

The Rajasthan Waqf Board (Election of Members) Rules, 1999

RAJASTHAN

India

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Rule

THE-RAJASTHAN-WAQF-BOARD-ELECTION-OF-MEMBERS-RULES-1 of 1999

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The Rajasthan Waqf Board (Election of Members) Rules, 1999 Published vide Notification No. G.S.R. 76, dated 16-1-1999, Published in Rajasthan Gazette, Extraordinary, Part 4-C(1), dated 16-1-1999, page 211(1) In exercise of the powers conferred by sub-section (1) and clauses (iv) and (xxv) of sub-section, (2) of section 109 of the [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Act, 1995 (Central Act No, 43 of 1995) read with sub-section (2) of section, 14 thereof, the State Government hereby makes the following rules relating to the manner of election of the members of the Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board, specified in clause (b) of sub-section (1) of section, 14 thereof, namely:-Part - I Preliminary

1. Short title and commencement.

(1) These rules may be cited as the Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board (Election of Members) Rules, 1999. (2) They shall come into force at once.

2. Definitions.

- In these rules, unless the context otherwise requires:- (a) "Act" means the [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Act, 1995 (Central Act 43 of 1995); (b) "ballot box" includes any box, bag or other receptacle used for the Insertion of ballot paper by voters; (c) "Board" means the Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board established under sub-section, (1) or, as the case may be, under sub-section, (2) of section, 13 of the Act; (d) "continuing candidate" means any candidate not elected

and not excluded from the poll at any given time;(e)"count" means-(i)all the operations involved in the counting of the first preferences recorded for candidates, or(ii)all the operations involved in the transfer of the surplus of an elected candidate, or(iii)all the operations involved in the transfer of the total value of votes of an excluded candidate;(f)"counterfoil" means the counterfoil attached to a ballot paper printed under the provisions of these rules;(g)"election" means election of the members of the Board from all or any of the electoral colleges specified in sub-clauses (i) to (iv) of clause (b) of sub-section (1) of section 14 of the Act;(h)"elector" in relation to an election by members of an electoral college, means any person whose name is entered in the electoral roll of and who is entitled to vote at an election of member of the Board from that electoral college;(i)"electoral college" means an electoral college for any of the categories mentioned in sub-clauses (i) to (iv) of clause (b) of sub-section (1) of section 14 of the Act read with second proviso to sub-section (2) thereof;(j)"electoral roll" in relation to an election by members of an electoral college, means list of members of that electoral college maintained by the Chief Election Authority under these rules;(k)"exhausted paper" means ballot paper on which no further preference is recorded for a continuing candidate, provided that a paper shall also be deemed to have become exhausted whenever-(a)the names of two or more candidates, whether continuing or not, are marked with the same figure and are next in order of preference; or(b)the name of the candidate next in order of preference whether continuing or not, is marked by a figure not following consecutively after some other figure on the ballot paper or by two or more figure;(l)"first preference" means the figure 1 set opposite the name of a candidate, "second preference" means the figure 2 set opposite the name of a candidate, "third preference" means the figure 3 set opposite the name of candidate, and so on;(m)"Form" means a Form appended to these rules and includes a translation thereof in Hindi;(n)"original vote", In relation to any candidate, means a vote derived from a ballot paper on which a first preference is recorded for such candidate;(o)"public holiday" means any day which is a public holiday for the purpose of section 25 of the Negotiable Instruments Act, 1881 (Central Act 26 of 1881);(p)"section" means a section of the [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Act, 1995 (Central Act 43 of 1995);(q)"surplus" means the number by which the value of the votes, original and transferred by any candidate exceeds the quota;(r)"transferred vote" in relation to any candidate, means a vote the value or the part of the value of which is credited to such candidate and which is derived from a ballot paper on which a second or subsequent preference is recorded for such candidate; and(s)"unexhausted paper" means a ballot paper on which a further preference is recorded for a continuing candidate.

3. Administrative machinery for the conduct of elections.

(1)Collector, Jaipur Division shall be the Chief Election Authority for the purpose of conduct of elections of members of the Board.(2)The Chief Election Authority shall, by virtue of his office, be also the Electoral Registration Officer and the Returning Officer.(3)The Chief Election Authority may appoint one or more persons to assist him in the performance of his functions of Electoral Registration Officer and Returning Officer:Provided that every such person shall be an officer of the State Government.(4)The Chief Election Authority shall appoint a presiding officer at the polling station of each of the electoral colleges and such polling officer or officers as he thinks necessary, but the shall not appoint any person who has been employed by or on behalf of or has been otherwise working for a candidate in or about the election.(5)A polling officer shall, if so directed by the

Presiding Officer, perform all or any of the functions of a Presiding Officer under these rules.

4. General duties of Chief Election Authority.

- The Chief Election Authority shall publish the draft and final electoral rolls of all the electoral colleges, shall supervise the conduct of elections under section 14 of the Act and these rules, shall perform such other functions as are provided for in these rules and shall also perform the functions of Electoral Registration Officer and the Returning Officer which position he will be holding, by virtue of his office, as mentioned in sub-rule (2) of Rule 3. Part - II Preparation and Publication of Electoral Polls

5. Electoral rolls.

(1) The Chief Election Authority shall get prepared and published and shall maintain the electoral roll of each electoral college, he shall, if necessary, further get prepared, published and maintain separate electoral rolls of:-(a) ex-Muslim members of Parliament from the State; (b) ex-Muslim members of the State Legislature; and (c) ex-Muslim members of the Bar Council of the State. (2) The electoral roll of every electoral college shall be prepared in Hindi and in such form as the Chief Election Authority may decide.

6. Procedure for preparing electoral rolls.

(1) For the purpose of preparing the electoral rolls, the Chief Election Authority shall issue a public notice calling upon every person entitled to be registered in the roll of an electoral college to send to or deliver to his office within 7 days application in Form 1 for inclusion of his name. (2) The said notice shall be published in Rajasthan Gazette or in the newspaper having circulation in the State. The period of 7 days referred to in sub-rule (1) shall commence from the date of publication of the notice in the newspaper. (3) The Chief Election Authority shall obtain-(a) list of Muslim members of Parliament from the State and Muslim members of the State Legislative Assembly as also of ex-Muslim members from the Secretary, Rajasthan Legislative Assembly; (b) list of Muslim Members of the Bar Council of the State as also of its ex-Muslim members from the Secretary, State Bar Council, and (c) list of mutawallis of the [waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).]s having an annual income of rupees one lakh and above, from the Secretary, [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board with their latest addresses. (4) Where a [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] institution is having more than one mutawalli or is being managed or administered by a Managing Committee or other body, the Secretary, [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board shall, before sending the list of mutawallis mentioned in clause (c) of sub-rule (3), give 7 days time to the mutawallis or, as the case may be, the Managing Committee or other body, to elect from among themselves one mutawalli or, as the case may be, one office-bearer or the Managing Committee or other body of such [waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] institution. The name of person elected by the mutawallis or, as the case may be, the Managing Committee or other body of such [waqf] [Substituted by Notification No. G.S.R. 123,

dated 7.12.2015 (w.e.f. 16.1.1999).] institution shall be included in the list of mutawallis to be sent by the Secretary, [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board to the Chief Election Authority: Provided that, if the mutawallis or, as the case may be, the Managing Committee or other body of such [waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] in situation fails to elect and communicate the name of the person elected to the Secretary of the Board, the name of senior-most mutawalli or the President or head of the Managing Committee or other body, as the case may be, shall be deemed to have been elected under this sub-rule and his name shall be included in the list of mutawallis to be sent.

7. Preparation of draft electoral roll.

(1) On the basis of application received in pursuance of public notice published under sub-rule (2) of Rule 6 and the list received by him under sub-rule (3) of the said rule, the Chief Electoral Authority shall get prepared draft electoral roll of each electoral college. (2) As soon as the electoral rolls prepared under sub-rule (1) are ready, the Chief Electoral Authority shall publish it in draft by making a copy thereof available for inspection and displaying a notice in Form 2 at his office.

8. Period of lodging claims and objections.

- Every claim for the inclusion of name in the roll of any electoral college and every objection to an entry therein shall be lodged within a period of 7 days from the date of publication of the roll in draft under Rule 7, or as may be fixed by the Chief Electoral Authority in this behalf: Provided that the Chief Electoral Authority may, by notification in the official gazette, extend the period in respect of any electoral college.

9. Form for claims and objections.

(1) Every claim shall be-(a) in Form 3 and (b) signed by the person desiring his name to be included in the electoral roll. (2) Every objection to the inclusion of a name in the electoral roll shall be-(a) in Form 4 and (b) preferred by a person whose name is already entered in the roll. (3) Every objection to a particular or particulars in an entry shall be-(a) in Form 5 and (b) preferred only by the person to whom that entry relates.

10. Manner of lodging claims and objections.

- Every claim or objection shall either be prescribed to the Electoral Registration Officer or the such other officer as may be designated by him in this behalf.

11. Procedure of designated under Rule 10.

(1) Every officer designated under Rule 10 shall-(a) maintain in duplicate of list of claims in Form 6, a list of objections to the inclusion of names in Form 7 and a list of objections to particulars in Form

8; and(b)keep exhibited one copy of each such list on a notice board in this office.(2)Where a certain claim or objection is presented to him, he shall, after complying with the requirements of sub-rule (1), for the ward with such remarks, if any, as he considers proper to the Electoral Registration Officer.

12. Procedure of Electoral Registration Officer.

- The Electoral Registration Officer also shall-(a)maintain in duplicate the three years lists in Forms 6, 7 and 8 and enter thereupon the particulars of every claim or objection as and when it is received by him whether directly under Rule 10 or on being forwarded under Rule 11; and(b)keep exhibited one copy of each such list on a notice board in his office.

13. Rejection of certain claims and objections.

- Any claim or objection which is not lodged within the period, or in the form and manner herein specified, shall be rejected by the Electoral Registration Officer.

14. Inquiry into claims and objections.

- The Electoral Registration Officer such summary inquiry as he considers necessary accept or reject the claims.

15. Final publication of roll.

(1)The Electoral Registration Officer shall thereafter-(i)publish the roll, together with the list of amendments by making a complete copy thereof available for inspection and displaying a notice in Form 9 at his office.(2)On such publication, the electoral roll together with the list of amendments and corrections shall be the electoral roll of the electoral colleges.(3)Where the electoral roll (hereinafter in this sub-rule referred to as the "basic roll"), together with the list of amendments and corrections, becomes the electoral roll of electoral colleges under sub-rule (2), the Chief Election Authority may, for the convenience of the concerned, integrate the lists into the basic roll by incorporating inclusion of names, amendment, transposition or deletion of entries in the relevant rolls of all electoral colleges, so however that no change shall be made in the process of such integration in the name of any elector or in any particulars relating to any elector as given in the list of amendments.(4)A candidate who has submitted nomination paper for election from an electoral college shall, on application made for the purpose, be entitled free of cost of get two copies of the final electoral roll of that electoral college from the Chief Election Authority.

16. Appeals from orders deciding claims and objections.

(1)An appeal shall lie from any decision of the Electoral Registration Officer under Rule 14 the Principal Secretary, [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Department of the Government or to such officer of Government as the State

Government may designate in this behalf: Provided that an appeal shall not lie where the person desiring to appeal has not availed himself of his right to be heard by, or to make representation to, the Electoral Registration Officer on the matter which is subject of appeal. (2) every appeal under sub-rule (1) shall be—(a) in the form of a memorandum signed by the appellant; and (b) presented to the appellate Officer referred to in sub-rule (1) within a period of three days from the date of announcement of the decision or sent to that officer by registered post so as to reach him within that period. (2) The presentation of an appeal under this rule shall not have the effect of staying or postponing any action taken to be taken by the Electoral Registration Officer or the Chief Election Authority under Rule 15. (3) Every decision of the appellate officer shall be final, but in so far as it reverses or modifies a decision of the Electoral Registration Officer, shall take effect only from the date of the decision in appeal. (4) The Electoral Registration Officer shall cause such amendments to be made in the electoral roll as may be necessary to give effect to the decisions of the appellate officer under this rule.

17. Revision of rolls.

(1) The electoral roll of an electoral college shall be revised before each election of member from the electoral college. (2) Where the electoral roll is to be revised at any time, it shall be prepared afresh and Rules 5 to 16 shall apply in relation to such revision as they apply to afresh preparation of a roll. (3) Where at any time between the publication in draft of the revised roll under sub-rule (2) of Rule 7 and the final publication of the same under Rule 15(1), any names have been directed to be included in the electoral roll of an electoral college under Rule 16, the Electoral Registration Officer shall cause the name to be included also in the revised roll unless there is in his opinion, any valid objections to such inclusion.

18. Correction of entries and inclusion of names in electoral rolls.

(1) If the Electoral Registration Officer, on application made to him or on his own motion is satisfied after such inquiry as he thinks fit, that any entry in the electoral roll of an electoral college:—(a) is erroneous or defective if any particular, (b) should be transposed to electoral roll of other electoral college; or (c) should be deleted on the ground that the person concerned is dead or has ceased to be member of that electoral college or to be registered in that roll, the Electoral Registration Officer shall, amend, transpose or delete the entry: Provided that before taking any action on any ground under clause (a) or clause (b) or an action under clause (c) on the ground that the person concerned has ceased to be member of the electoral college or that he is otherwise not entitled to be registered in the electoral roll of that electoral college, the Electoral Registration Officer shall give the person concerned a reasonable opportunity of being heard in respect of the action proposed to be taken in relation to him. (2) Any person whose name is not included in the electoral roll of an electoral college, may apply to the Electoral Registration Officer for the inclusion of his name in that roll. (3) The Electoral Registration Officer shall, if satisfied that the applicant is entitled to be registered in all electoral roll, direct his name to be included therein. (4) No amendment, transposition or deletion of entry shall be made under sub-rule (1) and no direction for the inclusion of name in the electoral roll of an electoral college under sub-rule (3) shall be given, after the last date for making nomination for an election in that electoral college and before the completion of that election. (5) Every application

under sub-rule (2) shall be made in duplicate in such one of the Forms 3, 4 or 5 as may be appropriate.(6)The Electoral Registration Officer immediately on receipt of such application, direct that one copy thereof be posted in some conspicuous place in his office together with a notice inviting objections to such application within a period of seven days from the date of such posting.(7)The Electoral Registration Officer shall as soon as may after the expiry of the period specified of the sub-rule (6), consider the application and objection thereto, if any, received by him and shall, if satisfied, direct the inclusion, deletion, correction or transposition of entries in the roll, as may be necessary:Provided that when an application is rejected by the Electoral Registration Officer, he shall record in writing brief statement of his reasons for such rejection.

19. Appeals from orders under Rule 18.

- An appeal shall lie to the Principal Secretary, [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Department from any order of the Electoral Registration Officer under Rule 18.(2)Every appeal under sub-rule (1) shall be-(a)in the form of a memorandum signed by the appellant;(b)accompanied by a copy of the order appealed from and a fee of five rupees to be paid by means of nonjudicial stamps, and(c)presented to the Principal Secretary, [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Department within a period of fifteen days from the date of the order appealed from or sent by registered post so as to reach him within that period:Provided that the aforesaid Appellate Authority may condone the delay in the presentation of the appeal to him, if he is satisfied that the appellant had sufficient cause for not presenting it within the time prescribed.(3)For the purpose of sub-rule (1), an appeal shall be demand to have been presented to the Principal Secretary, [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Department when the memorandum of appeal is delivered by, or on behalf of, the appellant to the Principal Secretary [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Department himself or to any other officer appointed by him in this behalf.

20. Custody and preservation of electoral rolls and connected papers.

(1)After the electoral roll for electoral colleges has been finally published, the following papers shall be kept in the office of the Electoral Registration Officer or at such other places as the Electoral Registration Officer may be order specify until the expiration of one year after the completion of the next revision of the electoral rolls:-(a)one complete copy of the roll of all electoral colleges;(b)registration of enumeration forms;(c)applications in regard to the preparation of the roll;(d)lists received from the Secretary, Rajasthan Legislative Assembly, Secretary, Rajasthan Bar Council and Secretary, [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board;(e)manuscript parts prepared by enumerating agencies and used for compiling the roll;(f)papers relating to claims and objections;(g)papers relating to appeals under Rule 16 or Rule 19; and(h)applications under Rule 18.(2)One complete copy of the roll or all electoral colleges duly authenticated by the Electoral Registration Officer shall also be kept in such place as the Electoral Registration Officer may specify as permanent record.

21. Inspection of electoral rolls and connected papers.

- Every person shall have the right to inspect the election papers referred to in Rule 20 and to get attested copies thereof on payment of such fee as may be fixed by the Electoral Registration Officer.

22. Disposal of electoral rolls and connected papers.

(1)The papers referred to in Rule 20 shall, on the expiry of the period specified therein, be disposed of in such manner as the Electoral Registration Officer may direct.(2)Copies of the electoral roll for any electoral college in excess of the number required for deposit under Rule 20 and for any other purpose shall be disposed of at such time and in such manner as the Electoral Registration Officer may direct and until such disposal, shall be made available for sale to the public.Part -
IIINominations and Withdrawals

23. Number of Elected members.

- The number of members selected from each electoral college shall consist of one and not more than two members as the State Government may notify from time to time:- The electoral colleges consisting of-(a)Muslim Members of Parliament from the State,(b)Muslim Members of the State Legislature,(c)Mutawallis of the [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).]s having an annual income of rupees one lakh and above.

24. Notification for election.

- For the purpose of electing members of the Board from the electoral colleges, the State Government shall by one or more notifications published in Rajasthan Gazette and news paper on such date or dates as may be specified therein, call upon the members of the electoral colleges to be elect members of the Board in accordance with the provisions of the Act, these rules and order made thereunder. The Returning Officer shall notify the programme of election by displaying on his notice board:Provided that no notification under this rule shall be issued more than three months prior to the date on which the term of office of the retiring members is due to expire.

25. Appointment of dates for nomination etc.

- As soon as the notification calling upon the members of electoral colleges to elect members of the Board is issued, the Chief Election Authority and Returning Officer shall, by notification published in news paper, appoint-(a)the last date for making nominations, which shall be the third days after the date of publication of the first mentioned notification or, if that day is a public holiday, the next succeeding day which is not a public holiday;(b)the date of the scrutiny of nominations, which shall be the date 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;(c)the last day for withdrawal of candidature which shall be the second day after the scrutiny of nominations or, if that day is a public holiday, the next succeeding day which is not a public holiday;(d)the date or dates on which poll

shall, if necessary, be taken, which or the first of which shall be a date not earlier than the last day for the withdrawal of candidature; and (e) the day, date, time and place of counting of vote, if necessary.

26. Public notice of election.

- On the issue of a notification under Rule 25, the Returning Officer shall give public notice of the intended election in Form 10 inviting nomination of candidates for such election and specifying the place at which the nomination papers are to be delivered.

27. Nomination of candidates for election.

- Any person may be nominated as a candidate for election as member of the Board from an electoral college if he is qualified to be chosen to fill the membership from that electoral college under the provisions of the Act.

28. Presentation of nomination paper and requirements for a valid nomination.

(1) On or before the date appointed under clause (a) Rule 25 each candidate shall either in person or by his proposer between the hours of eleven o'clock in the forenoon and three o'clock in the afternoon, deliver to the Returning Officer at the place specified in this behalf in the notice issued under Rule 26, a nomination paper completed in Form 11 and signed by the candidate and by an elector of the electoral college as proposer: Provided that no nomination paper shall be delivered to the Returning Officer on a day which is public holiday: Provided further that it shall not be mandatory that there should be a proposer of the candidate in the nomination. (2) In an electoral college where membership is reserved for Shia Muslim, a candidate shall not be deemed to be qualified to be chosen to fill that membership unless his nomination paper contains a declaration by him specifying that he is a Shia Muslim. (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 if any, as entered in the nomination paper are the same as those entered in the electoral rolls: 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 numbers of any such person in the electoral roll or the nomination paper, shall affect the full operation of the electoral roll or the 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 commonly 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 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 not more than four nominated papers shall be presented by or on behalf of any candidate or accepted by the Returning Officer for

election from the same electoral college.

29. Notice of nominations and the time and place for their scrutiny.

- The Returning Officer shall, on receiving the nomination paper under sub-rule (1) or, as the case may be, under sub-rule (2) of Rule 28, inform the person or persons delivering the same of the date, time and place fixed for the 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 affixed in some conspicuous place in his office a notice in Form 12 of the nomination containing description similar to those contained in the nomination paper, both of the candidate and of the proposer, if any.

30. Scrutiny of nominations.

(1) On the date fixed for the scrutiny of nominations under clause (b) of Rule 25, 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 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 28. (2) The Returning Officer shall 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 inquiry, if any, as he thinks necessary, reject any nomination on any of the following grounds:-(a) that on the date fixed for the scrutiny of nominations the candidate is not qualified and eligible for being chosen to fill the membership of the [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board from electoral college for which the nomination has been delivered. (b) that the signature of the candidate or the proposer on the nomination is not genuine. (3) Nothing contained in clause (b) of sub-rule (2) shall be deemed to authorise the rejection of the nomination of any candidate on the ground of any irregularity in respect of a nomination paper, if the candidate has been duly nominated by means of another nomination paper in respect of which no irregularity has been committed. (4) The Returning Officer shall not reject the 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 clause (b) of Rule 25 and shall not allow any adjournment of the proceedings except when such proceedings are interrupted or obstructed 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 next date 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 his reasons for such rejection. (7) For the purpose of this rule, a certified copy of an entry in the electoral roll for the time being in force of an electoral college shall be conclusive evidence of the fact that the person referred to in that entry is an elector for that electoral college. (8) Immediately after all the nomination papers have been scrutinized and

decisions accepting or rejecting the same have been recorded, the Returning Officer shall prepare a list of validly nominated candidates, that is to say, candidates whose nominations have been found valid and affix it on his notice board.

31. Withdrawal of candidature.

(1) Any candidate may withdraw his candidature by a notice in writing in Form 13 which, shall contain such particulars as may be prescribed and delivered before three o'clock in the afternoon of the date fixed under clause (c) of Rule 25 to the Returning Officer either by such candidate in person or by his proposer, or election agent who has been authorised in this behalf in writing by such candidate. (2) No person who has given a notice of withdrawal of his candidature under sub-rule (1) shall be allowed to cancel the same. (3) The Returning Officer shall, on being satisfied as to the genuineness of a notice of withdrawal and the identity of the person delivering it under sub-rule (1), cause the notice to be affixed in some conspicuous place in his office.

32. Publication of list of contesting candidates.

(1) Immediately after the expiry of the period within candidature may be withdrawn under clause (c) of Rule 25, the Returning Officer shall prepare and publish in Form 14 a list of contesting candidates, that is to say, candidates who were included in the list of validly nominated candidates and who have not withdrawn their candidature within the said period. (2) The said list shall contain the names in alphabetical order and the address of the contesting candidates as given in the nomination papers and other necessary particulars. Part - IV Candidates and their Agents

33. Election agents.

- A candidate at an election may appoint in Form 15 any one person other than himself to be his election agent and when any such appointment is made, he shall give notice of the same to the Returning Officer by delivering to him the aforesaid Form by which the appointment was made.

34. Revocation of the appointment of death of an election agent.

(1) Any revocation of the appointment of an election agent shall be signed by the candidate and shall operate from the date on which it is lodged with the Returning Officer. (2) In the event of such revocation or of the death of an election agent, whether that event occurs before or during the election, the candidate may appoint another person to be his election agent and when such appointment is made, notice of the appointment shall be given in the manner provided for in Rule 33 to the Returning Officer.

35. Functions of election agents.

- An election agent may perform such functions in connection with the election as are authorised by these rules to be performed by an election agent.

36. Appoint of polling agent.

- A contesting candidate or his election agent may appoint in Form 16 one polling agent and one relief agent as polling agent of such candidates at the polling station.

37. Appointment of counting agents.

- A contesting candidate or his election agent may appoint not more than two persons to be present as his counting agent or agents at the counting of votes, and when any such appointment is made, notice of the appointment shall be given in Form 17 of the Returning Officer.

38. Revocation of the appointment or death of a polling agent or counting agent.

(1) Any revocation of the appointment of a polling agent shall be signed by the candidate or his election agent and shall operate from the date on which it is lodged with the Presiding Officer and in the event of such a revocation or of the death of a polling agent before the close of the poll, the candidate or his election agent may appoint another polling agent at any time before the poll is closed and shall forthwith give notice of such appointment to the Presiding Officer. (2) Any revocation of the appointment of counting agent shall be signed by the candidate or his election agent and shall operate from the date on which it is lodged with the Returning Officer, and in the event of such revocation or of the death of a counting agent before the commencement of the counting of votes, the candidate or his election agent may appoint another counting agent at any time before the counting of votes is commenced and shall forthwith give notice of such appointment to the Returning Officer.

39. Function of polling agent and counting agent.

(1) A polling agent may perform such functions in connection with the poll as are authorised by these rules to be performed by a polling agent. (2) A counting agent may perform such functions in connection with the counting of the votes as are authorised by these rules to be performed by a counting agent.

40. Attendance of a contesting candidate or his election agent at polling stations, and performance by him of the functions of a polling agent or counting agent.

(1) At every election where a poll is taken each contesting candidate at such election and his election agent shall have a right to be present at the polling station or the place fixed for the poll. (2) A contesting candidate or his election agent may himself do any act or thing which any polling agent or the counting agent of such contesting candidate if appointed, would have been authorised by 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.

41. Non-attendance of polling or counting agent.

- Where any act or thing is required or authorised by these rules to be done in the presence of the polling or counting agents, the non-attendance of any such agent or agents at the time and place appointed for the purpose shall not, if the act or thing is otherwise duly done, invalidate the act or thing done. Part - V General Procedure at Elections

42. Procedure in contested and uncontested elections.

(1) If the number of contesting candidates is more than the number of membership to be filled, a poll shall be taken. (2) If the number of such candidate or candidate is equal to the number of membership to be filled, the Returning Officer shall forthwith declare such candidate or all such candidates, as the case may be, to be duly elected to fill that membership or those memberships. (3) If the number of such candidate is less than the number of membership to be filled, the Returning Officer shall forthwith declare such candidate to be elected and the Chief Election Authority shall, by notification in the Rajasthan Gazette, call upon the members of the electoral college concerned to elect a person to fill the remaining membership of that electoral college: Provided that where the members of the electoral college having already been called upon under sub-rule (3), have failed to elect a person to fill the vacancy, the Chief Election Authority shall not be bound to call again, such members to elect a person until it is satisfied that if called upon against there will be no such failure on the part of such members. Voting at election by member of Electoral college

43. Rules for conduct of poll.

- To every election by members of electoral college in respect of which no direction has been issued for voting by postal ballot, following rules shall apply.

44. Design of ballot boxes.

- Every ballot box shall be of such design as may be approved by the Chief Election Authority.

45. Form of ballot papers.

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

46. Arrangement at polling stations.

(1) There shall be separate polling stations for each electoral college. Outside the polling station of an electoral college, the description of the electoral college shall be displayed prominently. Copy of the list of contesting candidates from the electoral college shall also be displayed. (2) At each polling station, there shall be set up one or more voting compartments in which electors can record their votes screened from observation. (3) The Returning Officer shall provide at each polling station sufficient number of ballot boxes, copies of the relevant electoral roll, ballot papers, instruments for stamping the distinguishing mark on ballot papers and articles necessary for electors to mark the ballot papers.

47. Admission to polling stations.

- The Presiding Officer shall regulate the number of electors, to be admitted at any one time inside the polling station and shall exclude therefrom all persons other than-(a) polling officers; (b) persons authorised by the Chief Election Authority; (c) candidates, their election agents and subject to the provisions of Rule 36, the polling agents of each candidate; (d) public servant on duty in connection with the decision; (e) a child in arms accompanying an elector; (f) a person accompanying a blind or infirm elector who cannot move without help; and (g) such other person as the Returning Officer or the Presiding Officer may employ in connection with the election.

48. Preparation of ballot boxes for poll.

(1) 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 presents as are desirous of affixing the same. (2) The Presiding Officer shall fix the paper seal so signed in the space meant therefore in the ballot box and shall then secure and seal the box in such manner that the slit for the insertion of the ballot paper therein to remains open. (3) The seals used for securing a ballot box shall be affixed in such manner that after the box has been closed it is not possible to open it without breaking the seals. (4) Where it is not necessary to use paper seal for securing the ballot boxes, the Presiding Officer shall secure and seal the ballot box in such manner that the slit for the insertion of ballot papers remain open and shall allow the polling agents presents to affix, if they so desire their seals. (5) Every ballot box used at a polling station shall bear labels both inside and outside, marked with-(a) the serial number and the name of the electoral college; (b) the serial number of the ballot box relating to an electoral college (to be filled in at the end of the poll on the label outside the ballot box only); (c) the date of poll. (6) Immediately before their commencement of the poll, the Presiding Officer shall demonstrate to the polling agents and other persons present that the ballot box is empty and bears and labels referred to in sub-rule (5). (7) The ballot box shall then be closed, sealed and secured and placed in full view of the Presiding Officer and the polling agents.

49. Marked copy of electoral roll.

- Immediately before the commencement of the poll, the Presiding Officer shall also demonstrate to

the polling agents and other present that the marked copy of the electoral roll to be used during the poll does not contain any entry or mark.

50. Identification of electors.

(1)The Presiding Officer may employ at the polling station such persons, as he thinks fit to help electors or to assist him otherwise in taking the poll.(2)As each elector enters and polling station, the Presiding Officer or the polling officer authorised 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, the Presiding Officer or the polling officer, as the case may be, shall overlook merely clerical or printing error in the entry in the electoral roll if he is satisfied that such person is identical with the elector to whom such entry relates.

51. 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 case with the Presiding Officer for each such challenge.(2)On the deposit being made, the Presiding 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 18; and(d)require him to affix his signature in the said list.(3)The Presiding 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 on oath; and(c)administer an oath to the person challenged and to 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 Government, and in any other case, he shall return to the challenger at the conclusion of the inquiry.

52. Method of voting.

(1)Every elector has only one vote at an election irrespective of the number of membership to be filled from an electoral college.(2)Every elector 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.(3)If any elector-(a)refuses to allow his left forefinger to be inspected or marked in accordance with sub-rule (2) or has already such a mark on his left forefinger or does any act-with a view to removing the mark, he shall not be supplied with any ballot paper or allowed to vote.(4)Any reference in this rule to the left forefinger of an elector shall, in the case where the elector has left forefinger 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 hands are missing, be constructed as a reference to such extremity of his left or right arm as he possesses.(5)An elector in giving his vote-(a)shall place on his ballot paper the figure 1 in the space opposite the name of the candidate for whom he wishes to vote in the first instance;(b)may in addition, place on his ballot paper the figure 2 or the figures 3 and 3 or the figures 2, 3 and 4 and so on, in the space opposite the name of the other candidate in the order of his preference.Explanation. - The figure referred to in clause (a) and clause (b) of this sub-rule may be marked in the international form of Indian numerals or in the Roman Form or in the form used in any Indian language but shall not be indicated in words.

53. Issues of ballot papers to electors.

(1)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 that 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 put his signature or thumb impression on the counterfoil of that ballot paper.(3)It shall not be necessary for any Presiding officer or 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.(5)Before any ballot paper is delivered to an elector at an election, the serial number of the ballot paper shall be effectively concealed in such manner as the Chief Election Authority may direct.

54. 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 53 or under any other provision of these rules, shall maintain secrecy of voting within the polling station and for that purpose the voting procedure is hereinafter laid down.(2)The elector on receiving the ballot paper shall forthwith-(a)proceed to the voting compartment;(b)record his vote in accordance with sub-rule (5) of rule 52 with the article supplied for the purpose;(c)fold the ballot paper so as to conceal his vote;(d)insert the ballot paper into the ballot box; and(e)quit the polling station;(3)Every elector shall vote without delay.(4)No elector shall be allowed to enter a voting compartment when another elector is inside it.(5)If an elector to whom a ballot paper has been issued, refuses, after warning given by the Presiding Officer to observe the procedure 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 under sub-rule (5)

may be liable, vote, if any, recorded on such ballot paper shall not be counted.

55. Recording of votes of illiterate, blind and infirm electors.

(1) If an elector is unable to read the ballot paper or to record his vote thereon in accordance with sub-rule (5) of Rule 52 by reason of illiteracy, blindness or other infirmity, permit the elector to take with him a compensation of not less than eighteen years of age who is able to read the ballot paper and record the vote thereon on behalf of and in accordance with the wishes of, the elector and, if necessary, to fold the ballot paper so as to conceal the vote and insert it into the ballot box: Provided that no person shall be permitted to act as the companion who is himself an elector at the election. (2) The Presiding Officer shall when he is so requested by the companion of an elector, explain to him the instruction for the recording of votes. (3) The Presiding Officer shall keep a record in Form 19 of all the cases under this rule.

56. 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 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.

57. Tendered voted.

(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 following provisions of this rule, to mark a ballot paper (hereinafter in these rules referred to as a tendered ballot paper) in the same manner as any other elector. (2) Every such person shall, before being supplied with a tendered ballot paper, sign his name against the entry relating to him in a list in Form 20. (3) A tendered ballot paper shall be the same as the other ballot papers used at the polling station 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 shall be endorsed on the back with the words "tendered ballot paper" by the Presiding Officer in his own hand 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 specifically kept for the purpose.

58. Closing of poll.

(1) The Presiding Officer shall close a polling station at the hour fixed in that behalf and shall not

thereafter admit any elector into the polling station: Provided that all the 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.

59. Sealing of ballot box after poll.

- As soon as practicable. Presiding Officer shall, in the presence of any polling agent who may be present, close the slit for insertion of ballot papers of each ballot box or where the box does not contain any mechanical device for closing the slit, seal up the slit and secure the ballot box: Provided that it shall not be necessary to seal the slit or secure the ballot box if the counting of votes is to begin immediately after the close of the poll.

60. Account of ballot papers.

(1) The Presiding Officer shall at the close of the poll prepare a ballot paper account in Form 21 and enclose it in a separate cover with the words "Ballot Paper Account" subscribed 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 therefor and shall also attest it as a true copy.

61. Sealing of other packets.

(1) The Presiding Officer shall then make into separate packets.-(a) the marked copy of the electoral roll; (b) the ballot papers signed in full by the Presiding Officer but not issued to the voters; (c) The ballot papers cancelled for violating of voting procedure under Rule 54; (d) the counterfoils of the used ballot papers; (e) any other ballot papers not issued to the voters; (f) any other cancelled ballot papers; (g) the cover containing the tendered ballot papers and the list in Form 24; (h) the list of challenged votes; and (i) any other papers directed by the Chief Election Authority to be kept in a sealed packet. (2) Each such packet shall be sealed with the seal of the Presiding Officer and with seals either of the candidate or his election agent or of his polling agent who may be present at the polling station and may desire to affix his seal thereon.

62. Transmission of ballot boxes etc. to the Returning Officer.

- 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 or, as the case may be, the bags or covers referred to in Rule 59; (b) the ballot paper account; (c) the sealed packets referred to in Rule 61; and (d) all other papers used at the poll. Part - VI Counting of Votes

63. Time and place for counting of votes.

- The Returning Officer shall, appoint the place or places where the counting of votes will be done and the date and time at which the counting will 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 or places so fixed, or any of them, after giving notice of the same in writing to each candidate or his election agent.

64. Admission to the place fixed for counting.

(1) The Returning Officer shall exclude from the place for counting of votes all person except:-(a) such person to be known as counting supervisors and counting assistants as he may appoint to assist him in the counting; (b) persons authorised by the Chief Election Authority; (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 or agents shall watch the counting at any particular counting table or group of counting tables. (4) Any person who during the counting of votes misconducts himself or fails to obey the lawful direction of the Returning Officer may be removed from the place where the votes are being counted by any police officer on duty or by any person authorised in this behalf by the Returning Officer.

65. Maintenance of secrecy of voting.

(1) Every officer clerk, agent or other person who performs any duty in connection with the recording or conducting of votes at an election 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 calculated to vitiate such secrecy. (2) Any person who contravenes the provisions of sub-rule (1) shall be punishable with imprisonment for a term which may extend to three months or with fine or with both.

66. Scrutiny and opening of ballot boxes.

(1) The Returning Officer shall-(a) open the ballot boxes, take out from each box and count ballot papers contained therein, and record their number in a statement; (b) scrutinise the ballot papers taken out of the ballot boxes; and (c) separate the ballot paper which he deems valid from those which he rejects endorsing on each of the latter the word "Rejected" and ground of rejection. (2) A ballot paper shall be invalid on which-(a) the figure 1 is not marked; or (b) the figure 1 is set opposite the name of more than one candidate or is so placed as to render it doubtful to which candidate it is intended to apply; or (c) the figure 1 and some other figure are set opposite the name of the same candidate; or (d) there is any mark or writing by which the elector can be identified; or (e) there is any figure marked otherwise than with the article supplied for the purpose: Provided that where the Returning Officer is satisfied that any such defect as is mentioned in this clause has been caused by

any mistake or failure on the part of the Presiding Officer or polling officer, the ballot paper shall not be rejected, namely on the ground of such defect.

67. Arrangement of valid ballot papers in parcels.

- After rejecting the ballot papers which are invalid, the Returning Officer shall-(a)arrange the remaining ballot papers in parcels according to the first preference recorded for each candidate,(b)count and record the number of papers in each parcel and the total number;(c)credit to each candidate the value of the papers in his parcel.

68. Counting of votes where only one seat is to be filled.

(1)At any election from an electoral college, where only one seat is to be filled, every valid ballot paper shall be deemed to be of the value of 1 at each count, and the quota sufficient to secure the return of a candidate at the election shall be determined as follows-(a)add the value credited to all candidates under clause (c) of Rule 67;(b)divide the total by 2; and(c)add 1 to the quotient ignoring the remainder if any and the resulting number is the quota.(2)If at the end of the first or any subsequent count, the total value of the ballot papers created to any candidate is equal to, or greater than, the quota or there is only the continuing candidate, that candidate shall be declared elected.(3)If, at the end of any count, no candidate can be declared elected, the Returning Officer, shall-(a)exclude from the poll the candidate who upto that stage has been credited with the lowest value;(b)examine all the ballot papers in his parcels and sub parcels, arrange the unexhausted papers in sub parcels, according to the next available preferences recorded thereon for the continuing candidates, count the number of papers in each such sub-parcel and credit it to the candidate for whom such preference is recorded, transfer the sub-parcel of all the exhausted papers; and(c)see whether any of the continuing candidates has, after such transfer and credit secured the quota.(4)If, when a candidate has to be excluded under clause (a) of sub-rule (3), two or more candidates have been credited with the same value and stand lowest on the poll, the candidate for whom the lowest number of original value are recorded shall be excluded and if this number also is the same in the case of two or more candidates, the Returning Officer shall decide by lot which of them shall be excluded.Counting of votes where more one seat is to be filled

69. Ascertainment of quota.

- At any election where more than one seat is to be filled, every valid ballot paper shall be deemed to be of the value of 100, and the quota sufficient to secure the return of a candidate at the election shall be determined as follows-(a)add the value credited to all the candidates under clause (c) of Rule 67.(b)divide the total by number which exceeds by 1 the number of vacancies to be filled; and(c)add 1 to the quotient ignoring the remainder, if any, and the resultant number is the quota.

70. Candidates which quota elected.

- If at the end of any count or at the end of the transfer of any parcel or sub-parcel of an excluded

candidate, the value of ballot papers credited to a candidate is equal to, or greater than the quota, that candidate shall be declared elected.

71. Transfer of surplus.

(1) If at the end of any count the value of the ballot papers credited to a candidate is greater than the quota, the surplus shall be transferred, in accordance with the provisions of this rule, to the continuing candidates indicated on the ballot papers of that candidate as being next in order of the elector's preference. (2) If more than one candidate have a surplus, the largest surplus shall be dealt with first and the others in order of magnitude: Provided that every surplus arising on the first count shall be dealt with before those arising on the second count and so on. (3) Where there are more surpluses than one to distribute and two or more surpluses are equal, regard shall be had to the original votes of each candidate and the candidate for whom most original votes are recorded shall have his surplus first distributed; and if the value of their original votes are equal, the Returning Officer shall decide by lot which candidate shall have his surplus first distributed. (4) (a) If the surplus of any candidate to be transferred arises from original votes only, the Returning Officer shall examine all the papers belonging to that candidate, divide the unexhausted papers into sub parcels according to the next preference recorded thereon and make a separate sub-parcel of the exhausted papers. (b) If the value of the unexhausted papers is equal to or less than the surplus, he shall transfer all the unexhausted papers at the value at which they were received by the candidate whose surplus is being transferred. (c) If the value of the unexhausted papers is greater than the surplus, he shall transfer the sub-parcels of unexhausted papers and the value at which each paper shall be transferred shall be ascertained by dividing the total number of unexhausted papers. (5) If the surplus of any candidate to be transferred arises from transferred as well as original votes, the Returning Officer shall re-examine all the papers in the sub-parcel last transferred to the candidate, divide the unexhausted papers into sub-parcels according to the next preference recorded thereon, and then deal with the sub-parcels in the same manner as is provided in the case of sub-parcels referred to in sub-rule (4). (6) The papers transferred to each candidate shall be added in the form of a sub-parcel to the papers already belonging to such candidate. (7) All papers in the parcel or sub-parcel of an elected candidate not transferred under this rule shall be set apart as finally dealt with.

72. Exclusion of candidates lowest of the poll.

(1) If after all surplus have been transferred as hereinbefore provided, the number of candidates elected is less than the required number, the Returning Officer shall exclude from the poll the candidate lowest on the poll and shall distribute his unexhausted papers among the continuing candidates according to the next preference recorded thereon; and any exhausted papers shall be set apart as finally dealt with. (2) The papers containing original votes of an excluded candidate shall first be transferred, the transfer value of each paper being one hundred. (3) The papers containing original votes of an excluded candidate shall then be transferred in the order of the transfer in which, and the value at which, he obtained them. (4) Each of such transfers shall be deemed to be a separate transfer-but not a separate count. (5) If as a result of the transfer of papers, the value of votes obtained by a candidate is equal to or greater than the quota, the count then proceeding shall

be completed but no further shall be transferred to him.(6)The process directed by this rule shall be repeated on the successive exclusions one after another of the candidates lowest on the poll until such vacancy is filled either by the election of a candidate with the quota or as hereinafter provided.(7)If at any time it becomes necessary to exclude a candidate and two or more candidates have the same value of votes and are the lowest on the poll, regard shall be had to the original votes of each candidate and the candidate for whom fewest original votes are recorded shall be excluded and if the values of their original votes are equal the candidates with smallest value at the earliest count at which these candidates had unequal values shall be excluded.(8)If two or more candidate are lowest on the poll and each has the value of votes at all counts the Returning Officer shall decide by lot for which candidate shall be excluded.

73. Filling the last vacancies.

(1)When at the end of any count the number of continuing candidate is reduced to the number of vacancies remaining unfilled, the continuing candidate shall be declared elected.(2)When at the end of any count only one vacancy remains unfilled and the value of the papers of some one candidate exceeds the total value of the papers of all other continuing candidates together with any surplus not transferred that candidate shall be declared elected.(3)When at the end of any count only one vacancy remains unfilled and there are only two continuing candidates and each of them has the same value of votes and no surplus remains capable of transfer, the Returning Officer shall decide by lot of which of them shall be excluded and after excluding him in the manner aforesaid declare the other candidate to be elected.

74. Provision for re-count.

(1)Any candidate or, in his absence, his election agent or counting agent may, at any time during the counting of the votes either before the commencement or after the completion of any transfer or votes (whether surplus or otherwise) request the Returning Officer to re-examine and recount the papers of all or any candidates (not being papers set aside at any previous transfer as finally dealt with), and the Returning Officer shall forthwith re-examine and re-count the same accordingly.(2)The Returning Officer may in his discretion re-count the votes either once or more than once in any case in which he is not satisfied as to the accuracy of any previous count:Provided that nothing in this sub-rule shall make it obligatory on the Returning Officer to re-count the same votes more than once.

75. Illustration of the procedure as to the counting of votes under Rules 69 to 73.

- Illustration of the procedure as to the counting of votes given in the Schedule to the conduct of Election Rules, 1961 made under the Representation of People Act, 1951 (Central Act 43 of 1951) shall also be a guide for the procedure as to counting of votes in accordance with the provisions of Rules 69 to 73.

76. Declaration of result and return by Returning Officer.

(1) Upon the completion of counting, the Returning Officer shall, subject to the provisions of sub-rule (3) of Rule 73:-(a) declare the result of election in Form 22 and send signed copies thereof to the Chief Election Authority; (b) prepare and certify a return of the election in Form 23 and after reporting the result of the election, send copies of the said Form to the Chief Election Authority; and (c) permit a candidate or his election agent or counting agent to take a copy of the extract from such return in Form 23. (2) The Returning Officer shall thereafter-(a) place the valid ballot papers in one packet and the rejected ballot papers in another; (b) seal with the seal of the Returning Officer and of such of the candidates, their election agents or counting agents as may desire to affix their seals, each of the packets referred to in clause (a); and (c) record on each of the sealed packets the description of its contents and the date of election.

77. Grant of certificates of election to returned candidate.

- As soon as may be after a candidate has been declared to be elected, the Returning Officer shall grant to such candidate a certificate of election in Form 24 and obtain from the candidate on acknowledgment of its receipt duly signed by him and immediately send the acknowledgment by registered post to the Chief Election Authority.

78. Report of the result of election by the Chief Election Authority.

- As soon as the Chief Election Authority receives Form 22 about the declaration of result and the certified return in Form 23 reporting the result of election of an electoral college or of electoral colleges from the Returning Officer as provided in clauses (a) and (b) of sub-rule (1) of Rule 76, he shall send a report about the result of election to the Principal Secretary, [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Department for taking necessary action for appointing the elected candidate or candidates as member of the State [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board. Part - VII Voting by the Method of Postal Ballot

79. Notification as to postal ballot.

- The Chief Election Authority may, by notification published in the Rajasthan Gazette, at any time before the last date of the withdrawal of candidates as an election direct that the method of voting in all or any of the electoral colleges shall be by the method of voting by postal ballot.

80. Form of ballot paper.

(1) Every postal 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 such language or languages, as the Chief Election Authority may direct. (2) The names of the candidates shall be arranged on the postal ballot paper in the order in which they appear in the list of 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.

81. Issue of ballot paper.

(1) A postal ballot paper shall be sent by post under certificate of posting to the elector together with, - (a) a declaration in Form 25; (b) a cover in Form 26; (c) a large cover addressed to the Returning Officer in Form 27; and (d) instructions for the guidance of the elector in Form 28: Provided that the Returning Officer may, in the case of a special voter deliver the ballot paper and forms, or cause them 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; and (b) 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 herein the serial number of the ballot paper issued to that elector. (3) Before any ballot paper is issued to an elector, the serial number of the ballot paper shall be effectively concealed in such manner as the Chief Election Authority may direct. (4) Every officer under whose care or through whom a postal ballot is sent shall ensure its delivery to the addresses without delay. (5) After ballot papers have been issued to all the electors by the post, the Returning Officer shall (a) seal up in a packet the marked copy of the electoral roll and record on the packet a brief description of its contents and the date on which it is sealed; and (b) seal up in a separate packet the counter-foils of the ballot papers issued to electors entitled to vote by post and record the date on which it was sealed.

82. Recording of vote.

(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 Form 28 and then enclose it in the cover in Form 26. (2) The elector shall sign the declaration in Form 25 in the presence of, and have the signature attested by a Judicial or Executive Magistrate.

83. Assistance to illiterate or infirm voters.

- If an elector is unable through illiteracy, blindness or other physical infirmity to record his vote on a postal ballot paper and sign the declaration, he shall take the ballot paper, together with the declaration and covers received by him to a Judicial or Executive Magistrate to attest his signature under sub-rule (2) of Rule 82 and request the Magistrate to record his vote and sign his declaration on his behalf. (2) Such Magistrate shall thereupon mark the ballot paper in accordance with the wishes of the elector in his presence, sign the declaration on his behalf and complete the appropriate certificate contained in Form 25.

84. Re-issue of ballot paper.

(1) When a postal ballot paper and other papers sent under Rule 81 are for any reason returned

undelivered, the Returning Officer may re-issue them by post under certificate of posting or deliver them or cause them to be delivered to the elector personally on a request being made by him.(2)If any elector has inadvertently dealt with the ballot paper or any of the other papers sent to him under Rule 18 in such a manner that they cannot conveniently be used, a second set of the papers shall be issued to him after he has returned the spoiled papers and satisfied the Returning Officer of the inadvertence.(3)The Returning Officer shall cancel the spoilt papers so returned and keep them in a separate packet after noting thereon the particulars of the election and the serial numbers of the cancelled ballot papers.

85. Return of ballot paper.

(1)After an elector has recorded his vote and made his declaration under Rule 82 or Rule 89, he shall return the ballot paper and declaration to the Returning Officer in accordance with the instructions communicated to him in Part II of Form 28 so as to reach the Returning Officer before the hour fixed for the 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 date and time of its receipt and shall keep all such covers together in a separate packet.(3)The Returning Officer shall keep in safe custody until the commencement of the counting of votes all covers containing postal ballot papers received by him.Part - VIIIAppointment of Members and Election of Chairperson

86. Appointment of member of the Board.

- As soon as may be after the receipt of the results of election of members from the electoral colleges specified in clause (b) of sub-section (1) of section 14 of the Act are received by the State Government from the Chief Election Authority, it shall, by notification published in Rajasthan Gazette in Form 29, appoint the elected members and other members nominated by it under clauses (c), (d) and (e) thereof as members of the Board.

87. Filling up of a casual vacancy.

- If the election has been conducted due to any casual vacancy occurring in the membership from an electoral college specified in clause (b) of sub-section (1) of section 14 of the Act, on receipt of the result of the election from the Chief Electoral Authority, the State Government, by notification published in Rajasthan Gazette, appoint the person elected from such electoral college as member of the Board to fill in the casual vacancy.

88. Election of the Chairperson.

(1)Whenever the Board is constituted or re-constituted and whenever a vacancy of chairperson of the Board arises on account of his death, resignation, removal or otherwise, the State Government shall take necessary steps for convening a meeting of the members of the Board to elect one from amongst themselves as the Chairperson of the Board.(2)Notice of the place, date and time of such

meeting shall be given by the Chief Election Authority to all the members of the Board which shall not be less than ten clear days previous to the date of the meeting. The notice shall be sent by registered post or by such other mode as the Chief Election Authority may consider expedient to every member at his ordinary place of residence. Such notice shall also be published by affixing it on the notice board of the office of the Board.(3)The meeting of the members of the Board shall be held at the place and on the date and time specified in the notice and shall be presided over by the Chief Election Authority.(4)The notice convening the meeting, among other things, may specify the hour or hour or hours during which nomination paper shall be received, scrutinised or may be withdrawn.(5)The nomination of a candidate for election as chairperson of the Board shall be in Form 30. It shall be presented to the Chief Election Authority by the candidate or his proposer.(6)Immediately after the time for receipt of nomination paper is over; the Chief Election Authority shall cause to be published on the notice-board of the Board a list in Form 31 containing the names of the candidates whose nominations have been received.(7)The Chief Election Authority shall examine the nomination papers received by him and shall decide all objections, which may be made to any nomination. On an objection or on his own motion and after such summary inquiry as may be deemed necessary, the Chief Election Authority shall reject the nomination of any candidate on any one or more of the following grounds:-(a)that the candidate suffers from any of the disqualification specified in section 16 of the Act;(b)that the candidate has been removed from the office of Chairperson or membership of the Board under section 20 of the Act;(c)that the proposer is a person who is not a member of the Board;(d)that any of the provisions of this rule has not been complied with:Provided that the nomination of a candidate shall not be rejected merely on the ground of an incorrect description of his name or of the name of his proposer or of any other particulars relating to the candidate or his proposer, if any identity of the candidate and his proposer is otherwise established beyond reasonable doubt.(8)The Chief Election Authority shall endorse on each nomination paper his decision accepting or rejecting the same and if the nomination paper is rejected, he shall also record in writing a brief statement of reasons for such rejection.(9)Immediately after the scrutiny of the nomination papers is over, the Chief Election Authority shall publish a list containing the names of the validly nominated candidates in Form 32 affixing it on the notice-board of the Board.(10)A candidate may withdraw his candidature at anytime before the commencement of the poll by giving a notice in writing to that effect to the Chief Election Authority. A candidate who has withdrawn his candidature shall not be allowed to withdraw such withdrawal.(11)If there is only one duly nominated candidate, there shall be no poll and such candidate shall be declared by the Chief Election Authority to have been duly elected as Chairperson of the Board. If there are two or more duly nominated candidates, the Chief Election Authority shall hold election of Chairperson of the Board by secret ballot.(12)Every member of the Board present at the meeting shall be supplied with a ballot paper in Form 33 on which the names of the contesting candidates shall be typed, cyclostyled or legibly written in Hindi language, in the same order as they appear in the list of contesting candidates. The ballot paper shall also bear the seal and signature of the Chief Election Authority.(13)The member of the Board voting shall 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 pen. He shall then fold up the ballot paper so as to conceal his vote and deposit the same in a sealed ballot box placed in the view of the Chief Election Authority.(14)In the meeting when poll is taken, votes shall be cast only by members present in the meeting and no member shall be allowed to vote by post or proxy.(15)The Chief Election Authority shall, after the voting is over, open the ballot box

and count the valid votes in favour of each candidate in the presence of such members as may be present.(16)Any ballot paper which bears any mark or signature of voters by which the voter can be identified or on which the cross-mark (X) is placed against more than one name or in which no cross-mark is placed or which does not bear the seal and signatures of the Chief Election Authority shall be held to be invalid and shall not be counted in favour of any candidate.(17)After the counting of votes is over, the Chief Election Authority shall declare the result of the election in the following manner:-(a)The candidate securing the largest number of valid votes shall be declared to have been duly elected as Chairperson of the Board.(b)If there is an equality of valid votes among the candidates, the Chief Election Authority shall draw lot and the candidate whose names is first drawn shall be declared to have been duly elected as Chairperson of the Board.(18)Immediately after the declaration of result of the election under sub-rule (17), the Chief Election Authority shall-(a)prepare a record of the proceedings at the meeting and sign the proceedings. He shall also put his initials on corrections, if any, in the proceedings and may, in his discretion, permit any member present at the meeting to affix his signatures below such proceedings, if he expresses his desire to do so; and(b)publish on the notice-board of the office of the Board, a notification in Form 34 signed by him stating the name of the person elected as Chairperson of the Board at the meeting and also send a copy of such notification to the State Government.Part - IXShia [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).]s Board and Shia Members

89. Establishment of a Board of Shia [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).]s.

- If the State Government also establishes a Board of Shia [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).]s under sub-section (2) of section 13 of the Act, only a Shia Muslim shall be entitled to file nomination as candidate for election from the electoral college specified in subclauses (i) to (iv) of clause (b) of sub-section (1) of section 14 of the Act and further only a Shia Muslim shall be nominated by the State Government as member of such Board from the categories mentioned in clauses (c) and (d) of sub-section (1) of section 14 thereof.

90. Appointment of a Shia Muslim as member of the Board.

- When appointment of a Shia Muslim is to be made as member of the Board under sub-section (5) or sub-section (6) of section 14 of the Act by election from any of the electoral colleges specified in sub- clauses (i) to (iv) of clause (b) sub-section (1) of section 14 of the Act, the membership of Shia Muslim from that electoral college shall be deemed to be reserved membership and only a Shia Muslim shall be entitled to file nomination as candidate for election as member from that electoral college.Part - XProhibited Acts and Corrupt Practices

91. Employees of Government and [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board not to convass.

- An employee of the State Government and that of the [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board shall not convass or otherwise interfere or in

any way use influence in election of members of the Board.

92. Penalties.

- Any person contravening the provisions of Rule 91 shall, on conviction, be punishable with fine, which may extend to five hundred rupees.

93. Corrupt Practices.

- The following shall be deemed to be corrupt practices in relation to an election under these rules, namely:-(1)Bribery, that is to say-(A)any gift, offer or promise by a candidate or his agent or by any other person with the consent of a candidate or his election agent of any gratification, to any person whomsoever, with the object directly or indirectly of inducing-(a)a person to stand or not to stand as, or withdraw or not to withdraw from being a candidate at an election from an electoral college; or(b)an elector to vote or refrain from voting at an election, or as a reward to-(i)a person for having so stood or not stood, or for having withdrawn or not having withdrawn his candidature; or(ii)an elector for having voted or refrained from voting;(B)the receipt of, or agreement to receive, any gratification, whether as a motive or a reward-(a)by a person for standing or not standing as, or for withdrawing or not withdrawing from being a candidate; or(b)by any person whomsoever for himself or any other person for voting or refraining from voting, inducing or attempting to induce any elector to vote or refrain from voting, or any candidate to withdraw or not to withdraw his candidature.Explanations. - For the purpose of this clause the term "gratification" is not restricted to pecuniary gratification or gratifications estimable in money and it includes all forms of entertainment and all forms of employment for reward, but it does not include the payment of any expenses bonafide incurred at, for the purpose of any election.(2)Undue influence, that is to say, any direct or indirect interference, or attempt to interfere on the part of the candidate or his agent, or any other person with the consent of the candidate or his election agent, with the free exercise of any electoral right:Provided that-(a)without prejudice to the generality of the provisions of this clause any such person as is referred to therein who-(i)threatens any candidate or an elector, or any person in whom a candidate or an elector is interested, with injury of any kind including social ostracism and ex-communication or expulsion from any community; or(ii)induces or attempts to induce a candidate or an elector to believe that he, or any person in whom he is interested, will become or will be rendered an object of divine displeasure or spiritual censure, shall be deemed to interfere with the free exercise of the electoral right of such candidate or elector within the meaning of this clause;(b)a declaration of public policy, or a promise of public action, or the mere exercise of a legal right without intent to interfere with an electoral right, shall not be deemed to be interference within the meaning of this clause.(3)The appeal by a candidate or his agent or by any other person with the consent of a candidate or his election agent to vote or refrain from voting for any person on the ground of his race, community or language or the use of, or appeal to, national flag or the national emblem, for the furtherance of the prospects of the election of that candidate or for prejudicially affecting the election of any candidate.(4)The publication by a candidate or his agent or by any other person with the consent of a candidate or his election agent, of any statement which is false, and which he either believes to be false or does not believe to be true, in relation to the personal character or conduct of any candidate or in relation to the candidature or withdrawal of

any candidate, being a statement reasonably calculated to prejudice the prospects of that candidate's election.(5)The hiring or procuring, whether on payment or otherwise, of any vehicle or vessel by a candidate or his agent or by any other person with the consent of a candidate or his election agent or the use of the free conveyance of any elector other than the candidature himself or his agent to or from the polling station:Provided that the hiring of a vehicle or vessel by an elector or by several electors at their joint cost for the purpose of conveying him or them to and from the polling station shall not be deemed to be a corrupt practice under this clause:Provided further that the use of any public transport vehicle or vessel or railway carriage by any elector at his own cost for the purpose of going to and coming from the polling station shall not be deemed be a corrupt practice under this clause.(6)The obtaining or procuring or abetting or attempting to obtain or procure by a candidature of his agent or, by any other person with the consent of a candidate or his election agent, any assistance, other than the giving of vote, for the furtherance of the prospects of that candidate's election, from any person in the service of the Government or other body and belonging to any of the following classes, namely:-(a)Gazetted officers;(b)Judges and Magistrates;(c)members of the armed forces of the Union;(d)members of the forces;(e)excise officers;(f)revenue officers other than village revenue officers known as lambardars; Ipatels or by any other name, remunerated by a share of, or commission on, the amount of land revenue collected by them but who do not discharge any police functions;(g)such other class of persons in the service of the Government as may be notified by the Chief Election Authority;(h)employees of local authority; and(i)employees of the [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board:Provided that where any person in the service of the Government or other body and belonging to any of the classes aforesaid, in the discharge or purported discharge of his official duty makes arrangements or provides any facilities or does any other act or thing for, to, or in relation to, any candidate or his agent or any other person acting with the consent of the candidate or his election agent, whether by reason of the office held by the candidate or for any other reason, such arrangement, facilities or act or thing shall not be deemed to be assistance for the furtherance of the prospects of that candidate's election.Part - XI Election Disputes

94. Manner of challenging an election.

- An election under the Act and these rules may be called in question by any candidate at such election by presenting a petition to the District Judge, Jaipur city within thirty days from the date on which the result of such election is declared, on any one or more of the following grounds:-(a)that on the date of election, a returned candidate was not qualified for such election; or(b)that any corrupt practice was committed by a candidate or by any other person with the consent or connivance of the candidate; or(c)that any nomination was improperly rejected; or(d)that the result of the election in so far as it concerns the returned candidate was materially affected-(i)by the improper acceptance of any nomination; or(ii)by any corrupt practice committed in the interest, of the candidate or by a person acting with the constant or connivance of such candidate; or(iii)by improper reception, refusal or rejection of any vote or the reception of any vote which was void; or(iv)by any non compliance with the provisions of the Act or these rules; or(e)that in fact the petitioner or some other candidate received a majority of the valid votes; or(f)that, but for the votes obtained by the returned candidate by corrupt practice, the petitioner or some other candidate would have obtained a majority of the valid votes.

95. Who may present election petition.

(1) A petition under Rule 94 may, in relation to an election from an electoral college, be presented by any candidate from that electoral college at the election. Explanation. - The petitioner shall be deemed to have duly presented, if it is delivered by the person making the petition or by person authorised in writing in this behalf by the person making the petition. (2) No petition shall be deemed to have been duly presented under these rules unless the petitioner deposits a sum of Rs. 500/- along with the petition by way of security for the costs of the opposite party. (3) The petitioner shall also send a copy of the petition under a certificate of posting to the Chief Election Authority.

96. Contents and verification of election petition.

(1) The petition shall contain a concise statement of the material facts on which the petitioner relies and shall be signed by the petitioner and verified in the manner laid down in the Code of Civil Procedure, 1908 (Central Act V of 1908) for the verification of pleadings. (2) Any schedule or annexure to the petition shall also be signed by the petitioner and verified by him in the same manner as the petition.

97. Parties to the petition.

- The person whose election is challenged and where the petition claims that any other candidate may be declared as elected in place of such person, every unsuccessful candidate who has polled more than such candidate, shall be made respondent to the petition.

98. Appearance and acts.

- Any appearance, application or act before the District Judge may be made or done by the party in person or by an advocate duly appointed to act on his behalf.

99. Hearing of petition.

- The procedure provided in the Code of Civil Procedure, 1908 (Central Act V of 1908) with regard to suits, shall, in so far as it can be made applicable, be followed the hearing of the petition: Provided that - (a) any two or more petitions relating to the election of the same person shall be heard together; (b) the District Judge shall not be required to record evidence in full but shall only make a memorandum thereof sufficient in his opinion for the purpose of deciding the petition; (c) the petitioner may, at any stage of the processing he asked to give further security for the payment of the costs likely to be incurred by any respondent; (d) the District Judge shall only be bound to require the production of, or to receive so much evidence, oral and documentary as he considers necessary; and (e) no witnesses or other person shall be required to state for whom he shall voted at the election.

100. Power of court hearing petition.

- The District Judge hearing a petition shall have the same powers and privileges as a Judge of a civil court when trying a suit and may for the purpose of serving any notice or issuing any process or doing any other thing employ an officer, clerk or peon attached to his court: Provided that no injunction or stay order shall be issued restraining the person, whose election is questioned, from exercising the power and performing the duties as member of the Board under the Act or under any rule made thereunder.

101. Orders of the court.

(1) Upon the conclusion of the hearing, the district Judge shall make an order, - (a) dismissing the petition; or (b) declaring of the election of all or any of the returned candidates from an electoral college to be void; or (c) declaring the election of all or any of the returned candidates from an electoral college to be void and the petitioner or any other candidate to have been duly elected. (2) The District Judge, after pronouncing the order made under sub-rule (1) shall send a certified copy thereof to the Chief Election Authority for taking further necessary action in pursuance thereof.

102. Execution of order as to costs.

- Any other with regard to costs passed by the District Judge shall be executed by him on application made in that behalf in the same manner and by the same procedure as if it were a decree for the payment of money made by him in a suit.

103. Repeal.

- Rule 4(A) of the Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Rules, 1956 is hereby repealed. Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board (Election of Members) Rules, 1999 Form - 1 Form of application for inclusion of name in the electoral roll [See Rule 6(1)] To The Chief Election Authority, For the purpose of Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board (Election of Members) Rules, 1999. i.e. Commissioner, Jaipur Division, Jaipur. Sir, I request that my name may be included in the electoral roll of Electoral College. My name (in full) My father's/Husband's name Particulars of my place of residence are:- House No. Street/Mohalla City/Town/Village Tehsil District I hereby affirm that* - (a) I am a Muslim Member of Parliament from Rajasthan State from Constituency. (b) I am an ex-Muslim Member of Parliament from Rajasthan State from constituency. Duration of membership was to (c) I am a Muslim Member of the Rajasthan State Legislative Assembly from Constituency. (d) I am an ex-Muslim Member of the Rajasthan State Legislative Assembly from Constituency. Duration of membership was to (e) I am a

Muslim Member of the Rajasthan State Bar Council from..... (name of place).(f)I am an ex-Muslim Member of the Rajasthan State Bar Council from to.....(g)I am mutawalli of [waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).]..... (name, place and other relevant description of the [waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).]). The said [waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] has an annual income of rupees one lakh and above. It is a Sunni/ Shia [waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).].(h)I am Sunni/Shia Muslim.I also affirm that I have not applied before for the their inclusion of name in the electoral roll of Electoral College. I verify that the contents of this application are true and correct to the best of my knowledge.

Place

Date Signature or thumb impression of the applicant

.....Perforation.....intimation of action takenThe application in Form-1 of Shri/Shrimati/Kumari..... address..... has been:-(a)Accepted and his/her name has been included in the electoral roll of Electoral College vide Serial No.....(b)rejected for the reason:-.....

Date..... Chief Election Authority,Jaipur

.....Perforation.....Receipt for applicationReceived the application in Form - 1 fromShri/Shrimati/Kumari..... Address.....

Date..... Chief Election Authority,Jaipur

*Strike off whichever is not applicable.Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board (Election of Members) Rules, 1999Form - 2Notice of publication of electoral roll in draft[See Rule 7(2)]ToThe Elector of the electoral colleges specified in sub-clauses (i) to (iv) of clause (b) sub-section (1) of section 14 of the [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Act, 1995.Notice hereby given that the electoral roll has been prepared in accordance with Rule 7(1) of the Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board (Election of Members) Rules, 1999 and a copy thereof is available for inspection at my office at.....during office hours.If, with reference to the above electoral roll, there be any claim for the inclusion of a name in the roll or any objection to the inclusion of name or any objection to particulars in any entry, it should be lodged on or before the 199... in Form 3, 4 or 5 as may be appropriate.Every such claim or objection should either be presented to the Electoral Registration Officer or to or sent by post to the Electoral Registration Officer so as to reach him not later than the aforesaid date.

Date..... Chief Election Authority,Commissioner, Jaipur DivisionBani Park, Jaipur

Note. -Chief Election Authority is, by virtue of his office, the Electoral Registration Officer.Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board (Election of Members) Rules, 1999Form - 3Claim application for inclusion of name in the electoral roll[See Rule 9(1)(a)]ToThe Electoral Registration Officer,For the purpose of Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board(Election of Members) Rules, 1999.Commissioner, Jaipur Division, Jaipur.Sir,I request that my name may be included in the electoral roll of Electoral College.My name (in full).....My

father's/Husband's name.....Particulars of my place of residence are:-House
No.....Street/Mohalla.....City/Town/Village.....Post
OfficeTehsil.....District.....I
hereby affirm that*-(a)I am a Muslim Member of Parliament from Rajasthan State from
Constituency.(b)I am an ex-Muslim Member of Parliament from Rajasthan State from
constituency. Duration of membership was..... to.....(c)I am a Muslim Member of the
Rajasthan State Legislative Assembly from..... Constituency.(d)I am an ex-Muslim Member
of the Rajasthan State Legislative Assembly from Constituency. Duration of membership
was..... to.....(e)I am a Muslim Member of the Rajasthan State Bar Council from..... (name
of place).(f)I am an ex-Muslim Member of the Rajasthan State Bar Council from (name of
place). Duration of membership was..... to.....(g)I am mutawalli of [waqf] [Substituted by
Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] (name, place and other
relevant description of the [waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f.
16.1.1999).]). The said [waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f.
16.1.1999).] has an annual income of rupees one lakh and above. It is a Sunni/ Shia Muslim.(h)I am
a Sunni/Shia Muslim.I also affirm that I have not applied before for the inclusion of name in the
electoral roll of.....Electoral College.I verify that the contents of this claim are true and correct to
the best of my knowledge.

Place

Date Signature or thumb impression of the claimant

.....Perforation.....The application in Form 3 of Shri/Shrimati/Kumari.....
address..... has been:-(a)Accepted and his/her name has been included in the electoral roll
of..... Electoral College vide Serial No.....(b)rejected for the
reason:-.....

Date..... Election Registration Officer,Jaipur

.....Perforation.....Receipt for intimationReceived the application in Form - 3
fromShri/Shrimati/Kumari..... Address.....

Date..... Election Registration Officer,Jaipur

*Strike off whichever is not applicable.Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123,
dated 7.12.2015 (w.e.f. 16.1.1999).] Board (Election of Members) Rules, 1999Form - 4Objection to
inclusion of name[See Rule 9(2)(a)]ToThe Electoral Registration Officer.For the purpose of
Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).]
Board(Election of Members) Rules, 1999.; CommissionerJaipur Division, Jaipur.Sir,I object to the
inclusion of the name of in the electoral roll of..... electoral college at Serial No.....
for the following

reason(s):-.....I
hereby declare that the facts mentioned above are true to the best of my knowledge and belief.My
name has been included in the electoral roll of electoral college as follows:-Name in
full.....Father's/Husband's name.....Serial
No.....Date.....Signature/Thumb impression of objector (Full postal address)I am an
elector included in the electoral roll in which the name objected to appears and my name is enrolled
at Serial No. of electoral college. I support this objection and countersign
it.Signature/Thumb impression of electorName (in

full).....Perforation.....Intimation of action takenThe objection in Form-4 lodged by Shri/Shrimati/Kumari..... address..... has been.....(a)accepted and the name of Shri/Shrimati/Kumari..... as appearing at Serial No..... of..... electoral college has been deleted.(b)rejected for the reason.....

Date..... Election Registration Officer,

Address.....

.....Perforation.....Receipt for applicationReceived the application in Form - 4 from Shri/Shrimati/Kumari Address.....

Date..... Election Registration Officer,

Address.....

The Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board (Election of Members) Rules, 1999Form - 5Objection to particulars in an entity[See Rule 9(3)(a)]ToThe Electoral Registration Officer.For the purpose of Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board(Election of Members) Rules, 1999; CommissionerJaipur Division, Jaipur.Sir,I submit that the entry relating to myself which appears at Serial No..... of..... electoral college is not correct. It should be corrected to read as

follows:-.....

Date..... Signature or thumbimpression of the elector(Full postal address)

.....Perforation.....Intimation of action takenThe objection in Form-5 lodged by Shri/Shrimati/Kumari..... address.....has been:- (a)accepted and the relevant entry has been corrected to read as follows

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

Date..... Election Registration Officer,

Address.....

.....Perforation.....Receipt for applicationReceived the application in Form - 5 from Shri/Shrimati/Kumari Address.....

Date..... Election Registration Officer,

Address.....

The Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board (Election of Members) Rules, 1999Form - 6List of claims[See Rule 11(1)(a)]

Date of receipt	Serial Number	Name of Claimant	Name of father/ husband	Place of residence	Date, time and place of hearing
1	2	3	4	5	6

The Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board (Election of Members) Rules, 1999Form - 7List of objections to inclusion of names[See Rule 11(1)(a)]

Date of receipt Serial Number Full name of objector Particulars Electoral College

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

The Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board (Election of Members) Rules, 1999Form - 8List of objections to particulars in entries[See Rule 11(1)(a)]

Date of receipt	Serial Number	Name in full of elector objecting	Electoral College and serial number of entry	Nature of objection	Date, time and place of hearing
1	2	3	4	5	6

The Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board (Election of Members) Rules, 1999Form - 9Notice of final publication of electoral roll[See Rule 15(1)]It is hereby notified for public information that the list of amendments to the draft electoral roll for the electoral colleges specified in section 14(1)(b)(i) to (iv) of the [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Act, 1995 (Central Act 43 of 1995) has been prepared in accordance with the Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board (Election of Members) Rules, 1998. A copy of the said roll together with the said list of amendments has been published and will be available for inspection at my office.

Place..... Chief Registration Officer,

Date..... Jaipur

Address.....

Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board (Election of Members) Rules, 1999Form - 10[See Rule 26]Notice of final publication of electoral rollNotice is hereby given that:-(1)An election is to be held of members to the Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board from.....(Name(s) of electoral college(s));(2)Nomination papers may be delivered by a candidate or his proposer to the Returning Officer (i.e. Commissioner, Jaipur Division, Jaipur) at between 11 A.M. and 3 P.M. on any day (other than public holiday) not later than the.....(3)Forms of nomination paper may be obtained at the place and time aforesaid;(4)the nomination papers will be taken up for scrutiny aton.....at.....;(5)notice of withdrawal of candidature may be delivered by a candidate or his proposer or his election agent, who has been authorised in writing by the candidate to deliver it, to the Returning Officer aforesaid at his office before 3 P.M. on the;(6)in the event of the election being conducted, the poll will be taken on..... between the hours of and.....

Place..... Returning Officer

Date.....

Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board (Election of Members) Rules, 1999Form - 11Nomination Paper[See Rule 15(1)]Election as member of the Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f.

16.1.1999).] Board from the electoral college specified in sub-clause of clause (b) of sub-section (1) of section 14 of the [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Act, 1995. Name of the Electoral College..... I nominate Shri/Smt./Kumari for election as member to the Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board from the electoral college.

1. His/her father's husband's name is.....

2. His/her postal address is.....

3. His/her name is entered at S. No..... in the Electoral Roll of..... Electoral College.

4. Name of the Proposer.....

5. Father's/husband's name of the proposer.....

6. Address of the proposer.....

Place.....

Date..... Signature of the proposer

Candidate's Declaration I declare that I am willing to stand for election as member of the Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board from the electoral college of..... My name and other particulars as given above are correct. I also declare that:-(1) I am a Sunni/Shia Muslim. (2) My age is..... (3) I am not a person of unsound mind. (4) I am not an undischarged insolvent. (5) I have not been at any time convicted of an offence involving moral turpitude/1 had been convicted of offence(s) under involving moral turpitude by the court of..... on..... in case No. but the conviction has been reversed or I have been granted full pardon in respect of the above offence(s) on..... by..... (6) I have not been on a previous occasion-(a) removed from the office of member of the [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board or of a mutawalli, or (b) removed by an order of competent court or Tribunal from any position of trust either for mismanagement or for corruption.

Place..... Signature of candidate

Date.....

(To be filled by the Returning Officer) Serial No. of Nomination paper..... This nomination was delivered to me at my office at (hours) on..... (date) by the candidate/proposer..... (Name).

Date..... Returning Officer

Decision of Returning Officer Accepting or Rejecting of the Nomination Paper I have examined this nomination paper in accordance with Rule 33 of the Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board (Election of Members) Rules, 1999 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 nominations)Serial No. of nomination paper.....The nomination paper of..... a candidate for election as member of the Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board from the Electoral College of was delivered to me at my office at (hour) on.....(date) by the candidate/proposer..... (Name). All nomination papers will be taken up for scrutiny at (hour) on(date) at (place).

Date..... Returning Officer

Certificate of Service of NoticeReceived notice of the date of hearing.

Date..... Objector

Certified that the notice on the objector has been served by me thisday of.....on (name).....personally/by affixation on residence.

Place.....

Date..... Serving Officer

N.B. - If this notice is served by post, attach the receipt here.Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board (Election of Members) Rules, 1999Form - 12Notice of Nominations[See Rule 29]List of nominations received on.....(date) for election to the..... Office of member of the Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board from the Electoral College specified in sub-clause..... of clause (b) of sub-section (1) of section 14 of the [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Act, 1995. Notice is hereby given that the following nominations in respect of the above election have been received upto 3.00 P.M. today:-

Sl. No. of Electoral Nomination	Name of Candidate	Father's/ Husband's Name	Age	Occupation and address
1	2	3	4	5

Electoral Roll No. of candidate	Name of the proposer if any	Electoral Roll No. of the proposer, if any
6	7	8

The nomination papers will be taken up for scrutiny at..... on the.....day of.....at.....(place).

Place.....

Date..... Signature of the Returning Officer

Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board (Election of Members) Rules, 1999Form - 13Notice of Withdrawal of candidate[See Rule 31(1)]Election to the office or Member of the Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board from the Electoral College.....specified in sub-clause..... of clause (b) of sub-section (1) of section 14 of the [Waqf] [Substituted by Notification

No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Act, 1995. To The Returning Officer, I a candidate validly nominated at the above election do hereby give notice that I withdraw my candidature.

Place.....

Date..... Signature of candidate

The notice was delivered to me at my office at.....(hour) on.....(date)by.....(name).

Date..... Returning Officer

Receipt for 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 office of Member of the Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board from the Election College specified in sub-clause.....of clause (b) of sub-section (1) of section 14 of the [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Act, 1995 was delivered to me by the.....at my office at..... (hour) on.....(date). Returning Officer Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board (Election of Members) Rules, 1999 Form - 14 List of contesting candidate [See Rule 32(1)] Election to the office of the Member of the Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board from the Electoral College specified in sub-clauseof clause (b) of sub-section (1) of section 14 the [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Act, 1995.

Sr. No. Name of the candidate Address of the candidate

1 2 3

123456etc.

Place.....

Date..... Returning Officer

Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board (Election of Members) Rules, 1999 Form - 15 Appointment of Election Agent [See Rule 33] Election to the office of member of the Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board from the Electoral Board from the Electoral College specified in sub-clause (b) of sub-section (1) of section 14 of the [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Act, 1995. To The Returning Officer, I of..... A candidate at the above election do hereby appoint of as my election agent from this day at the above election.

Place.....

Date..... Signature of Candidate

I accept the above appoint.

Place.....

Date..... Signature of election agent

Approved Signature and seal of the Returning Officer Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board (Election of Members) Rules, 1999 Form - 16 Appointment of Polling Agent [See Rule 36] Election to the office of Member of the Rajasthan

[Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board from the Electoral College.....specified in sub-clause.....of clause (b) of sub-section (1) of section 14 of the [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Act, 1995.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 at.....

Place.....

Date..... Signature of polling agent

Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board (Election of Members) Rules, 1999Form - 17Appointment of Counting Agent[See Rule 37]Election to the office of Member of the Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board from the Electoral Collegespecified in sub-clause..... of clause (b) of sub-section (1) of section 14 of the [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Act, 1995.ToThe Returning Officer,I a candidate/the election agent of who is a candidate at the above election do hereby appoint the following person(s) as may counting agent(s) to attend the counting of votes atName of the counting agent

1.

2.

Signature of candidate agent(s)I/We agree to act as such counting agent(s)

1.

2.

Signature of counting agent(s)Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board (Election of Members) Rules, 1999Form - 18List of Challenged Votes[See Rule 51 (2) (c)]

Serial No. of entry	Name of elector	Serial No. of electors name in the electoral roll	Signature or thump impression of the personchallenged	Address of the person challenged
1	2	3	4	5
Nam of the identifier if any	Name of challenger	Order of Presiding Officer	Signature of Challenger on receiving refund ofdeposit	
6	7	8	9	

Place.....

Date..... Signature of Presiding officer

Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).]
Board (Election of Members) Rules, 1999Form - 19List of Illiterate Blind and Infirm Voters[See
Rule 55(3)]Election to the office of Member, Rajasthan [Waqf] [Substituted by Notification No.
G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board from the Electoral College specified in
section 14(1)(b)..... of [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f.
16.1.1999).] Act, 1995.Number, and name of the Polling Station.....

Serial No.	Full name of elector	Full name of Companion	Address of Companion	Signature of Companion
1	2	3	4	5

Date..... Signature of Presiding officer

Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).]
Board (Election of Members) Rules, 1999Form - 20List of Tendered Votes[See Rule 57(2)]Election
to the office of Member of the Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated
7.12.2015 (w.e.f. 16.1.1999).] Board from Electoral College.....specified in section 14(1)(b).....of
the [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Act, 1995.

Serial Number and Name of elector	Address of elector	Serial Number of tendered ballot paper	Serial 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

Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).]
Board (Election of Members) Rules, 1999Form - 21Ballot Paper Account[See Rule 60(1)]Election to
the office of Member, Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015
(w.e.f. 16.1.1999).] Board from the Electoral College.....specified in section 14(1)(b).....
[Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Act, 1995.No.
and name of the Polling Station.....

1. Ballot papers received

2. Ballot papers unused (i.e. not issued to voters).....

(a)With the signature of Presiding Officer(b)Without the signature of Presiding OfficerTotal
(a+b).....

3. Ballot paper used at the polling station (1-2)=3

.....

4. Ballot papers used at the polling station but not inserted into the ballot box.

(a) Ballot papers cancelled for violation of voting procedure under rule.....(b) Ballot papers cancelled for other reason.....(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 Number need not be given)

Date..... Signature of Presiding officer

Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board (Election of Members) Rules, 1999 Form - 22 Declaration of result under clause (a) of sub-rule (1) of Rule 82 of the Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board (Election of Members) Rules, 1999 [See Rule 76(1)(a)] Election to the office of member of the Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board from Election college specified in section 14(1)(b) of [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Act, 1995. In pursuance of the provisions contained in clause (a) sub-rule (1) of Rule 76 of the Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board (Election of Members) Rules, 1999, I declare that-(1)(Name).....(Address).....proposed by.....(2)(Name).....(Address).....proposed by.....has/have been duly elected to fill the office of member of the Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board from the above Electoral College.

Place.....

Date..... (Signature) Returning officer

Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board (Election of Members) Rules, 1999 Form - 23 Return of Election [See Rule 76(1)(b)] Election to the office of Member of Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board from the Electoral College.....specified in section 14(1)(b).....of the [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Act, 1995. The result of the poll and of the transfer of votes is as follows:- Number of valid votes.....Number of members to be elected.....Quota (number of votes sufficient to secure the election of candidates).....

Name of candidate	First count votes polled by each candidate	Second count transfer result of	Third count transfer result of	Fourth count transfer result of	Name of elected candidate(s)

None-transferable Papers Loss due to fraction Total I declare

that:- (1)(Name).....(Address).....proposed

by.....(2)(Name).....(Address).....(proposed

by.....has/have been duly elected to fill the office of member of the Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board from the above Electoral College.

Place.....

Date..... (Signature)Returning officer

Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board (Election of Members) Rules, 1999Form - 24Return of Election[See Rule 77(1)]I, Returning Officer for the election to the membership of Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board by the Electoral College specified in section 14(1)(b)of the [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Act, 1995 hereby certify that I have on the day of 19 declared Shri/Shrimati/Kumari.....to have been duly elected to the office of the member of the Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board from the aforesaid Electoral College and that in token thereof I have granted to him/her this certificate.

Place.....

Date..... SignatureReturning officer

SealRajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board (Election of Members) Rules, 1999Form - 25Declaration by elector[See Rule 81(1)(a)]Election to the office Member of the Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board from the Electoral College.....specified in section 14(1)(b) of [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Act, 1995.(This side is to be used only when the ballot paper bearing serial number..... has been issued at the above election).

Date..... Signature of elector

Address

Attestation of signatureThe 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 identifier,if any Signature of Judicial/Executive Magistrate.

Address.....Date.....Seal(This side to be used when the elector cannot sign himself)I hereby declare that I to whom the postal paper bearing serial number.....has been issued at the above election.

Date..... Signature of Judicial/ExecutiveMagistrate on behalf of elector.

Name and address of the elector.....

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 (infirmary) and is unable to record his vote himself or sign his declaration.(3)I was requested by him to mark the ballot paper and to sign the above declaration on his behalf, and(4)The ballot paper was marked and the declaration signed by me on his behalf in his presence and in accordance with his wishes.

Signature of identifier,if any

Signature of

Judicial/Executive
Magistrate.

Designation.....Address.....Date.....

Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board (Election of Members) Rules, 1999Form - 26Cover[See Rule 81(1)(b)]A. Not to be Opened Before Counting ElectionTo the office of Member of Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board from Electoral College specified in section 14(1)(b)..... of the [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Act, 1995.Postal Ballot PaperSerial number of ballot paperRajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board (Election of Members) Rules, 1999Form - 27Large Cover[See Rule 81(1)(c)]B. Not to be Opened Before Counting Election Immediate(Election to the office of Member, Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board from Electoral College specified in section 14(1)(b) of the [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Act, 1995).The Returning Officer i.e. Commissioner.Jaipur Division, JaipurRajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board (Election of Members) Rules, 1999Form - 28Instruction for the guidance of the Electors[See Rule 81(1)(d)]Election to the electoral college specified in sub-clause of clause (b) of..... sub-section (1) of section 14 of the [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Act, 1995.The persons whose names are printed on the ballot paper sent herewith are candidates at the above election. Record your vote by placing the figure 1 in the space opposite the name of the candidate to whom you want to vote. Place the figure 1 opposite the name of one candidate only (although there are more members than one to be elected). You may indicate your relative preference for the other candidates by placing in the spaces opposite their* names the figures 2, 3, 4 etc. order of such preference. Do not place more than one figure opposite the name of any candidate and do not place the same figure opposite the names of more candidates than one.The number of members to be elected is you have recorded your vote on the ballot paper, place the ballot paper in the smaller cover (Form-26) sent herewith. Close the cover and secure it by seal or otherwise.You have than to sign the declaration in Form-25 also sent herewith in the presence of a Judicial or Executive Magistrate who is to attest your signature. Take the declaration to the said Magistrate and sign it in his presence after he has been satisfied about your identity. The Magistrate will attest your signature and return the declaration to you. You must not show your ballot paper to the attesting Magistrate nor tell him how you have voted.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 the Magistrate. The Magistrate 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.Alter the declaration has been signed and your signature has been attested, place the declaration in Form-25 as also the smaller cover (Form-26) containing the ballot paper in the large cover (Form-27) after closing the larger cover, send it to the Returning Officer by registered post or by messenger. You must ensure that the cover reaches the Returning Officer before on the 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.....your vote will not be counted.Any ballot paper on

which the figure 1 is not marked or on which the figure 1 is set opposite the name of more than one candidate, or is so placed as to render it doubtful to which candidate it is intended to apply, or on which the figure and some other figures are set opposite the name of the same candidate or on which the same figure is set opposite the name of more candidates than one or on which the signature of the elector is not duly attested or the number of which does not agree with the number of the ballot paper entered on the cover in which it is placed, will be rejected. Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board (Election of Members) Rules, 1999 Form - 29 Notification of appointment of members of the Board [See Rule 86] Government of Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Department Notification

No. Jaipur, dated the.....

In exercise of the powers conferred by sub-section (9) of section 14 of the [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Act, 1995 (Central Act 43 of 1995), the State Government hereby appoints the persons noted hereunder as members of the Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board. The term of their office shall be of five years.

Sr. No.	Name of the member	Address	If elected, member, name of electoral college
1	2	3	4
1.2.3.4.5.6.7.8.9.etc.			

Sr. No.	If nominated name of the category nomination	Sunni or Shia Muslim	Remarks
1	5	6	7
1.2.3.4.5.6.7.8.9.etc.			

By order of the Governor, Secretary to the Government Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board (Election of Members) Rules, 1999 Form - 30 Notification Form [For election to the office of Chairperson, Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board, Jaipur] [See Rule 88(5)] I hereby nominate Shri a member of the Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board, for election to the office of the Chairperson of the said Board. I have verified and declare that the said candidate is a member of Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board appointed by the Government of Rajasthan under sub-section (9) of section 14 of the [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Act, 1995. Proposer I assent to this nomination. Signature of the candidate This nomination was presented to me by.....(candidate/proposer of the candidate).....(Name of the candidate, when nomination is presented by the proposer) on.....at.....hours at the meeting convened to elect the chairperson of the Board.

Date..... Signature of Chief Election Authority Result of Scrutiny

Nomination Accepted/Rejected. Reasons for rejection of the nomination are:-

Place.....

Date..... Signature of Chief Election Authority

Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).]

Board (Election Of Members) Rules, 1999Form - 31List of candidates for whom nomination filed for election as Chairperson of Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board, Jaipur[See Rule 86(6)]

Sr. No.	Name of candidate	Name of proposer	Remarks
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1	2	3	4
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1.2.3.4.5.6.etc.

Place.....

Date..... Signature ofChief Election Authority

Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).]

Board (Election of Members) Rules, 1999Form - 32List of candidates validly nominated for election to the office of Chairperson of Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board, Jaipur[See Rule 88(9)]

Sr. No.	Name of candidate	Name of proposer	Remarks
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1	2	3	4
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1.2.3.4.5.6.etc.

Place.....

Date..... Signature ofChief Election Authority

Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).]

Board (Election of Members) Rules, 1999Form - 33Ballot paper for election to the office of Chairperson of Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board, Jaipur[See Rule 88(12)]SealSignature of Chief Election Authority

Sr. No.	Name of candidate	For cross-mark (x) by the voter
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1	2	3
---	---	---

12345etc.

Place.....

Date..... Signature ofChief Election Authority

Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).]

Board (Election of Members) Rules, 1999Form - 34Notification of the person elected as Chairperson of the Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board[See Rule 88(18)(b)]Office of the Chief Election Authority, JaipurNotification No. Jaipur, dated.....

In pursuance of clause (b) of sub-rule (18) of Rule 88 of the Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board (Election of Members) Rules, 1999, it is notified that Shri/Shrimati/Kumarihas been elected as Chairperson of the Rajasthan [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Board in a duly convened meeting of the members of the Board for the purpose.

Signature of the Chief Election Authority

No. Jaipur, dated.....

Copy forwarded to the Principal Secretary, [Waqf] [Substituted by Notification No. G.S.R. 123, dated 7.12.2015 (w.e.f. 16.1.1999).] Department, Government of Rajasthan for information and necessary action.Chief Election Authority