested elections:- (1) After the time fixed for withdrawal is over, if there is only one candidate who has been validly nominated and had not withdrawn his candidature in the manner and within the time specified, the presiding officer shall forthwith declare such candidate to be duly elected as Mayor.

(2) If the number of candidates who have been validly nominated and who have not withdrawn their candidature is more than one, then the presiding officer shall proceed to conduct the election as hereinafter provided.

(3) Votes shall be taken by show of hands and the Councillors voting for and against any candidate shall record their votes in the proceedings register, by signing it or affixing the left hand thumb impression at the appropriate column.

(4) Any member present at the meeting may refrain from voting, if he so chooses.

(5) After voting by all the Councillors, present and wishing to vote, the presiding officer shall declare that the candidate to whom the highest number of valid votes have been given, has been duly elected.

(6) When an equality of valid votes is found to exist between any two or more candidates and the addition of one vote shall entitle any of those candidates to be declared as elected, the presiding officer shall forthwith decide between those candidates by lot, in such manner as he may determine and proceed as if the candidate on whom the lot falls has received an additional vote. He shall

thereafter declare the candidate on whom the lot falls to have been duly elected.

(7) The presiding officer shall cause a record of the minutes of the meeting which shall contain the names of all the Councillors present and in the case of a division, the manner of their voting, including abstentions. The minutes shall be signed by the presiding officer and the Councillors present. The minutes shall be made available to any Councillor for inspection.

Explanation: For the purpose of this rule "Councillor present" means Councillor present at the meeting and whose name has been recorded before declaring a Councillor duly elected under this rule or before commencement of the meeting, after withdrawal of candidature under sub-rule (4) of rule 121 for the office of Mayor.

123. Election of deputy mayor:- (1) After the election of the Mayor the presiding officer shall proceed to conduct the election of the Deputy Mayor.

(2) The provisions of the rules applicable to election of the Mayor in this chapter shall mutatis mutandis apply to the election of Deputy Mayor.

124. Reservation of offices of Mayor and Deputy Mayor:- (1)The reservation of the offices of Mayor and Deputy Mayor in the Corporation shall be published by the Government from time to time.

(2) The offices of Mayor and Deputy Mayor reserved for scheduled caste and scheduled tribe in the State shall be allotted by the Government to the Corporation having the highest percentage of population belonging to the scheduled caste and scheduled tribe with reference to the total population of the city:

Provided that, both the offices of the Mayor and the Deputy Mayor in the Corporation shall not be allotted in favour of the category of scheduled castes only.

(3) The offices of the Mayor and the Deputy Mayor of the Corporation, reserved for backward classes and those of unreserved category shall be allotted by the Government to Corporation, taking into consideration such factors as the Government may deem fit.

(4) The offices of the Mayor and the Deputy Mayor reserved for women in each category referred to in sub-section (1) shall be allotted by the Government as it may deem fit:

Provided that, both the offices of the Mayor and the Deputy Mayor of the Corporation may not be reserved for women.

(5) The offices of the Mayor and the Deputy Mayor in the city corporations of the State to scheduled caste or scheduled tribes, women and backward classes for the subsequent terms, be determined by the Government from time to time into consideration such factors as it may deem fit:

Provided that, if the reservation worked out to any category is less than 0.5 percent then no office of the Mayor and the Deputy Mayor be reserved to such category.

125. Election of members to the Standing Committee:- After the election of the Deputy Mayor the presiding officer shall proceed to conduct the election of the members of the Standing Committees in accordance with section 114.

126. Election of chairman to the Standing Committees:- (1) The members of a Standing Committee shall, at its first meeting elect one of its members as chairman.

(2)The Mayor, who is an ex-officio member of the Standing Committees, shall preside over the meeting of the standing committees for the purpose of electing the chairman.

127. Record of proceedings:- Immediately after the meeting the presiding officer shall,-

(a) prepare a record of the proceedings of the meeting and attest with his initials every correction made therein. He may permit any Councillor present at the meeting to affix his signature to such record if he expresses to do so; and

(b) forward the name of the person elected as the Mayor and the Deputy Mayor, to the Corporation for publication in the official Gazette.

CHAPTER–VI

128. Election petition:- (1) No election of the Mayor, Deputy Mayor, members and the Chairman of the Standing Committees shall be called in question, except by an election petition before the District Judge having jurisdiction over the local limits of the Corporation, presented by any candidate in such election, on one or more grounds specified in rule 130 and 131. The Election petition under this rule shall be accompanied by a deposit of two hundred rupees as security for costs.

(2)Every petition under sub-rule (1), shall be accompanied by as many copies as there as respondents mentioned in the petition and every such copy shall be attested by the petitioner under his signature to be a true copy of the petition.

(3) The petitioner shall join as respondents, to his petition, where the petitioner in addition to claiming a declaration that the election of the returned candidate is void, claims a further declaration that he himself or any other candidate has been duly elected, all the contesting candidates other than the petitioner and where no such further declaration is claimed, the returned candidate.

(4)(i) A petition under sub-rule (1) shall,-

(a) contain a concise statement of materials on which the petitioner relies; and

(b) shall be signed by the petitioner as verified in the manner laid down in the Code of Civil Procedure 1908 (Central Act 5 of 1908) for the verification of pleadings.

(ii) Any schedule or annexure to the petition shall be signed by the petitioner and verified in the same manner as the petition.

(5)The petitioner may claim any of the following declarations, namely:-

(a)that the election of the returned candidate is void; or

(b)that the election of the returned candidate is void and he himself or any other candidate has been duly elected.

129. Procedure:- The district judge may, after such inquiry as he deemed fit and after giving an opportunity to be heard to the parties to the proceedings, make an order,-

(a)dismissing the petition;

(b)declaring the election of the returned candidate to be void; or

(c)declaring the election of the returned candidate to be void and the petitioner or any other candidate to have been duly elected.

130. Grounds for declaring the election of the returned candidate to be void:- If the district judge is of the opinion,-

(a)that the result of the election has been materially affected,-

(i)by the improper reception or refusal of a vote; or

(ii)by non-compliance with the provision of the Act or rules;

(b)that the nomination of any rejected or that the nomination of the

successful candidate or of any other candidate who has not withdrawn his candidature has been wrongly accepted;

then the district Judge shall declare the election of the returned candidate to be void.

131. Grounds on which the candidate other than the returned candidate may be declared to have been elected:- If any candidate who has presented the election petition has, in addition to calling in question the election of the returned candidate, claims declaration that he himself or any other candidate has been duly elected and the district judge shall, after declaring the election of the returned candidate to be void, declare the petitioner or such other candidate, as the case may be to have been duly elected:

Provided that, the petitioner or such other candidate shall not be declared to be duly elected, if it is proved that the election of such candidate would have been void, if he had been the returned candidate and a petition had been presented calling in question his election.

The prescribed Forms 1 to 27 are appended to this Notification.

By Order and in the name
the Governor of Karnataka

(R.MANJUNATHA)
Under Secretary to Government,
Urban Development Department(BBMP-2).

Form-1

(see sub-rule (1) of rule 10)

NOTIFICATION

No. Date: …….

Whereas elections are to be held:

(1)To fill the seats of the elected Councillors of the Corporation of the City of ……..… established under the provisions of the Bruhat Bengaluru Mahanagara Palike Act 2020, from the various wards of the said corporation, details of which are mentioned in the Annex to this Notification.,

(2)To fill the vacancy caused by * the death of / resignation of/ election of …….. having been declared void seat of ……..……# ward having become/ having been declared vacant.

Now therefore in pursuance of rule 10 of the Bruhat Bengaluru Mahanagara Palike (Election) Rules, 2021, I …… Chief Commissioner …… Corporation…….…… District hereby fixes the following calendar of events in respect of the said elections.

a.	Last date for making nominations	…… date and day
b.	The date for the scrutiny of nominations	…… date and day
c.	The last date for withdrawal of Candidatures	…… date and day
d.	The date on which a poll shall if necessary be taken	…… date and day
e.	The date before which the election shall be Completed	…… date and day

Chief Commissioner

*** Score out the clause not applicable**

 # Appropriate particulars of the election to be inserted here.

Annex to Form 1

Sl. No.	Name of the ward	Category or Reservation
1	2	3

1. 2. 3. 4. 5. 6.		

Chief Commissioner/
Deputy Commissioner

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Form-1A

(see sub-rule (3) of rule 10)

Notice of Election

Notice is hereby given that :

1.An election will be held to elect a Councillor to …… *Corporation from …… * ward reserved for Backward Class A/B**/Scheduled Caste/ Scheduled Tribe and Woman.

2.Forms of nomination paper may be obtained at the office of the Returning officer between 11 AM to 3 PM. On any day other than a public holiday from……..... (date) to ……(date).

3.Nomination papers may be delivered by a candidate or their proposer to the Returning officer between 11 AM to 3 AM. On any day other than a public holiday not later than the …… date.

4.The nomination papers will be taken up for scrutiny at …… (time) on…… (date)at ……(place).

5.Notice of withdrawal of candidature may be delivered by a candidate/ his proposer of their Election Agent to the returning officer at their office before 3:00 P.M on the …….. (date)

6.In the event of the election being contested the poll will be taken on …… (date) between the hours …… And …….....

Place : ……

Date : …….

Returning Officer

* **Appropriate particulars of the election to be inserted here. ****
Strike off the inappropriate alternative

Form-2

(see sub-rule (1) of rule 12)

Nomination paper

Election of Councillors to the Corporation of the city of …….…… from ……. ward.

We/I *nominate Sri/Smt …….. as a candidate for election of

Councillors to the Corporation of the city ……. From ……....., ward, reserved for Backward Class (A) or (B)/ Scheduled Caste/ Scheduled Tribe/ Woman.

Candidate's Name: Sri/Smt ……..

His/ Her father's / husband's name : ……

Postal Address: ……..

His/ her name is entered at Sl.no …… in part No……. of the :

electoral roll for ……. ward.

Affix Passport size photo of Candidate here

Our names are entered in the electoral roll as mentioned here under:

Sl. No.	Name of proposer	Age	Ward No. Part No/ Sl. No (as entered in electoral Roll)	Signature	Passport Size Photograph
1					
2					
3					
4					
5					
6					

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*** No. of proposers required for contesting the election is:**

Sl. No.	Urban Local Body	No. of proposers required to contest	
		As recognized party candidate	As an independent candidate
1	Municipal Corporation	ONE	SIX

(To be filled by the candidate)

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

(a) That I have completed ……..years of age.

(b) That I am a Woman.

(c) That I am member of ……. Class/ Caste/ Tribe which is Backward Class(A) of

(B) ** Scheduled Caste/Scheduled Tribe of the State of Karnataka. A copy of the Backward Class (A)/(B)/Scheduled Caste/Scheduled Tribe Certificate issued in my favour by the competent authority is enclosed.

+ (d) That I am set up at this election by …….. recognized /registered party.

(e) That the symbols I have chosen in the order of preference are

(i) ……. (ii) ……. and (iii) …….

Date : ……..

Signature of the Candidate (To be filled by Returning Officer)

Sl.No. of nomination paper ……..

This nomination was delivered to me at my office at …… (hour) on ……..
(date) by the Candidate/ Proposer Sri/Smt. ……. (Name).

Date : …….. Returning Officer

* **Score out the alternative not applicable.**

** **Strike off the inappropriate alternative**

+ **Score out the clause if not applicable**

Decision of the Returning Officer accepting or rejecting the Nomination paper.

I have examined this nomination paper in accordance with Rule 12 of the Bruhat Bengaluru Mahanagara Palike(Election) Rules, 2021 and decide as follows.

Date : …… Returning Officer

……..…….... Perforation ……

Receipt for nomination paper and notice of scrutiny

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

Serial number of the Nomination paper …….

The nomination paper of ……. a candidate for election from …….. *ward to the corporation of the City of …… was delivered to me at my office at ……... (hours) on …… (date) by the candidate/ proposer** Sri/Smt. ……

All nomination papers will be taken up for scrutiny at …… (hour) on …… (date) at …… (place).

Date : …….. Returning Officer

* **Appropriate particulars of the Election to be inserted here.**

** **Strike off the inappropriate alternative**

Form-3

(see rule 14)

Notice of Nomination

Election of Councillors to corporation of City of …… from…… *ward reserved for Backward Class (A) or (B)**/ Scheduled Caste/ Scheduled Tribe/ Woman.

Notice is hereby given that the following nominations in respect of the above election have been received up to 3:00 P.M today.

Sl .No	No. of Nomination Papers	Name of the Candidate	Name of the father/ husband	Age of Candiate	Address	Party/ Independent	Particulars of Backward class(A)(B)**/ SC/ST in respect of candidates belonging to BC(A) or (B)/ SC/ST	Part No. of the Electoral roll and Sl. No. of Candidate	Name & Part no. of the Electoral Roll and Sl. No. of the proposer of the candidate
1	2	3	4	5	6	7	8	9	10

Date : …….. Returning Officer

Place: …….

*** Appropriate particulars of the Election to be inserted here. ****
Strike off the inappropriate alternative

Form-4

(see sub-rule (7) of rule 15)

List of validly nominated candidates

Election of Councillors to the Corporation of the city of …… from …… *ward Reserved for Backward Class (A) or (B)**/ Scheduled Caste/ Scheduled Tribe/ Woman.

Sl No.	Name of the Candidate	Name of the father/ husband	Address of the candidate

Place : ……

Date : …….. Returning Officer

* **Appropriate particulars of the election to be inserted here. ** Strike off the inappropriate alternative**

Form-5

(see sub-rule (1) of rule 16)

Notice of Withdrawal

Election of Councillor to the Corporation of the City of …… from the …….
*ward reserved for Backward Class (A) or (B)**/ Scheduled Caste/ Scheduled Tribe/ Woman.

To :

The Returning Officer,

……..

……..

……..

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

Place : ……

Date : …….. Signature of the Candidate

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 the ……. *ward was delivered to me by the +……. at my office ……. (hour) on …….(date).

Place : ……

Date : …….. Returning Officer *

Appropriate particulars of the election to be inserted here.

** **Strike off the inappropriate alternative**

+ **Here insert one of the following alternatives as may be appropriate**

(1)Candidate

(2)Candidate's proposer who has been authorized in writing 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 sub-rule (4) of rule 16)

Notice of withdrawal of Candidature

Election of the Councillors to the Corporation of the City of ……. from the …….. *ward reserved for Backward Class (A) or (B)**/ Scheduled Caste/ Scheduled Tribe/ Woman.

Notice is hereby given that the following candidate/ candidates at the above election withdrew his/ her candidature/ their candidatures ** today :

Sl. No.	Name of the Candidate	Address of the Candidate	Remarks
1	2	3	4
1. 2. 3. 4.			

Place : ……

Date : ……..

Returning Officer

* **Appropriate particulars of the election to be inserted here. ****
Strike off the inappropriate alternative

Form-7

(see sub-rule (6) of rule 17)

List of Contesting Candidates

Election of the Councillors to the Corporation of the City of …… from …….. *ward reserved for Backward Class (A) or (B)**/ Scheduled Caste/ Scheduled Tribe/ Woman.

Sl. No.	Name of the Candidate	Address of the Candidate	Symbol allotted
1	2	3	4
1. 2. 3. 4. 5.			

Place : ……

Date : …….. Signature of Returning Officer

* **Appropriate particulars of the election to be inserted here. ****

Strike off the inappropriate alternative

Form-8

(see sub-rule (1) of rule 23)

Appointment of Election Agent

Election of Councillors to the Corporation of the City of …… from the …….. *ward.

To :

The Returning Officer,

……..

……..

……..

I, ……. a Candidate at the above election do hereby appoint Sri …….. (Name and Address) as my election agent from this day at the above election.

Place : ……

Date : …….. Signature of Candidate

I accept the above appointment

Place : ……

Date : …….. Signature of Election Agent

* **Appropriate particulars of the election to be inserted here.**

Form-9

(see sub-rule (2) of rule 23)

Revocation of Appointment of Election Agent

Election of Councillors to the Corporation of the City of …… from the …….. *ward.

To :

The Returning Officer,

……..

……..

……..

I, ……. a Candidate at the above election do hereby revoke the appointment of **……..,** my election agent.

Place : ……

Date : …….. Signature of Candidate

* **Appropriate particulars of the election to be inserted here.**

Form-10

(see sub-rule (2) of rule 24)

Appointment of Polling Agent*

Election of Councillors to the Corporation of the City of …… from the …….. **ward.

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) ……. Fixed for poll at (time) ……..

Place : ……

Date : …….. Signature of Candidate /*** Election Agent

I agree to act as Polling Agent.

Place : ……

Date : ……..

Signature of Polling Agent

Declaration of Polling Agent to be signed before the Presiding Officer.

I hereby declare that at the above election, I will not do anything forbidden by section 32 of the Bruhat Bengaluru Mahanagara Palike Act, 2020which I have read/ has been read over to me.

Signature of Polling Agent

Signed before me

Presiding Officer

Date : ……

*** To be handed over to production at the polling station or at the place fixed for the poll.**

****Appropriate particulars of the election to be inserted here.**

*****Score off inappropriate alternative.**

Section 32 of the Bruhat Bengaluru Mahanagara Palike Act, 2020

"Maintenance of secrecy of voting:

(1) Every officer, agent or other person who performs any duty in connection with the recording or counting of votes at an election under this Act 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 provision 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-11

(see sub-rule (4) of rule 24)

Revocation of Appointment of Polling Agent

Election of Councillors to the Corporation of the City of …… from the …….. *ward.

To :

The Returning Officer,

……..

……..

……..

I, ……. a Candidate/ **Election Agent of …… at the above election hereby revoke the appointment of Polling Agent ……..….. at the Polling Station No …….. at……(Place)

Place : ……

Date : ……..

Signature of Candidate /
Election Agent

* **Appropriate particulars of the election to be inserted.**

** **Score off the inappropriate alternative**

Form-11A

(see sub-rule (1) of rule 27)

Particulars of account of election expenses

PART - 1

1	Name of the Candidate and address	:	
2	Ward Number and Name of the Ward	:	
3	Name of Corporation	:	
4	Details of Election	:	General/Bye Election
5	Date of announcement of Election	:	
6	Name of the Election Agent and address	:	
7	Whether you belong to a political party	:	Yes/No
8	If yes, name of the political party	:	
9	Whether the political party is a recognised political party	:	
10	If recognised, whether it is a national/state party	:	National Party/State Party
11	Whether your political party is meeting your election expenses officially?	:	Yes/No
12	Whether any other Society/ Individual is meeting your election expenses?	:	Yes/No
	If yes name and complete address of the same	(1)	
		(2)	
		(3)	
		(4)	

PART - 2

REGISTER OF DAILY EXPENSES

1. Name of the Candidate and address:
2. Name of the political party if he/she belongs to:
3. Name of the ward where he/she is contesting
4. Name of the Corporation
5. Date of election of result:
6. Name of the election agent and address:

DETAILS OF DAILY EXPENSES

Date of expenditure	Item of expenditure	Name and address of individual/political party/organization/ society	Amount	Name and address of receiver of amount	Voucher number where amounts are paid	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)

Instructions:

(1)This register should be entered every day and the same should be produced to any officer for inspection authorised by the State Election Commission at any time.

(2)Extract of entries of these registers after the election should be submitted along with an affidavit to the returning officer within thirty days from the date of announcement of the result.

(3)Vouchers should be prescribed under sub rule (2), (3) and (4) of Rule 27 shall be produced without fail.

(4)Details of expenses shall be signed by the candidate themselves.

(5)It is not necessary to include the details of travel expenses made by the leaders of political parties campaigning for the candidate as the same cannot be construed as expenditure of the candidate.

(6)Apart from details of expenditure incurred by the candidate themselves or by their election agent, the details of expenditure by any individual/society/organisation for the election of the candidate shall be provided in the register.

PART - 3

Abstract statement of expenditure by the candidate, his or her election agent, political party, organisation, society and individuals on the candidate for election purposes

Details of expenditure	Particulars of individual/s/political party/society/organisation			Total expenditure incurred
	Candidate and his/her election agent	Political party which has recognised the candidate	Other society/organisations and individual/s	
(1)	(2)	(3)	(4)	(5)
	Rs.	Rs.	Rs.	Rs.

Sl No	Items of expenditure	Amount
1	Public functions, processions etc.	
2	Pamphlets, Posters, banners, video and audio casettes, loudspeakers and other campaign materials	
3	Electronic/print media (including cable network)	

4	Vehicles used and expenses of fuel on these vehicles	
5	Erection of Gates, gantries, cut outs, archs and banners for election campaign.	
6	Programme of visit of leaders	
7	Programme of visit of other office bearers	
8	Other expenditure	
Total Expenditure		

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Details of financial assistance received

Sl. No.	Particulars	Amount received
1.	Political party	
2	Other society/organisation (name and address to be provided)	
3.	Other individuals (name and address to be provided	

PART - 4

Details of expenditure on vehicles used

(Details of expenditure on vehicles used for campaigning should be given. This should include details of vehicles used by political party, other societies/organisations/individuals (excluding star campaigners of political parties)

Vehicle No.	Type of vehicle	Dates of use	Expenses on fuel, maintenance, hire charges /drivers salary		
			Candidate/ Election agent	Political Party	Other societies/organisation
(1)	(2)	(3)	(4)	(5)	(6)

Total (column 4 + 5 + 6) Rs.					

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PART - 5

Details of expenditure on public meetings

Date of meeting	Place of meeting	Authority which has granted permission to the meeting	Hire charges for erection of pendal and furniture	Hire charges for public announcement system	Other expenditure	Total
(1)	(2)	(3)	(4)	(5)	(6)	(7)

Parts of amount shown in column (7)		
Candidate/Election Agent	Political Party	Other societies /organisation/ individuals
(8)	(9)	(10)
Total of columns (8 + 9 + 10)		
(11)		

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PART - 6

Details of expenditure of travel by leaders of political parties

		Details of arrival	Details of stay

	leader	Date of arrival in ward	Mode of travel	Travel expenditure paid (if known)	Period of stay in ward	Expenditure for local movements
(1)	(2)	(3)	(4)	(5)	(6)	(7)
Total expenditure:						

DECLARATION OF CANDIDATE

Details of statements made in Part 1 to Part 6 are true to the best of my knowledge and belief.

CANDIDATE

Note : Any incomplete or false information furnished or any information is suppressed by the candidate will attract penalty under Indian Penal Code.

DECLARED BEFORE ME ON.....

RETURNING OFFICER

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Form-11B

(see sub-rule (5) of rule 27)

Format of Declaration

FORMAT OF AFFIDAVIT

While lodging expenditure statement by the candidate,

Sworn before the Returning Officer, ... Ward, ...

I, Sri/Smt..... bin ..... aged..... years residing at ..... do hereby solemnly affirm and state on oath as follows:

I submit that after going through the records, I have acquainted myself with the facts of the case.

1.I am a candidate contesting for election to .....ward of ..... and results of election is declared on .....

2.I have maintained register of details of election expenses from the date of nomination till the declaration of the result (both days inclusive).

3.I have maintained the details of expenditure in the formats and registers prescribed by the State Election Commission and have submitted the same along with vouchers and bills.

4.Details of expenditure furnished by me includes in relation to myself, my election agent and political party and others as prescribed and I have not left or suppressed any expenditure that is incurred.

5.Election expenses statement made in Part 2 includes the expenditure incurred by myself, my election agent and political party which supported me.

DEPONENT

Place :

Date :

Declared before me on _____

Returning Officer

Place :

Date:

Form-11C

(see sub-rule (5) of rule 27)

RECEIPT

Received accounts of expenditure incurred on the election from Sri/Smt ……...

....., from the candidate. The result of election of Councillor for .....ward is declared on .....

RETURNING OFFICER

..... WARD

Place :

Date

Form-12

(see sub-rule (2) of rule 32)

Declaration of Results of Election
(To be used when the seat is uncontested)

Election of the Councillors to the Corporation of the City of …… from

…….. *ward reserved for Backward Class (A) or (B)**/ Scheduled Caste/

Scheduled Tribe/ Woman.

In pursuance of the provisions contained in rule 32 of the Bruhat Bengaluru Mahanagara Palike (Election) Rules, 2021 I declare that :

Name ……

Address…….

+ Sponsored by ……. (name of the recognised/ registered Political party) has been duly elected to fill the vacancy to the said Corporation from the above ward.

Place : ……

Date : …….. Signature of Returning Officer

* **Appropriate particulars of the election to be inserted**

** **Score off the inappropriate alternative**

\+ **Strike of the clause if not applicable**

Form-12A

(see rule 32)

Declaration of Results of Election

(For use in election of Councillors to Corporations to fill casual vacancy when the seat is uncontested)

Election of the Councillors to the Corporation of the City of …… from the …….. *ward reserved for Backward Class (A) or (B)**/ Scheduled Caste/ Scheduled Tribe/ Woman.

In pursuance of the provisions contained in rule 32 of the Bruhat Bengaluru Mahanagara Palike (Election) Rules, 2021 I declare that:

Name ……..…

Address…….

+ Sponsored by..... (name of the recognised/ registered Political party) has been duly elected to fill the vacancy caused in that Corporation from the above ward.

Resignation of …….

Death of ……

Election of …….. been declared void,

Seat of …… *ward having become vacant/ having been declared vacant.

Place : ……

Date : …….. Signature of Returning Officer

* **Appropriate particulars of the election to be inserted.**

** **Score off the inappropriate alternative**

\+ **Strike of the clause if not applicable.**

Form-13

(see clause (a) of sub-rule (2) of rule 44)

Application for Election Duty Certificate

To :

The Returning Officer

……

……

…….

Sir,

I intend to cast my vote at the ensuing election of Councillors to the Corporation of the City of …… from the ……. *ward.

I have been posted on election duty to a polling station other than the one at which I am entitled to Vote.

My name is entered at Sl. No …… in Part No. …….. of the Electoral roll for ……. * ward.

I request that Election Duty Certificate in Form No. 14 may be issued to enable me to vote at the polling station where I may be on duty on the polling day. It may be sent to me at the following address.

……..

…….. ……..

Place : ……

Date : …….. Yours faithfully

* **Appropriate particulars to be inserted.**

Form-14

(see clause (a) of sub-rule (2) of rule 44)

Election Duty Certificate

Certificate that ……. s/o …… is an elector in the …….. *ward, their name is at Sl. No. …… of Part No. …… of the electoral roll of …….. * Ward that by reason of them being on election duty, they are unable to vote at the polling station, where they are entitled to vote and as such is hereby authorized to vote at any polling station, within the ward he may be on duty on the date of poll.

Place : ……

Date : ……..

Signature of Returning Officer

Seal

* **Appropriate particulars to be inserted.**

Form-15

(see sub-rule (1) of rule 44 and rule 47)

Letter of Intimation to Returning Officer requesting For a Postal Ballot Paper

To :

The Returning Officer

……

Sir,

I intend to cast my vote by post at the ensuring election of Councillors to the Corporation of the City of …… from ……. *ward.

My name is entered at Sl. No …… in Part No. …….. of the electoral roll of ……. * ward.

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

……..

……..

……..

Place : ……

Date : ……..

Yours faithfully

Signature

* **Appropriate particulars of the Election to be inserted.**

Form-16

Declaration

(see clause (i) of sub-rule (1) of rule 49)

(This side to be used only when the elector signs the declaration himself)

Election of Councillors to the Corporation of the City of …… from the …..... *ward.

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

Signature of the Elector Address

: ……... ……

…… Date : ……..

ATTESTATION OF SIGNATURE

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

Signature of the Attesting Officer
Designation:
Address:

Signature of the Identifier, If any
Address:
Date:

¨sÁUÀ 4J , 05 2022 **5995**

(This side is to be used when the elector cannot sign himself)

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

Date : Signature of Attesting Officer on behalf of Elector
Address of Elector …….
……..
…….

CERTIFICATE

I hereby certify that: –

(1)the above named elector is personally known to me/ has been identified to my satisfaction by …… (identifier) who is personally known to me;

(2)I am satisfied that the elector is illiterate/ suffers from …….

(infirmity) and is unable to record their vote them self or sign their declaration ;

(3)I was requested by them to mark the ballot paper and to sign the above declaration on their behalf; and

(4)the ballot paper was marked and the declaration signed by me on their behalf in their presence and in accordance with their wishes.

Signature of the Identifier, If any Address :…….. ……. ……. …….	Signature of the Attesting Officer Designation :…… Address :…….. ……. Date : ……..

***Appropriate particulars of the Elections to be inserted.**

Form-16A

(see clause (ii) of sub-rule (1) of rule 49)

COVER 'A'

NOT TO BE OPENED BEFORE COUNTING

Election of Councillors to the Corporation of the city of …….. from the ……. Ward

POSTAL BALLOT PAPER

Serial number of ballot paper …….

¨sÁUÀ 4J , 05 2022 **5997**

Form-16B

(see clause (iii) of sub-rule (1) of rule 49 and rule 71)

COVER 'B'

To be used at an election of Councillors to the Corporation of the city of …… from ……..*ward.

COVER 'B' Service Unpaid

Every Officer under whose care of through whom a postal ballot is sent shall ensure its delivery to the address without delay

ELECTION – IMMEDIATE

POSTAL BALLOT PAPER

For …….. * ward of Corporation of the city of ……

(NOT TO BE OPENED BEFORE COUNTING)

To :

The Returning Officer,

** ……

……

……

Signature of the Sender

*** Returning Officer to insert here the appropriate particulars of the ward.**

**** Returning Officer to mention here the full address.**

Form-16C

(see clause (iv) of sub-rule (1)of rule 49)

Instructions for the Guidance of Electors

Election of Councillors to the Corporation of the City of …….. from …… *ward.

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

PART-I DIRECTIONS TO ELECTORS

1.The number of members to be elected is one.

2.You have only one vote.

3.You must not vote for more than one Candidate. If you do so your ballot paper will be rejected.

4.Record the vote by placing clearly a mark opposite the name of the candidate to whom you wish to give that vote.

5.The mark should be so placed as to indicate clearly and beyond doubt to which candidate you are giving your vote. If the mark is so placed as to make it doubtful to which candidate you have given the vote, that vote will be invalid.

6.Do not put your signature or write any word or make any mark, sign or writing whatsoever on the ballot paper other than the mark which you are required to make thereon in accordance with paragraph-4.

Form 16 by a magistrate or a gazetted officer or

(a)If they are a member of the armed forces of the union, or of an armed police force of the State but is serving outside that State, by such officer as may be appointed in this behalf by the Commanding Officer of the unit, ship or establishment in which the voter or her husband, as the case may be, is employed;

(b)If he is on election duty, by any gazetted officer or by the presiding officer of the polling station in which he is on election duty ; and

(c)If he holds an office declared to be an office to which the provisions of sub-section (4) of Section 20 of the Representation of the peoples Act, 1950 apply by an officer not below the rank of a Deputy Secretary to Government ; and

(d)If he is under preventive detention, by the Superintendent of the Jail of the Commandant of the Detention camp in which he is under detention.

PART-II
INSTRUCTIONS FOR ELECTORS

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

Form 16 also sent herewith in the presence of a magistrate or any other officer competent to attest your signature (See direction 7 above). Take the declaration to any such officer and sign it in their presence after they have been satisfied about your identity. The officer will attest your signature and return the declaration to you. You must not show your ballot paper to the attesting officer nor tell them how you have voted.

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

(d)After your declaration has been signed and your signature has been attested, in accordance with item (b) or item (c) place the declaration in

Form 16 as also the smaller cover marked ‘A’ containing the ballot paper, in the larger cover marked ‘B’ after closing the large cover, send it to the Returning Officer by post or by messenger. You have to give your full signature in the space provided on the cover marked ‘B’ No postage stamp need be affixed by you.

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

(f)Please note that:

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

(ii)If the cover reaches the Returning Officer after ……. On the …….. date your vote will not be counted.

*** Appropriate particulars of the Election to be inserted.**

****Here specify the hour and date fixed for the commencement of counting of Votes.**

6000 , 05 2022 **¨sÁUÀ 4J**

Form-17

(see clause (iii) of sub-rule (2) of rule 55)

List ofChallenged Votes

Election of Councillors of the City of ……. From ……*ward.

Polling Station Number and Name of the Polling Station ……

Sl. No.	Name of Elector	Part No of Electoral Roll	Sl. No. of the Elector's Roll in that part	Signature or thumb impression of the person challenged	Address of the person challenged	Name of the Identifier if any	Name of Challenger	Order of presiding officer	Signature/ thumb impression of challenger on receiving refund deposit
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)

Signature of
Presiding Officer

*** Appropriate particulars of the Election to be inserted.**

Form-18

(see sub-rule (2) of rule 59)

List of Blind and Infirm voters

Election of Councillors to the Corporation of the City of …… from …….. *ward.

Number and name of polling station …….

Part No. and Sl. No. of the elector	Full name of elector	Full name of companion	Address of companion	Signature of companion
(1)	(2)	(3)	(4)	(5)

Date : …….. Signature of Presiding Officer

***Appropriate particulars of the Election to be inserted.**

Form-19

(see sub-rule (2) of rule 60)

List of Tendered Votes

Election of Councillors to the Corporation of the City of …… from …….. *ward.

Number and name of polling station :

Part No. and Sl. No. of the Elector	Address of the Elector	Serial Number of Tendered Ballot paper	Sl. Number of Ballot paper issued to the person who has already voted	Signature or thumb impression of person tendering vote
(1)	(2)	(3)	(4)	(5)

Date : …….. Signature of Presiding Officer

***Appropriate particulars of the Election to be inserted.**

¨sÁUÀ 4J , 05 2022 **6003**

Form-19A

(see sub-rule (2) of rule 94)

List of tendered votes

Election of Councillors to the Corporation of the City of …… from …….. *ward.

Number and name of polling station: …….. Part

Number of Electoral roll: ……

Sl No	Name of elector	Sl. No. of elector in electoral roll	Sl. No. in Register of voters (Form 27) of persons who has already voted in place of elector	Signature/ Thumb impression of elector
1.				
2.				
3.				
4.				
5.				
6.				

Date : …….. Signature of Presiding Officer

***Appropriate particulars of the Election to be inserted.**

Form-20

(see sub-rule (1) of rule 63)

PART-I

Ballot Paper Account

Election of Councillors to the Corporation of the City of …… from …….. *ward.

Number and name of polling station : ……

Particulars	Serial Numbers From To	Total
1.Ballot paper received 2.Ballot papers (not issued to voters):- (a)With the signature to presiding officer (b)With out the Signature of Presiding Officer Total (a + b) 3.Ballot papers used at the polling station (1-2=3) 4.Ballot paper used at the polling station but not INSERTED INTO THE BALLOT BOX (a)Ballot papers Cancelled for violation of voting procedure under Rule 58 (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) (Serial numbers need not be given)		

Date : …….. Signature of Presiding Officer

PART-II

RESULT OF INITIAL COUNTING

1. Total number of ballot papers found in the ballot box/ boxes used at the polling station ……

2. Discrepancy, if any, between the total number as shown against item 1 above and the total number of ballot papers to be found in the ballot box (es) shown in item 5 of Part-I of Ballot paper account : ……..

Date : …….. Signature of Counting Supervisor

Signature of the Returning Officer

*** Appropriate particulars of the Election to be inserted.**

Form-20A (EVM)

(see sub-rule (1) of rule 97 & rule 100)

PART-I

ACCOUNT OF VOTES RECORDED

Election to the Councillor of …… Mahanagara Palike from …….. ward.

No. and Name of Polling Station …….

Identification No. of Voting Control Unit……

Identification No. of Voting Ballot Unit……

Machine used at the Polling Station Balloting Unit:-

1.	Total No. of electors assigned to the Polling Station	
2.	Total No. of voters as entered in the Register for Voters (	
3.	No. of voters deciding not to record votes under rule 93	
4.	No. of voters not allowed to vote under rule 91.	
5.	Total No. of votes recorded as per the voting machine.	
6.	Whether the total No. of votes as shown against item 5 tallies with the Total No. of voters as shown against item 2 minus Nos. of voters deciding not to record votes as against item 3 minus No. of voters as against 4 (2-3-4) or any discrepancy noticed.	

7.	No. of voters to whom tendered ballot papers were issued under rule 94.	
8.	No. of tendered ballot papers (a) received for use (b) issued to electors (c) not used and returned	
9.	Account of paper seals From To	
	1)Sl. No's of paper seals supplied From To	
	2)Total numbers supplied	
	3)Number of paper seals used	
	4)Number of unused paper seals returned to Returning Officer (deduct item 3 from 2)	
	5)Serial number of damaged paper seal if any	

Signature of Polling Agents

1.

2.

3.

4.

Date…….. Signature of the Presiding Officer

Place…… Polling Station No…….

PART-II
RESULT OF COUNTING

Sl No.		Name of Candidate	No. of votes recorded
1. 2. 3. 4.			
NOTA			
Total			

Whether the total number of votes shown above tallies with the total number of votes shown against item 5 of Part I or any discrepancy noticed between the two totals

Signature of the Counting Supervisor

Place……
Date……

Name of candidate/election agent/counting agent Full signature 1.

2.

3.

4.

Place: ……

Date: ……..

Signature of the returning officer

Form-21

(see sub-rule (2) of rule 67)

Appointment of Counting Agent

Election of Councillors to the Corporation of the City of …… from ……. *ward.

To :

The Returning Officer,

……..

……..

I, …… Candidate**/ the Election Agent of …… who is a candidate at the above election do hereby appoint the following persons an my **/ their counting Agents to attend the counting of votes at ……

Name of the Counting Agent 1.

2.

3.

Place : ……

Address of the Counting Agent

Signature of Candidate/

Date : …….. Election Agent

We agree to act as such Counting Agents.

1.

2.

3.

Place : …… Signature of the Counting Agents

Date : ……..

Declaration of the Counting Agents

(To be signed before the Returning Officer)

We hereby declare that at the above Election we will not do anything forbidden by section 32 of the Bruhat Bengaluru Mahanagara Palike Act 2020, which we have read/ has been read over to us.

1.

2.

Place : …… Signature of the Counting Agents

Date : ……..

Signed before me

Date :……. Signature of the Returning Officer

* **Appropriate particulars of the election to be inserted.**

** **Strike out the inappropriate alternative**

Section 32 of the Bruhat Bengaluru Mahanagara Palike Act , 2020

" 32: Maintenance of secrecy of voting:

1.Every officer, employee, agent or other person who performs any duty in connection with the recording or counting of votes at an election under this Act shall maintain and aid in maintaining the

secrecy of the voting and shall not, except for some purpose authorised by or under any law, communicate to any person any information calculate to violate such secrecy.

2.Any person who contravenes the provision of sub-section (1) shall, on conviction, be punished with imprisonment for a term which may extend to three months or with fine or with both."

Form-22

(see sub-rule (4) of rule 67)

Revocation of Appointment of Counting Agent

Election of Councillors to the Corporation of the City of …… from ……. *ward.

To :

The Returning Officer,

……..

……..

……..

I, …… a Candidate**/ the Election Agent of …… who is a candidate at the above election here by revoke the appointment of ……. my **/ his counting Agent.

Place : ……

……..

Signature of person Revoking Date :

* **Appropriate particulars of the election to be inserted.**

** **Strike off the inappropriate alternative**

Form-23

(see sub-rule (11) of rule 71, sub-rule (7) of rule 73 and sub-rule (1), (5) and (6) of rule 75)

(To be used for recording the result of voting at polling stations in wards where procedure of mixing of ballot papers is adopted)

FINAL RESULT SHEET

Election of Councillor to the …….. *ward of the Corporation of the City of …….

Polling Station Number	Total votes found in the Ballot box	Number of tendered votes
1. 2. 3. 4. 5. and so on		
Total		

¨sÁUÀ 4J , 05 2022 **6011**

Total Number of Valid votes recorded for candidates and of rejected ballot papers:

Details	Valid votes Secured by Candidates	Total valid Votes	No. of rejected Ballot papers	Total valid And rejected votes (3+4)
1	2	3	4	5
	A B C D E	(A+B+C+D+E)		
1St round 2nd round And so on Total number of valid votes recorded on postal ballot papers for candidates and of rejected postal ballot papers				
Grand Total				

Place : …… Returning Officer
Date : ……..

Form-23 A (EVM)

(see sub-rule (2) of rule 105)

FINAL RESULT SHEET

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

Election to the Councillor of …… Mahanagara Palike from …….. ward

Name of the ward : .....

Total Number of electors in ward .....

SL. No. of Polling Station	No. of valid votes cast in favour of						Total valid votes	No. of rejected votes	Total No. of tendered votes
	A	B	C	D	E	NOTA			
(1)									
(2)									
(3)									

TOTAL No. of votes recorded at Polling Stations.

No. of votes recorded on postal ballot papers. (To be filled in the case of election from a ward)

TOTAL votes polled.

Place.....

Date.....

Returning Officer

Form-24

(see clause (a) of rule 77)

Declaration of Result of Election

(To be used when a seat is contested)

Election of the Councillors to the Corporation of the City of …… from …….. *ward reserved for Backward Class (A) or (B)**/ Scheduled Caste/ Scheduled Tribe/ Woman.

In pursuance of the provisions contained in Rules of the Bruhat Bengaluru Mahanagara Palike Act, 2020, I declare that :

1. Sri/ Smt ..…… (Name)

…… (Address)

+ Sponsored by …….. recognised/ registered Political party has been duly elected to fill the seat from the above ward.

Returning Officer

* **Appropriate particulars of the election to be inserted**

** **Strike off the inappropriate alternative**

\+ **Score off if not applicable**

Form-25

(see clause (b) of rule 77)

Return of Election

Election of the Councillors to the Corporation of the City of …… from …….. *ward.

Return of Election

Serial Number	Name of Candidate	Party/ Independent	Number of Valid votes polled
(1)	(2)	(3)	(4)

Total number of Electors :

Total number of valid votes polled

Total number of rejected votes :

Total number of tendered votes :

Returning Officer

Place : ……

Date : ……..

* **Appropriate particulars of the election to be inserted here**

Form-26

(see rule 78)

Certificate of Election

I, the Returning officer for the election of Councillors to the Corporation of the City from ……. * ward of …… hereby certify that I have on …… day of ……. 20…. declare Sri/ Smt …….. ** recognized/ registered political party to have been duly

elected by.....*ward to have been duly elected to be the Councillor from the said ward and I have granted tohim / her this Certificate of Election.

Place : …… Returning Officer Date : ……..

* **Appropriate particulars of the election to be inserted here ****
Strike off the inappropriate alternative.

R.N.I. No. KARBIL/2001/47147 POSTAL REGN. No. RNP/KA/BGS/2202/2017-19 Licensed to post without prepayment WPP No. 297

Form-27

(see clause (a) of sub rule (1) of rule 90, sub rule (7) of rule 91 and rule 93)

Register of voters

Election to the Councillor of …… Mahanagara Palike from ……. Ward No. and Name of Polling station …… Part No. of Electoral Roll……

Sl No	Sl No of elector in the electoral roll	Signature/Thumb impression of elector	Remarks
1. 2. 3. 4.. etc.			

Date: Signature of the Presiding Officer

PR-441

ಮುದರಿಕರು²ಂಗೂಪಿ□ಂಶಕರು:- ಸಂಕಲ£ಂಗಿ□ಂಒಗಳ, ಕ£ಂ□ಟಕ³ಂಜಿಪತಿ,