

The Punjab Market Committees Chairman and Vice-chairman (Election) Rules, 1961

PUNJAB

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Rule

THE-PUNJAB-MARKET-COMMITTEES-CHAIRMAN-AND-VICE-CHAIRMAN of 1961

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The Punjab Market Committees Chairman and Vice-chairman (Election) Rules, 1961Published vide Notification Punjab Government Gazette (Extraordinary) November 11, 1961

Part I

1. Short title.

- These rules may be called the Punjab Market Committees Chairman and Vice-Chairman (Election) Rules, 1961.

2. Definitions.

- In these rules, unless the context otherwise requires :-(a)'Act' means the Punjab Agricultural Produce Markets Act, 1961 (Punjab Act No. 23 of 1961);(b)'Form' means a form appended to these rules;(c)'Member' means a member of the Committee;(d)'Presiding Officer' means the Deputy Commissioner concerned, or such Gazetted Officer, not below the rank of Extra Assistant Commissioner, as may be appointed by the Deputy Commissioner for the purposes of these rules;(e)'Section' means a section of the Act; and(f)words and expressions used but not defined in these rules shall have the meanings assigned to them in the Act.

Part II

3. Meeting for election.

- The election of the Chairman and Vice-Chairman of a Committee shall be held in the office of the Committee or such other place as may be specified in that behalf by the Presiding Officer, who shall convene and preside over the meeting called for that purpose.

4. Notice of meeting.

(1)The Presiding Officer shall issue a notice in writing in Form A to the members specifying the date and time of the meeting.(2)The notice shall be sent at the ordinary place of residence of the member, at least seven days before the date of meeting, either by post or in such other manner as the Presiding Officer may consider expedient.

5. Proposing and seconding candidates for office of Chairman and Vice-Chairman.

(1)As soon as the members have assembled at the appointed time and place, the Presiding Officer shall call upon the members present to propose candidates for the two offices and every proposal shall also be seconded by a member. The names of candidates, their proposers and seconders shall then be recorded in Form B and read out by the Presiding Officer to the members present.(2)One half of the total number of members shall constitute the quorum :Provided that if a meeting called under the preceding rule cannot be held for want of quorum, no quorum shall be necessary at the next meeting called for that purpose.

6. Withdrawal of candidature.

- A candidate may withdraw his candidature any time before the commencement of the poll by openly declaring his intention to do so at the meeting and the fact shall be recorded in Form B and his signature or thumb-mark taken in token thereof.

7. Procedure after the names of candidates have been read out.

(1)If any one candidate is duly proposed there shall be no ballot and he shall be declared to have been elected.(2)If there are two or more such candidates, the votes of the members present at the meeting shall be taken by ballot in the manner hereinafter laid down.

8. Voting and result of election.

(1)The Presiding Officer shall provide in the place where the meeting is held two voting compartments one for the election of Chairman and the other for that of Vice-Chairman in which

members can record their votes without being overseen. The Presiding Officer shall also provide two sealed ballot-boxes, one each for the office of the Chairman and Vice-Chairman and shall place them in such a manner that they can be seen by him during polling. The ballot-boxes shall be so constructed that ballot-papers can be introduced therein but cannot be withdrawn therefrom without the boxes being unlocked or opened.(2)Immediately before the commencement of the poll, the Presiding Officer shall show the ballot-boxes in open condition to all the members present so that they see that the boxes are empty. The Presiding Officer shall thereafter lock the ballot-boxes and affix his as well as the seal, if any, of the candidates, if they so desire upon it in such a manner so as to prevent its being opened without breaking such seals.(3)Every member wishing to vote shall be supplied separately with two ballot-papers in Form C, one each for the office of Chairman and Vice-Chairman on which names of the contesting candidates shall be printed, typed or legibly written in English and Regional Languages in an alphabetical order. The ballot-papers shall be signed by the Presiding Officer before being handed over to the members. The ballot-papers for the election of Vice-Chairman shall be supplied after the member has exercised his right to vote for the Chairman.(4)The member shall, on receiving the ballot-paper, proceed to the place set apart for voting and there place a cross mark 'X' in column (3) of the ballot-paper against the name of the candidate for whom he wishes to vote, with a red or blue pencil.(5)He shall then fold the ballot-paper, to ensure secrecy, deposit the same in the ballot box.(6)In the case of a member who is illiterate or is physical incapacitated from voting, the Presiding Officer shall, at his or her request, take him or her to the place set apart for voting, ascertain his or her choice, accordingly mark the ballot-paper, fold it to ensure secrecy and deposit it in the ballot-box.(7)The Presiding Officer shall cause all necessary arrangements to be made as will ensure the secrecy of the ballot.(8)Every member wishing to record his vote shall do so in person and not by proxy.(9)Immediately after the voting is over, the Presiding Officer shall open the ballot-boxes and count the votes separately for the office of Chairman and Vice-Chairman in the presence of such members as may be present and declare separately the candidates securing the largest number of votes, to have been elected. If two or more candidates obtain an equal number of votes, the Presiding Officer shall at once decide between the candidates by the drawing lots in the presence of the members present.

9. Validity of ballot papers.

- Any ballot paper which bears any mark or signature by which the voter can be identified or on which the mark 'X' is placed against more than one name or in an ambiguous manner or which does not bear the signature of the Presiding Officer prescribed in sub-rule (3) or rule 8 shall be declared invalid.

10. Preparation of record of proceedings and publication of result of election.

- Immediately after the meeting for election, the Presiding Officer shall -(a)prepare a record of the proceedings of the meeting and sign it, attesting with his initials every correction made therein and also permit any member present at the meeting to affix his signature or thumb-mark to such record, if he expresses his desire to do so; and(b)publish on the notice board of the office of the Committee a notification signed by him, stating the name of the person elected as Chairman or Vice-Chairman and send a copy of such notification to the State Government for publication in the official Gazette

and copy to the Chairman of the Board for information.

11. Packing and preservation of election record.

- The Presiding Officer shall then make up into packets the ballot papers and other papers relating to the election, seal the packets and note thereon a description of their contents, the election to which they relate and the date thereof.(2)The packets shall be retained in safe custody in the office of the Deputy Commissioner concerned for a period of three years and shall then, unless otherwise directed by the Government, be destroyed.

12. Casual Vacancies.

- A casual vacancy in the office of the Chairman and Vice-Chairman shall also be filled in accordance with the provisions of these rules. Form A[See sub-rule (1) of rule 4]Notice is hereby given to Shri _____ member of the Market Committee _____ ' _____ that a special meeting of the Market Committee will be held at _____ (time) on _____ (date) at _____ for the election of Chairman and Vice-Chairman. He is, therefore, hereby requested to make it convenient to attend the meeting. Signature _____ Designation _____ (Seal) Form B[See rule 5]Election of Chairman or Vice-Chairman of Market Committee

1. Name of District _____

2. Name of the Market Committee _____

3. Place of meeting _____

4. Date and hour of meeting _____

5. Names of candidates proposed for Chairman with names of their proposers and seconders-

Serial No.	Name of candidate	Name of proposer	Name of seconder	If candidate has withdrawn note fact and take candidate's signature or thumb-mark
1.				
2.				
3.				

6. Names of candidates proposed for Vice-Chairman and their proposers and seconders-

Serial No.	Name of candidate	Name of proposer	Name of seconder	If candidate has withdrawn note fact and take candidate's signature or thumb-mark
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1.

2.

3.

Signature of the Presiding Officer Form C [See sub-rule (3) of rule 8]

Serial No. Name and brief description of the candidates For mark (X) by votes

1.

2.

3.

4.

5.

6.

7.

8.

9.

10.

Signature of the Presiding Officer