

Election Matter
Time Bound

**STATE ELECTION COMMISSION, HARYANA
S.C.O. NO. 16-17, SECTOR-20-D, DAKSHIN MARG,
CHANDIGARH.**

NO. SEC/1ME/2003/3728

Dated:- 17/04/2003

To

The Deputy Commissioner,
Panchkula.

Subject:- Instruction regarding elections to the offices of President and Vice
President of Municipalities.

Madam,

I am directed to refer to the representation received from the Progressive Councilors Group, Panchkula which is addressed to you also, and in which it has been requested to use the special ballot papers for voting each bearing an official mark.

2. The State Election Commission, Haryana in exercise of the powers conferred under Article 243 ZA of the Constitution of India and Section 3A of Haryana Municipal Act, 1973 (Haryana Act No. 24 of 1973) and all other powers enabling it in this behalf, hereby directs as follows:-

(i) That the nomination paper for election to the office of President and Vice President shall be as given below:-

**FORM OF NOMINATION PAPER FOR ELECTION FOR THE OFFICE OF PRESIDENT/
VICE PRESIDENT OF MUNICIPAL COUNCIL/COMMITTEE.**

Name of Municipal Council/Committee	-----
Name in full of candidate	-----
Father's name/Husband's name	-----
Full address	-----
Name in full of proposer	-----
Signature of the proposer	-----
Name in full of Seconder	-----
Signature of the Seconder	-----

DECLARATION OF CANDIDATE

I hereby declare that I agree to the nomination and I am willing to serve.

PLACE _____

DATE _____

Signature of candidate

DECLARATION BY A CANDIDATE WHO IS A MEMBER OF ANY SCHEDULED CASTE/BACKWARD CLASS

I do hereby declared that I am a member of the

_____ caste which has been declared to the Scheduled Caste/Backward Class in the State of Haryana.

DATE _____

Signature of candidate

(To be filed in by the Deputy Commissioner or the Officer appointed by him)

CERTIFICATE OF DELIVERY

Sr.No _____

This nomination paper was delivered to me at my office at-----

(date and hour)-----.

DATE _____

Signature of the Deputy
Commissioner or the Officer appointed by him.

CERTIFICATE OF SCRUTINY

I have scrutinized the eligibility of the candidate and find that he is qualified to stand for election, and I, therefore, accept the nomination-----

I have scrutinized this nomination and reject it for the following reasons.

DATE _____

Signature of Deputy
Commissioner or the officer appointed by him

(ii) That every candidate for election to the office of President and Vice President of Municipal Council/Committee, as the case may be, shall be nominated in the Form prescribed above and signed by two of the elected Members of the Municipal Council/Committee; one as a proposer and another as a seconder. No member shall be allowed to propose or second more than one candidate. The nomination papers shall be delivered to the Deputy Commissioner or the officer appointed by him under clause(b) of sub rule(1) of Rule 70 of the Haryana Municipal Election Rules, 1978 within the time prescribed by him.

(iii) That the scrutiny of nomination paper shall be taken up by the Deputy Commissioner or the officer appointed by him after the expiry of time allowed by him for delivery of nomination papers in the presence of Members present. An objection to any nomination shall be recorded by the Deputy Commissioner or the Officer appointed by him, who after proper consideration shall accept or reject each nomination. In case of rejection of any objection, he shall record the reasons for rejection in brief.

(iv) That the Deputy Commissioner or the Officer appointed by him shall read out in the meeting:-

(a) the names of the candidates whose nomination papers have been declared invalid and the reasons thereof; and

(b) the names of the candidate duly nominated.

(v) (a) If there is only one candidate for election, he shall be declared to have been duly elected.

(c) If no nomination has been filed for any seat or if no candidate has been duly nominated for any seat or if all nominated candidates withdraw their nomination papers, a report of this fact shall be sent by the Deputy Commissioner to the State Govt. as well as to the State Election Commission for further course of action for filing the seat according to the provisions of the Act.

(vi) That if the number of candidates is more than one, the election shall be held by secret ballot.

(vii) That the Deputy Commissioner or the Officer appointed by him shall assign serial number to each candidate with reference to their names written alphabetically in Hindi in Devnagri script and then announce to the Members serial number assigned to each candidate.

(viii) That the Deputy Commissioner or the Officer appointed by him shall cause the ballot paper to be prepared in the following form:-

BALLOT PAPER

-----Municipal
Council/Committee

-----name of candidate(s) for election of-----

1.

2.

3.

Etc.

Signature of the Deputy Commissioner
or the Officer appointed by him with his
official seal.

(ix) That the ballot papers shall be signed by the Deputy Commissioner or the Officer appointed by him and one paper each shall be handed over to each elected member present for each election, who shall put a cross(x) against the candidate for whom he wishes to vote. If a member is unable due to illiteracy, blindness or other physical infirmity to record his vote, the Deputy Commissioner or the Officer appointed by him of the meeting shall record the vote on ballot paper in accordance with the wishes of such member. The ballot paper shall not be signed by the member nor be marked in any other

way that could reveal his identity. If the paper is so signed or marked or mutilated, the vote shall be void.

(x) That the ballot paper shall be inserted in the box provided for the purpose.

(xi) That immediately after the voting is over, the Deputy Commissioner or the Officer appointed by him shall in the presence of the members present, open the ballot box containing the ballot papers, count them and record the number thereof in a statement.

(xii) That a ballot paper shall be invalid:-

(a) If it bears the signature of the member or contains word, or any visible representation by which he can be identified; or

(b) If marks are placed thereon against more than one candidate; or

(c) If the mark is so placed thereon as to make it doubtful for which one or two or more candidates the vote was intended to be given ; or

(d) If no mark is placed thereon; or

(e) If it does not bear the signature of the prescribed Authority.

(xiii) That at the end of the poll the Deputy Commissioner or the Officer appointed by him shall declare the candidate who secures the largest number of votes to be duly elected.

(xiv) That in case of equality of votes, the election shall be decided by lot to be drawn by the Deputy Commissioner or the Officer appointed by him

(xv) That the Deputy Commissioner or the Officer appointed by him shall keep order in the meeting and see that the election is fairly conducted.

(xvi) That immediately after the conclusion of the meeting, the Deputy Commissioner or the Officer appointed by him shall prepare a record of the proceedings of the meeting and sign it, any member in the meeting shall be permitted to fix his signature on such record, if he so desires, and publish on the notice board of the Municipal Council/Committee.

(xvii) That the Deputy Commissioner or the Officer appointed by him shall make up into separate packets for the counted and rejected ballot papers relating to each election, seal, such packers and note thereon a description of its contents the election to which and the date thereof. The packets so sealed shall not be opened and their contents shall not be inspected or produced except under the orders of the competent court.

(xviii) That the packets shall remain in safe custody of the Deputy Commissioner for one year and shall thereafter be destroyed unless otherwise directed by a competent court or pending legal proceedings or enquiry.

Yours faithfully,

Sd/-
(S.P.Duggal)
Asstt.State Election Commissioner,
Haryana

Endst.No. SEC/1ME/2003/3729-48

Dated:-

A copy is forward to all the Deputy Commissioners (Except Panchkula) for all information and necessary action.

2. They are also requested that the above instructions may kindly be compiled for the election of President and Vice President of the Municipalities.

Sd/-
(S.P.Duggal)
Asstt.State Election Commissioner,
Haryana