

Nagpur rules Relating to the Election of Councillors

MAHARASHTRA

India

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Rule

NAGPUR-RULES-RELATING-TO-THE-ELECTION-OF-COUNCILLORS of 1952

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Nagpur rules Relating to the Election of Councillors Published vide Notification No. G. N., U. D., & P. H. D., No. NMC. 230/1965/M-13, dated 15th January, 1952

1.

(1) These rules apply to the election of Councillors as specified below, namely -(a) Forty-two elected by wards; (b) Two elected by the registered trade unions having their registered offices at Nagpur. (2) The Commissioner shall, not less than eight weeks before the expiration of the term of the Councillors and when such election is to be held for the first time, on such date as may be fixed by the State Government, issue a public notice calling upon the wards and the Trade Union Special Constituency to elect Councillors and appointing -(a) a date, not later than the twentieth day from the date of the notice, for the nomination of candidates; (b) a date, not later than the eighth day from the date fixed for nomination, for the scrutiny of nominations; (c) a further date or dates on which a poll shall, if necessary, be taken for the election of councillors; (d) hours of poll; and (e) places at which polling shall take place.

2.

Every such notice shall be published by being affixed on the notice board of the Corporation office and at the office of the Registrar of Trade Unions, Madhya Pradesh, and at such other places as the Commissioner may determine. Any failure to publish the notice by affixing it at the places determined by the Commissioner shall not affect its publication.

3.

The Commissioner shall appoint one or more suitable polling officers to attend on the days and hours fixed for each polling station to conduct the election thereat. The election proceedings shall be supervised by such officers hereinafter referred to as Returning Officer as the Commissioner may appoint.

3A.

On the publication of the notice referred to in rule 1 the Commissioner shall fix the place for the receipt of nomination papers by the Returning Officers. Proclamation setting forth the days, hours and places so fixed and the name of the Returning Officer shall forthwith be made by the Commissioner in each ward and the special constituency mentioned above. Notifications to the same effect shall at the same time be posted at conspicuous places in the wards and at the office of the Registrar of Trade Unions, Madhya Pradesh.

4.

(1) On or before the date appointed for the nomination of candidates, each candidate shall, either in person or by the proposer and seconder together, between the hours of 11 o'clock in the forenoon and 3 o'clock in the afternoon, deliver to the Returning Officer a nomination paper completed in the form appended and subscribed by the candidate himself as assenting to the nomination and by two duly qualified electors as proposer and seconder. A duly qualified elector shall not subscribe as proposer or seconder to more than one nomination paper. (2) When a candidate claims to be entitled to vote in a ward other than the ward for which he is nominated, the nomination paper or, if more than one nomination paper is presented by or on behalf of the candidate, the nomination papers shall be accompanied by a copy of the entry in the electoral roll of that ward which contains his name, certified by such officer as the Commissioner may authorise to be a true copy of the entry in the final roll of the ward. (3) The Returning Officer, on receiving a nomination paper under sub-rule (1), shall - (a) satisfy himself that the name of the ward or special constituency is correctly entered in the nomination paper; (b) that the name and number of the electoral roll of the candidate, his proposer and seconder, as entered on the nomination paper, are the same as those entered in the electoral roll; (c) when sub-rule (2) of this rule applies, satisfy himself that the nomination paper is accompanied by the copy of the entry in the electoral roll referred to in that sub rule; and (d) satisfy himself that the deposit required by rule 8(1) has been made by or on behalf of the candidate. The Returning Officer shall point out any deficiency which comes to his notice, to the person presenting the nomination paper and shall allow any such deficiency to be supplied at any time before the time fixed for the scrutiny of nominations. (4) The Returning Officer on receiving a nomination paper under sub-rule (1) shall enter in the 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, intimate to the persons presenting the nomination paper the place at which the scrutiny will take place and shall, as soon as may be thereafter, cause to be fixed in some conspicuous place selected by the Commissioner a notice of the nomination containing description, similar to those contained in the nomination paper both of the candidate and of the persons who have subscribed the

nomination paper as proposer and seconder.(5)On the date fixed for the scrutiny of the nomination papers, the candidates and one proposer and one seconder of each candidate but no other person may attend the place of scrutiny at 1.00 p.m. and the Returning Officer shall give them all reasonable facilities for examining the nomination papers of all candidates standing from the ward or special constituency concerned which may have been delivered to him. He shall examine the nomination paper and shall decide all objections which may be made to any nomination and may either on such objection or of his own motion after such summary inquiry, if any, as he thinks necessary refuse any nomination on any of the following grounds, namely :-(a)that the candidate is ineligible for election under section 14 or 15 of the Act;(b)that the proposer or the seconder is disqualified from subscribing to the nomination paper on account of his not being a duly qualified elector;(c)that there has been a failure to comply with any of the provisions of sub-rule (1).Form of Nomination Paper for Election as a CouncillorName of ward/special constituency for which the candidate is nominatedName in full of candidateFather's nameAgeAddressNumber of the candidate in the current electoral roll of the ward/special constituency in which he is registered as an electorName in full of the proposerNumber of the proposer in the current electoral roll of the ward/special constituency.Signature of the proposerName in full of the seconderNumber of the seconder in the current electoral roll of the ward/special constituencySignature of the seconderDeclaration by CandidateI hereby declare that I agree to this nomination and am willing to serve, if elected.Date 19Signature of candidateNote.- The nomination paper will not be valid unless it is delivered to the supervising officer at his office, before 3 p.m. on..... 19.....(6)The scrutiny shall be completed on the day appointed in this behalf under rule 1 and no adjournment of the proceedings shall be allowed.(7)The Returning Officer shall after scrutiny endorse on each nomination paper his decision accepting or rejecting it, and if he rejects it, he shall record in writing a brief statement of his reasons for so doing. The candidates, whose nomination papers are accepted shall be declared as duly nominated candidates.(8)Any candidate whose nomination paper is rejected by the Returning Officer may file an appeal to the Commissioner against such order. No such appeal shall lie unless it is lodged in the office of the appellate authority before 3 p.m. on the day next but one following the day fixed for the scrutiny of the nomination papers for the ward or special constituency concerned.(9)A candidate desiring to file an appeal shall give notice, in writing to the Returning Officer of his intention to file an appeal on the day of scrutiny after it is over. The Returning Officer shall give the candidate a receipt for the notice received and shall inform the other candidates concerned of the fact of the notice having been given if they apply for the information. No appeal shall be considered by the appellate authority unless it is filed within the time and it is satisfied that notice was given to the Returning Officer as required by this rule. The Returning Officer shall, on receipt of the notice, send at once all the papers to the appellate authority.(10)The appellate authority shall take up all such appeals in the order in which they have been filed, commencing at 12 noon on the day following the 1st day on which they may be presented. The appellate authority shall not be required to issue any notices, but all candidates and their proposers and seconders shall be entitled to be present and every candidate shall be heard in connection with any appeal relating to the ward or special constituency for which he is a candidate.Appearance by counsel shall not be permitted(11)If the appellate authority declares a nomination to be valid it shall immediately send a certificate copy of the order to the Returning Officer and every such candidate shall be deemed to be a fully nominated candidate.(1)At noon on the eighth day after the day fixed for the scrutiny of nomination papers, the Commissioner shall

prepare a list of all candidates duly nominated under sub-rule (7) or (11) of rule 4 and shall cause it to be affixed in a conspicuous place in his office.(2)If on the date referred to in sub-rule (1) the Commissioner finds that no candidate has been duly nominated for election to a ward or special constituency he shall report the fact to the State Government. If on such a date the Commissioner finds that only one candidate is duly nominated for election to a ward or special constituency he shall declare such candidate to be duly elected. If the number of duly nominated candidates exceeds one the election for such ward or special constituency shall be held in the manner hereinafter specified.

5.

(1)The Commissioner shall allot a colour or symbol to each duly nominated candidate and inform him accordingly at least a fortnight before the date of actual election.(2)The Commissioner shall forward a list to each polling officer at least five days before the election showing the names of the duly nominated candidates and their proposers and seconders and the colour or symbol allotted to each candidate and shall also post copies of such list at his office and at the places fixed for the polling stations.

6.

A duly nominated candidate may withdraw his candidature by a written and signed communication delivered to the Commissioner not less than [eighteen] [Substituted by G. N., U. D. & P. H. D., No. NMC. 1162/ 16075-Z, dated 10th May, 1962.] clear days before the date fixed for polling. A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to be renominated as a candidate for the same election.

7.

(1)At the time of nomination each candidate shall deposit a sum of fifty rupees and no candidate shall be deemed to be duly nominated unless such deposit has been made :[Provided that, where the candidate is a member of Scheduled Caste, he shall deposit a sum of twenty-five rupees and shall also furnish a caste certificate from the Collector or an officer authorised by the Collector in this behalf.] [Added by G. N., U. D. & P. H. D., No. NMC. 1179/ 1674-UD-4, dated 21st November, 1979 (M. G. Part I-A-N.D.S., page 850)](2)If a candidate by whom the deposit referred to in sub-rule (1) has been made is not elected and the number of votes polled by him does not exceed one-eighth of the total number of valid votes polled the deposit shall be forfeited and credited to the Corporation fund.(3)The deposit made by a candidate-(i)whose nomination is rejected or declared invalid, or(ii)who withdraws his candidature in the manner and within the time specified in rule 7, or(iii)who dies before the commencement of the poll, or(iv)who though not elected, does not forfeit his deposit under sub-rule (2), or(v)who is elected.shall be retained to the candidate, or in the event of his death to his legal representative as soon as may be after the publication of the result of the election.

8.

(1)The polling officer shall keep order at the polling station, see that the election is fairly conducted and that no elector who has not placed his voting paper into ballot box takes it outside the polling station, shall regulate the number of electors to be admitted at one time and shall exclude all other persons except -(a)the candidates and one agent of each candidate (hereinafter referred to as the polling agent) appointed in writing by the candidate, and authorised in this behalf by the polling officer;(b)the police or other servants on duty, and(c)such other person as he may, from time to time, require for the purpose of identifying electors.(2)[The polling officer shall close a polling station at the hour fixed for the closing of the poll under rule 1 and shall not thereafter admit any elector into the polling station :Provided that, all electors present at I he polling station before it is closed shall be allowed to cast their votes.(3)If any question arises whether an elector was present at the polling station before it was closed, it shall be decided by the polling officer and his decision shall be final.] [Substituted by G. N., U. D. & P. H. D., No. NMC. 1162/ 16075-Z, dated 10th May, 1962.]

8A. [[Inserted by Notification No. 3244-4155-M/XII, dated 19th June, 1953.]

(1)If the proceedings at any polling station are interrupted or obstructed by any riot or open violence or if it is not possible to take the poll on account of any natural calamity or any other sufficient cause, the Polling Officer or the Returning Officer for such polling station shall announce an adjournment of the poll to a date to be notified later and where the poll is so adjourned by a Polling Officer, he shall forthwith inform the Returning Officer concerned.(2)Whenever a poll is adjourned under sub-rule (1) the Returning Officer concerned shall immediately report the circumstance to the Commissioner and the Commissioner shall, as soon as may be, appoint a day on which the poll shall recommence and fix the polling station or place at which and the hours during which the poll be taken. The Returning Officer shall not count the votes cast at such election until such adjourned poll shall have been completed.(3)In every such case aforesaid, the Commissioner shall publish a notice stating the date, place and hours of polling fixed under sub-rule (2) by affixing a copy thereof on the notice board of the Corporation office and in such other manner as he may deem fit.]

9.

(1)The polling officer may employ at the polling station such persons as he thinks fit to help in the identification of the electors or to assist him otherwise in taking a poll.(2)As each elector enters the polling station, the polling officer 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 voting paper, the polling officer shall overlook merely clerical or printing errors in an entry in the electoral roll, if he is satisfied that such person is identical with the elector to whom such entry relates.

9A.

(1) With a view to preventing personation of electors at any election (other than an election in a special constituency), every elector about whose identity the polling officer is satisfied, shall allow his left forefinger to be inspected by the polling officer and indelible ink mark to be put on it. (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 removing the ink mark, he shall not be supplied with any voting 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 his left hand and shall, in the case where all the fingers of his left hand are missing, be construed as a reference to the forefinger or any other finger of his right hand, and shall, in the case where all his fingers of both the hands are missing, be construed as a reference to such extremity of his left or right arm as he possesses.

10.

(1) Every voting paper shall be in Form I (the particulars in the Form may be in the Marathi also). (2) The names of the candidates shall be arranged on the voting paper in the same order in which they appear in the list of duly nominated 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.

10A.

(1) No voting paper shall be issued to any elector before the hour fixed for the commencement of the poll. (2) No voting paper shall be issued to any elector after the hour fixed for the closing of the poll except to those electors who are present at the polling station at the time of the closing of the poll. Such voters shall be allowed to record their votes even after the poll closes. (3) Every voting paper shall, before issue to an elector, be stamped with such distinguishing mark as the Commissioner may direct. (4) At the time of issuing the voting paper to an elector, the polling officer shall record the serial number thereof against the entry relating to the elector in the copy of the electoral roll set apart for the purpose. (5) Save as provided in sub-rule (4), no person in the polling station shall note down the serial number of the voting paper issued to a particular elector.

11.

(1) The elector on receiving the voting paper shall forthwith - (a) proceed to one of the polling compartments; (b) there make a mark on the voting paper with the instrument supplied for the purpose on or near the symbol of the candidate for whom he intends to vote; (c) fold the voting paper so as to conceal his vote; (d) if required, show to the polling officer, the distinguishing mark on the voting paper; (e) insert the folded voting paper into the ballot box; (f) quit the polling station. (2) Every elector shall vote without undue delay. (3) No elector shall be allowed to enter a polling compartment when another elector is inside it.

11A.

(1) If owing to the blindness or other physical infirmity, an elector is unable to recognise the symbol on the voting paper or to make a mark thereon, the polling officer shall record the vote on the voting paper in accordance with the wishes of the elector, fold it so as to conceal the vote and insert it into the ballot box. (2) While acting under this rule, the polling officer shall observe as much secrecy as is feasible. He shall keep a brief record of each such instance but shall not indicate therein the manner in which any vote has been given.

11B.

(1) An elector who has inadvertently dealt with his voting paper in such manner that it cannot be conveniently used as a voting paper may, on returning it to the polling officer and on satisfying him of the inadvertence, be given another voting paper, and the voting paper so returned shall be marked "Spoilt-cancelled" by the polling officer. (2) If an elector after obtaining a voting paper decides not to use it, he shall return it to the polling officer and the voting paper so returned shall be marked as "Returned-cancelled" by the polling officer. (3) All voting papers cancelled under sub-rule (1) or sub-rule (2) shall be kept in a separate packet.

11C.

If a person representing himself to be a particular elector applies for a voting paper after another person has already voted as such elector, he shall, on satisfactorily answering such questions relating to his identity, as the polling officer may ask, be entitled, subject to the following provisions of this rule to mark a voting paper (hereinafter in these rules referred to as a "tendered voting paper") in the same manner as any other elector. (2) Every such person shall, before being supplied with the tendered voting paper, sign his name against the entry relating to him in a list in Form I-A. (3) A tendered voting paper shall be the same as the other voting papers used at the polling station except that it shall be - (a) serially the last in the bundle of voting papers issued for use at the polling station and (b) endorsed on the back with the words "tendered voting paper" by the polling officer in his own hand and signed by him. (4) The elector, after marking the tendered voting paper in the polling compartment and folding it, shall, instead of putting it into the ballot box, give it to the polling officer, who shall place it in a cover specially kept for the purpose.

11D.

(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 polling officer for each such challenge. (2) On such deposit being made, the polling officer shall - (a) warn the person challenged of the penalty for personation; (b) read the relevant entry in the electoral roll in full and ask him whether he is the person referred to in that entry; (c) enter his name and address in the list of challenged votes in Form I-B; and (d) require him to affix his signature in the said list. (3) The polling officer shall thereafter hold a summary inquiry into the challenge and may for that purpose - (a) require the challenger to

adduce evidence in proof of the challenge and the person challenged to adduce evidence in proof of his identity;(b)put to the person challenged any questions necessary for the purpose of establishing his identity and require him to answer them on oath; and(c)administer an oath to the person challenged and any other person offering to give evidence.(4)If, after the inquiry, the polling 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 polling 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 Corporation, and in any other case, he shall return it to the challenger at the conclusion of the inquiry.

12.

(1)The vote of a Returning Officer, polling officer, or polling agent who is on duty at a polling station at which he is not entitled to vote shall be recorded in the following manner.(2)One voting paper in Form I for the ward or special constituency for which such elector is entitled to vote and two covers in Forms II and III hereinafter referred to as covers II and III. respectively shall on application of the elector concerned be forwarded by the Commissioner to such elector on or before the date fixed for recording votes.(3)After recording his vote on the voting paper the elector shall place it in cover II and then seal the cover. He shall then place the cover in another cover III and seal the latter cover. The voting paper shall bear the signature of the Commissioner and cover III the name and the number of the elector.(4)The elector shall then take the sealed cover III to the polling officer or if the elector is himself a polling officer to the Returning Officer. The elector shall place his signature at the space provided for the purpose in cover III in the presence of the polling or Returning Officer, as the case may be, who shall then attest the identity of the elector by placing his signature, date of signature and designation at the space provided on the cover for the purpose. The cover shall then be forwarded to the Commissioner who shall open it and forward the inner cover II with its seal intact to the Returning Officer concerned in a separate sealed cover bearing his signature.(5)The Returning Officer shall cause such votes to be included among other votes given for the candidate designated by the elector.(6)A person qualified in one or more special constituencies may vote in any such constituency or constituencies for which he is qualified as well as in his ward.

13.

Every elector shall have one vote only.

14.

[The polling Officer shall be furnished with as many ballot boxes as may be necessary. [x x x]
[Inserted by G. N. No. 1588-2678-M/X1II, dated 11.5.1952.] Where a wooden box is used, it shall, after showing empty to the candidates and their agents, if any, at the commencement of the poll, be securely locked and the keys shall remain with the Supervising Officer A slit shall be provided on the top through which the voting papers shall be inserted. Where a mechanical box is used, it shall, after similarly being shown, be secured and sealed but the slit shall be kept open for inserting the voting

papers. At the conclusion of the poll the slit shall be effectively closed in the case of both kinds of boxes.]The polling officer as soon as practicable after the close of the poll, shall in the presence of any candidate or polling agent who may be present make up into separate parcels and seal with his own seal and the seal of such candidates or agents as may desire to affix the seal(1)each ballot box in use;(2)the unused voting papers;(3)the tendered voting papers;(4)[the cancelled voting papers;] [Inserted by G. N. No. 1588-2678-M/XIII, dated 14.5.1952.](5)[the marked copy of the electoral roll;] [Inserted by G. N. No. 1588-2678-M/XIII, dated 14.5.1952.](6)the tendered votes lists; and(7)the list of challenged votes and shall forward the packets to the Returning Officer.

15.

The packets shall be accompanied by a statement made by the polling officer, showing the number of voting papers entrusted to him and accounting for them under the head of the voting papers in the ballot box [unused, cancelled and tendered] [Substituted by G. N., U. D. & P. H. D., No. NMC. 1162/ 16075-Z, dated 10th May, 1962.] voting papers and voting papers dealt with under rule 13.

16.

[(1) The Returning Officer shall, as soon as may be practicable after the close of the poll, appoint a date, time and place for the counting of votes, and shall give notice thereof to the candidates.] [Added by G. N., U. D. & P. H. D., No. NMC. 1162/ 16075-Z, dated 10th May, 1962.][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 candidates.] [Substituted by G. N., U. D. & P. H. D., No. NMC. 1162/ 16075-Z, dated 10th May, 1962.](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.] [Added by G. N., U. D. & P. H. D., No. NMC. 1162/ 16075-Z, dated 10th May, 1962.]

17. [[Substituted by G. N., U. D. & P. H. D., No. NMC. 1162/ 16075-Z, dated 10th May, 1962.]

(1)The Returning Officer may have the ballot boxes used at more than one polling station opened and their contents counted simultaneously.(2)Before any ballot box is opened at a counting table, the counting agents present at the table, shall be allowed to inspect the seal affixed thereon and to satisfy themselves that it is intact.(3)The Returning Officer shall satisfy himself that none of the ballot boxes has in fact been tampered with.

17A.

(1)The voting papers taken out of each ballot box shall be arranged in convenient bundles and scrutinized.(2)The Returning Officer shall reject a voting paper -(a)if it bears any mark or writing by which the voter can be identified; or(b)if no vote is recorded thereon; or(c)if votes are given on it in favour of more than one candidate; or(d)if the mark indicating the vote thereon is placed in such

manner as to make it doubtful to which candidate the vote has been given; or(e)if it is a spurious voting paper; or(f)if it is so damaged or mutilated that its identity as a genuine voting paper cannot be established; or(g)if it bears a serial number, or is of a design, different from the serial numbers or, as the case may be, design, of the voting papers authorised for the use at the particular polling station; or(h)if it does not bear the mark which it should have borne under the provisions of sub-rule (3) of rule 11-A ;Provided that,-(i)where a Returning Officer is satisfied that any such defect as is mentioned in clause (g) or (h) has been caused by any mistake or failure on the part of the polling officer, the voting paper shall not be rejected merely on the ground of such defect;(ii)a voting 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 voting paper, the Returning Officer shall allow each counting agent present a reasonable opportunity to inspect the voting paper but shall not allow him to handle it or any other voting paper.(4)The Returning Officer shall record on every voting paper which he rejects the letter "R" and the grounds of rejection in abbreviated form either in his own hand or by means of a rubber stamp.(5)All voting papers rejected under this rule shall be bundled together.

17B.

(1)Every voting paper which is not rejected under rule 18-A shall be deemed to be valid and shall be counted as one valid vote :Provided that, no cover containing tendered voting papers shall be opened and no such paper shall be counted.(2)After the counting of all voting papers contained in all the ballot boxes used at a polling station has been completed, the Returning Officer shall make the entries in a result sheet in Form IV.(3)The Returning Officer shall then proceed to count the voting papers received under rule 13 in the aforesaid manner, and make entries in a result sheet in Form IV.(4)The valid voting papers shall, thereafter, be bundled together and kept along with the bundle of rejected voting papers in a separate packet which shall be sealed and on which shall be recorded the following particulars, namely :-(a)the name of the ward or special constituency;(b)the particulars of the polling station where the voting papers have been used;(c)the dates of counting.(5)The Returning Officer shall verify the voting papers account given by each polling officer under rule 16 by comparing the number of voting papers recorded by him as aforesaid and the unused voting papers in his possession and the tendered votes list and shall reseal each sealed packet after examination and record on each packet the description of its contents and the date of election to which it refers.(6)The Returning Officer, shall then prepare and sign a return in Form V. Any candidate or his agent shall be permitted to inspect or make a copy of the said return.]

18.

(1)No person shall be allowed to be present at the counting of the votes except the Returning Officer and such persons as he may appoint to assist him in counting the votes and the candidates or two agents of each candidate authorised by him in writing in that behalf.(2)No person shall be appointed to assist in counting the votes, who has been employed by or on behalf of any candidate for any purpose whatsoever in connection with the election.

19.

The candidate at the head of the poll shall be declared elected. Where an equality of votes is found to exist between any candidates and the addition of one vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and candidates or their agents who may desire to be present and in such manner as the Returning Officer may determine.

20.

The following papers shall, at the conclusion of the election, be sealed by the Returning Officer and forwarded to the Commissioner who shall keep them for the period mentioned against them and thereafter cause them to be destroyed

Name of paper	Period of retention
[Packets referred to in sub-rules (4) and (5) of rule 18-B. Return referred to in sub-rule (6) of 18-B.] [Substituted by G. N., U. D. & P. H. D., No. NMC. 1162/ 16075-Z, dated 10th May, 1962.]	Three months from the notification of the result of election.
Nomination papers Withdrawal from candidature Copy of final electoral roll used at polling	Until the completion of its next revision.

21.

(1) Every officer, clerk, agent or other person who performs any duty in connection with the recording or counting of votes shall maintain and aid in maintaining the secrecy of the voting and shall not except for some purpose authorised by these rules or under any law communicate to any person information calculated to violate such secrecy. (2) any person who wilfully acts in contravention of sub-rule (1) and any elector who takes any voting paper received by him or a part thereof outside the polling station shall be punishable with fine which may extend to fifty rupees.

22.

The result of the election with full particulars regarding each candidates shall be immediately communicated by the Returning Officer to the Commissioner who shall publish a notification under section 16 giving the names of the Councillors elected in "Madhya Pradesh Gazette".

23.

The Commissioner may empower any officer of the Corporation to exercise, perform or discharge any power, duty or function conferred or imposed upon the Commissioner by these rules and thereupon such officer shall exercise, perform or discharge the same. [Form I] [Substituted by G. N., U. D. & P. H. D., No. NMC. 1162/ 16075-Z, dated 10th May, 1962.] [See rules 11(1) and 13] Form of Voting Paper Name of Ward or Special Constituency..... of the City of Nagpur

Municipal Corporation..... 19.....

Name of Candidate

(1)

Note. - Serial number of each voting paper shall appear on the left hand corner at the top on the reverse.[Form I-A] [Substituted by G. N., U. D. & P. H. D., No. NMC. 1162/ 16075-Z, dated 10th May, 1962.][See rule 12-C (2)]Tendered Votes ListName of Ward or Special ConstituencyPolling StationNumber of Polling Stations, if any

Serial No. of the entry	Name of elector	Serial No. of the elector in the electoral roll	Address of the elector	Serial No. of the tendered voting paper	Serial No. of the voting paper issued to the person already voted	Signature or thumb impression of the elector
(1)	(2)	(3)	(4)	(5)	(6)	(7)

Date.....Signature of the Polling Officer.....[Form I-B] [Substituted by G. N., U. D. & P. H. D., No. NMC. 1162/ 16075-Z, dated 10th May, 1962.][See rule 12-D (2) (c)]List of Challenged VotesName of Ward or Special ConstituencyPolling Station

Sr No. of entry	Name of elector	Serial No. in the electoral roll	Signature or thumb impression of elector and address	Name of identifier, if any
(1)	(2)	(3)	(4)	(5)

Name of person challenging	Amount of deposit made	Order of Polling Officer in each case	Signature of challenger acknowledging receipt of deposit when deposit returned
(6)	(7)	(8)	(9)

Date :Signature of Polling OfficerForm No. II[Rule 13(2)]Cover IIThe Municipal Corporation of the City of NagpurElection of the Ward No. or Special Constituency.Form No. III[Rule 13(2)]Cover III No.Election of Ward No. or Special ConstituencyToThe Commissioner ofThe City of Nagpur Municipal Corporation.....Signature of the elector.I hereby certify that the person who has signed this cover in my presence is to my knowledge, or is proved to my satisfaction to be.....Signature of the Polling Officer/Returning Officer.DesignationDate..... 19.....[Form IV] [Added by G. N., U. D. & P. H. D., No. NMC. 1162/ 16075-Z, dated 10th May, 1962.][See rule 18-13(2) and (3)]Result SheetName of Ward or Special Constituency

Polling Station	Number of valid votes cast in favour of-	Number of-	Number of tendered votes	Remarks
Sr. No.	Name	A	B	C
				Valid votes Rejected votes Total votes for polling

Total number of votes recorded at polling stations Number of votes recorded under rule 13 Total
 votes polled Place :..... Date :..... Returning Officer. [Form V]
 [Added by G. N., U. D. & P. H. D., No. NMC. 1162/ 16075-Z, dated 10th May, 1962.] [See rule
 18-B(6)] Return of Election Name of Ward or Special Constituency
 Sr. No. (1) Names of Candidates (2) Number of valid votes polled (3)

Total number of valid votes polled Total number of rejected votes Total number of tendered votes I
 declare that Shri..... (name of)..... (address) has been duly elected as a
 Councillor. Nagpur: Date :..... Returning Officer. Notification G. N., L.
 Section G. & P. H. D., No. NMC. 1058/ 16676-C, dated 1st May, 1958 (B. G., Part IV-B, page 493) -
 In exercise of the powers conferred by clause (z-1) of sub-section (2) of section 420 of the City of
 Nagpur Corporation Act, 1948 (II of 1950), Government hereby makes the following rule for
 specifying certain trades, manufactures, industries and operations for purposes of clause (c) of
 section 229 of the said Act. the same having been previously published as required by sub-section (1)
 of section 420 thereof. This rule shall come into force with effect from the date of its publication in
 the Bombay Government Gazette :- Rule The following trades, manufactures, industries and
 operations shall be deemed to be dangerous to life, health or property or as likely to create a
 nuisance for the purpose of clause (c) of section 229 of the said Act :- (a) Melting tallow, or (b) Boiling
 bones, offal or blood, or (c) A soap-house, soap factory, where soap is made with or without chemical
 process, oil boiling house, dyeing house for dyeing cloth, yarn in indigo or other colours with or
 without boiling process, rubber industry or rubber balloon factory, hair dressing saloon or barber's
 shop, spinning of cotton, flour mills worked by oil engine or electric power or by any other process,
 rice and dal mills, saw mills, factories for extracting oils, etc. from orange covers or fruit juice
 factories, cold storages, tannery or tanning, pressing or packing hides or skins, whether raw or
 dried, burad manufactory, match factory, fire works, glass works, welding works, and manufactory
 electro plating works, plastic works, bidi works, laundries, iron works, lathe works, furniture works
 or utensil works, cutting fodder by machine operated on electricity or oil engines, celluloid works,
 motor workshops, rickshaw workshops, or vegetable and fruit stores. (d) A brick-kiln, tile-kiln or
 lime-kiln, pottery or crockery manufactory, engine house or any other manufactory or place of
 business from which offensive or unwholesome smell, noise or smoke or any other nuisance
 arise. (e) A shop or yard or depot for trades in grains, hay, straw, oil-seeds, oil cakes, thatching grass,
 wood, charcoal or coal of any kind, cotton, bidi leaves, camphor, celluloid or celluloid goods,
 cinematograph films, cotton refuse, cotton seeds, dry leaves (Patravali), gun powder, blasting
 powder, matches, methylated spirit, paints, old papers (waste), tanas, fodder, hemp, jute, gunny
 bags, coke, timber, wood, scantlings, bamboos, burad manufactory goods, oils, turpentine, varnish,
 acids, sulphur, tar, phenyl, yarn, rags, dry chillies, soap coconut, old paper waste including
 newspapers, skins, hides, bones, wooden packing cases or barrels, cowdung cakes, marriage
 mandwa materials, or other dangerously inflammable materials. (f) Any other manufactory, engine
 house or a place of business from which offensive or unwholesome smell, noise, or smoke or
 nuisance arise. (g) A store-house for any explosive or dangerous or non-dangerous petroleum or any
 inflammable oil or spirit.