

The U.P. Gaon Sabha Registration of Electors Order, 1978

UTTAR PRADESH

India

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Rule

THE-U-P-GAON-SABHA-REGISTRATION-OF-ELECTORS-ORDER-1978 of 1978

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The U.P. Gaon Sabha Registration of Electors Order, 1978Published vide Notification No. U.O.-329-D/33-2 - 78, dated December 20, 1978, published in U.P. Gazette, Extraordinary, dated 20th December, 1978In exercise of the powers conferred by sub-section (11) of Section 9 of the U.P. Panchayat Rajasthan Act, 1947, the Governor of Uttar Pradesh is pleased to make the following order :

1. Short title and commencement.

(1)This order may be called the Uttar Pradesh Gaon Sabha Registration of Electors Order, 1978.(2)It shall come into force at once.

2. Definitions.

- In this order, unless the subject or the context otherwise requires-(a)"the Act" means the U.P. Panchayat Raj Act, 1947 as in force for the time being;(b)"Director" means the Director of Elections (Panchayat);(c)"Form" means a Form appended to this Order;(d)"roll" means the electoral roll for a Gaon Sabha.

3. Assistance to Electoral Registration Officers.

- The Electoral Registration Officer may, subject to any restrictions placed by the Director in this behalf, employ such persons as he thinks fit to assist him in the preparation and revision of the roll.

4. Form and language of the rolls.

- The roll shall be prepared in such form and in such language or languages, as the Director may direct.

5. Preparation of rolls.

(1)The first roll for every Gaon Sabha shall be prepared and published in such manner as the Director may direct.(2)The Electoral Registration Officer shall sign the roll and affix his seal thereto.

6. Information to be supplied by occupants of dwelling houses.

- The person employed by the Electoral Registration Officer for preparing or revising the roll, may for that purpose ask any occupant of a dwelling house in the Gaon Sabha area to furnish necessary information and thereupon every, such occupant shall furnish the information to the best of his ability.

7. Access to certain registers.

- For the purpose of preparing or revising a roll or deciding any claim or objection to a roll, the Electoral Registration Officer and any person employed by him in that behalf shall have access to any register of births and deaths and to the admission register of any educational institution, and it shall be the duty of every person in charge of any such register to give to the said officer or person such information and such extracts from the said registers as he may require.

8. Publication of rolls in draft.

(1)As soon as the roll for a Gaon Sabha is ready, the Electoral Registration Officer shall publish it in draft by making a copy thereof available for inspection and displaying a notice in Form 1 at the office of the Block Development Officer.(2)The Electoral Registration Officer shall, by beat of drum or by amplifier or by any other convenient mode, give publicity in Gaon Sabha area, to the fact that the roll has been published and copy thereof can be inspected free of charge at the office mentioned in sub-paragraph (1) during office hours.(3)The copy referred to in sub-paragraph (1) shall be made available for inspection free of charge during office hours for a period of seven days from the date of publication.

9. Claims to inclusion of names in the roll of a Gaon Sabha.

- Any person-(a)whose name is not included in the roll of the Gaon Sabha but who is qualified to be registered in it or;(b)whose name has been wrongly included in the roll of some other Gaon Sabha; or(c)whose name was struck of the roll by reason of any disqualification but who claims that the disqualification has since been removed;may apply in Form 2, to the Electoral Registration Officer for the inclusion of his name in the roll.

10. Objections to entries in the roll.

- Any person whose name is entered in the roll of a Gaon Sabha and-(a)who has objection to any particulars in such entry in respect of himself and wants to get it corrected may apply in Form 3;(b)who objects to the inclusion of the name of any other person in the roll on the ground that he is not qualified or has been disqualified to be registered in such roll, may apply in Form 4,to the Electoral Registration Officer for correction of the particular, or exclusion of the name, as the case may be.

11. Period for lodging claims and objections.

- Every application referred to in paragraph 9 or in paragraph 10 shall be made within a period of 15 days from the date of publication of the roll in draft under paragraph 8, or within such shorter period as may be fixed by the Director in this behalf in the notice in Form 1:Provided that the Director may extend the period wherever he deems necessary so to do.

12. Particulars regarding claims and objections.

(1)Every application under paragraph 9 or paragraph 10 shall be signed and verified by the applicant and also verified by another person whose name is already included in that part of the roll in respect of which the application is made and shall be presented to the Electoral Registration Officer or to such other persons as may be designated by the Electoral Registration Officer in this behalf with the prior approval of Director, sent by post to the Electoral Registration Officer.(2)The application shall state the grounds on which the inclusion, correction or deletion, as the case may be, of an entry is sought and also the full particulars of such entry as required in the relevant form.(3)The application in Form 4 shall be in duplicate, one copy of which shall be served on the person whose name is sought to be deleted.

13. Procedure by Designated Officers.

(1)Every officer designated under paragraph 12 shall maintain in duplicate a list of applications referred to in paragraphs 9 and 10 in Form 5 and shall keep exhibited one copy of such list on a notice board in his office.(2)After complying with the requirements of sub-paragraph (1), such officer shall forward the application with such remarks, if any, as he considers proper to the Electoral Registration Officer.

14. Procedure by the Electoral Registration Officer.

- The Electoral Registration Officer shall also maintain in duplicate the list in Form 5 entering therein every applications referred to in paragraphs 9 and 10 as and when it is received by him whether directly under paragraph 12 or on being forwarded under paragraph 13 and shall keep exhibited one copy of such list on a notice board in his office.

15. Rejection of certain claims and objections.

- Any application under paragraph 9 or paragraph 10 which is not lodged within the period, or in the form or manner herein prescribed, shall be rejected by the Electoral Registration Officer.

16. Notice and service thereof.

(1) Except in cases where the Electoral Registration Officer is prima facie satisfied as to the validity of a claim or objection, every applicant under paragraph 9 or paragraph 10 or his agent presenting the application and every person to the inclusion of whose name the objection relates, shall be served with a notice in Form 6 specifying the place where and the time when the application shall be heard and directing him or his agent to be present with such evidence, if any, as he may wish to adduce. (2) The notice to the person to the inclusion of whose name the objection relates shall be accompanied by a copy of the application. (3) The notice issued by the Electoral Registration Officer under sub-paragraph (1) shall, if possible, be served personally and in default of personal service shall be served by registered post or by affixing a copy thereof at the residence or last known residence of the person concerned within the Gaon Sabha area. A certificate of service either personal or otherwise by the person serving the notice shall be deemed to be conclusive proof of the fact of such service.

17. Inquiry into claims and objections.

(1) The Electoral Registration Officer shall hold a summary inquiry into every application in respect of which notice has been given under paragraph 16 and shall record his decision thereon. (2) At the hearing, the person to whom such notice was issued and any other person who, in the opinion of the Electoral Registration Officer, is likely to be of assistance to him, shall be entitled to appear and to be heard. (3) The Electoral Registration Officer may in his discretion—(a) require any person to whom such notice has been issued to appear in person before him; (b) require that the evidence tendered by any person shall be given on oath and may administer oath for the purpose.

18. Inclusion of names inadvertently omitted.

- If at any time before the final publication of the roll under paragraph 20 it appears to the Electoral Registration Officer that owing to inadvertence or error during preparation, the names of any electors have been left out of the roll and that remedial action should be taken under this paragraph, the Electoral Registration Officer shall—(a) prepare a list of the names and other details of such electors; (b) exhibit on the notice board of his office a copy of the list together with a notice as to the time and place at which the inclusion of these names in the roll will be considered; and also publish the list and the notice in such other manner as he may think fit; and (c) after considering any verbal or written objection that may be preferred decide whether all or any of the names should be included in the roll.

19. Deletion of names of dead electors and of persons who cease to be or are not ordinarily residents.

- If it appears to the Electoral Registration Officer during preparation of the roll that owing to inadvertence or error or otherwise, the names of dead persons or of persons who cease to be, or are not, ordinarily residents in the Gaon Sabha area have been included in the roll and that remedial action should be taken under this paragraph, the Electoral Registration Officer shall-(a)prepare a list of the names and other details of such persons;(b)exhibit on the notice board of his office a copy of the list together with a notice as to the time and place at which the question of deletion of such names from the roll will be considered and also publish the list and the notice in such other manner as he may think fit; and(c)after considering any verbal or written objections that may be preferred, decide whether all or any of the names should be deleted from the roll:Provided that before taking any action under this paragraph in respect of any person on the ground that he has ceased to be, or is not, ordinarily resident in the Gaon Sabha area, the Electoral Registration Officer shall make every endeavour to give him a reasonable opportunity to show cause why the action proposed should not be taken in relation to him.

20. Final publication of roll.

(1)The Electoral Registration Officer shall thereafter-(a)prepare a list of amendments to carry out his decisions under paragraphs 16,17,18 and 19; and(b)publish the roll together with the list of amendments, by making a complete copy thereof available for inspection and displaying a notice in Form 7 at his office.(2)On such publication the roll together with the list of amendments shall be the electoral roll of the Gaon Sabha.(3)Where the roll (hereinafter in this sub-paragraph referred to as the basic roll), together with the list of amendments, becomes the electoral roll for a Gaon Sabha under sub-paragraph (2), the Electoral Registration Officer may under the directions of the Director the convenience of all concerned, integrate the list into the basic roll by including, correcting or as the case may be, deleting the entries in the list together with all particulars relating to such entries in the relevant parts of the basic roll itself, so however, that the change shall be made during 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 amendment.

21. Correction of errors.

- The Electoral Registration Officer may at any time order the correction of any clerical or printing error, or the removal of duplicate entries in the electoral roll; and such correction or removal shall be made accordingly.

22. Special provisions for preparation of rolls on reconstitution of Gaon Sabha.

(1)If any Gaon Sabha is reconstituted anew in accordance with law and it is necessary urgently to prepare the roll for such Gaon Sabha, the Director may direct that it shall be prepared :(a)by putting

together the rolls of such of the existing parts of Gaon Sabhas as are comprised within the new Gaon Sabha; and(b)by making appropriate alterations in the arrangement, serial numbering and headings of the rolls so compiled.(2)The roll so prepared shall be published in the manner specified by the Director and shall, on such publication, be the electoral roll for such newly constituted Gaon Sabha.

23. Revision of rolls.

(1)The roll for a Gaon Sabha shall be revised under sub-section (10) of Section 9 of the Act either intensively or summarily or partly intensively and partly summarily, as the Director may direct.(2)Where the roll is to be revised intensively in any year, it shall be prepared afresh and paragraphs 3 to 21 shall apply in relation to such revision as they apply in relation to the first preparation of a roll.(3)When the roll is to be revised summarily in any year, the Electoral Registration Officer shall cause to be prepared a list of amendments to the relevant parts of the roll on the basis of such information as may be readily available and publish the roll together with the list of amendments in draft; and the provisions of paragraphs 7 to 21 shall apply in relation to such revision as they apply in relation to the first preparation of a roll.(4)Where at any time between the publication in draft of the revised roll under sub-paragraph (2) or of the roll and list of amendments under sub-paragraph (3) and the final publication of the same under paragraph 20 read with the aforesaid sub-paragraph (2) or (3), any names have been directed to be included in the roll for the time being in force under any provision of the Act, the Electoral Registration Officer shall cause the names to be included in the revised roll unless there is, in his opinion, any valid objection to such inclusion.

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

(1)Applications in the nature of applications referred to in paragraph 9 or paragraph 10 for inclusion of any name in, correction of any particular of an entry in or exclusion of any name from, an electoral roll may also be moved at any time beyond the period referred to in paragraph 11 :Provided that such application shall be made in duplicate in the appropriate form and on payment of a fee of ten paise-(a)by means of non-judicial stamps; or(b)by deposit in a Government treasury or the Reserve Bank of India in favour of the Electoral Registration Officer concerned and enclosing with the application receipt for such deposit; or(c)in such other manner as may be directed by the Director.(2)The provisions of paragraph 12 shall apply to such applications also.(3)The Electoral Registration Officer shall, immediately on receipt of such application, direct that one copy thereof be pasted 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 pasting .(4)The Electoral Registration Officer shall, as soon may be after the expiry of the period specified in sub-paragraph (3), consider the objections and take decision on the application :Provided that when an application is rejected by the Electoral Registration Officer, he shall record in writing a brief statement of his reasons for such rejection.

25. Appeals from Orders deciding claims and objections.

(1)An appeal shall lie from any decision of the Electoral Registration Officer under paragraphs 16, 17, 18, 19, 23 or 24 to the District Magistrate :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 representations to, the Electoral Registration Officer on the matter which is the subject-matter of the appeal.(2)Every appeal under sub-paragraph (1) shall be-(a)in the form of a memorandum signed by the appellant,(b)presented to the appellate officer within a period of fifteen 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, and(c)accompanied by a copy of the order appealed from and fee of one rupee to be paid-(i)by means of non-judicial stamps; or(ii)by deposit in a Government treasury or the Reserve Bank of India in favour of the State Government and enclosing the receipt for such deposit; or(iii)paid in such other manner as may be directed by the Director.(3)Mere presentation of an appeal under this paragraph shall not have the effect of staying or postponing any action to be taken by the Electoral Registration Officer under paragraph 20.(4)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, it shall take effect only from the date of the decision in appeal.(5)Subject to the preceding sub-paragraph the Electoral Registration Officer shall cause such amendments to be made in the roll as may be necessary to give effect to the decisions of the appellate officer under this paragraph.

26. Duration of rolls.

- The electoral roll for any Gaon Sabha prepared under the provisions of paragraph 5 shall come into force immediately upon its final publication under paragraph 20 and subject to the amendments, revisions, or other alterations made under paragraphs 21, 22 and 23 shall remain in force until a subsequently prepared electoral roll for the Gaon Sabha comes into force.

27. Custody and preservation of electoral rolls, etc.

(1)All applications and decisions recorded thereon under this Order by the Electoral Registration Officer shall be kept in the office of the Electoral Registration Officer or at such other place as may be specified by the Director until the next revision of the electoral roll or the coming into force of a newly prepared electoral roll, whichever is earlier.(2)One complete copy of the electoral roll for the Gaon Sabha duly authenticated by the Electoral Registration Officer shall be kept in the office of the Electoral Registration Officer to which such roll relates. Such copy shall be amended from time to time according to the amendments in the rolls.(3)Every person shall have the right to inspect the election papers referred to in the sub-paragraphs (1) and (2) and to obtain attested copies thereof on payment of such fees as may be specified by the State Government.(4)Printed copies of the election roll shall be made available for sale to the public until the publication of the next electoral roll for the Gaon Sabha at a price to be specified by the Director.(5)Upon the publication of the electoral roll for any Gaon Sabha, the electoral roll in force just preceding the publication of the new roll shall be kept in deposit with the records of the Block Development Officer concerned for such number of years as may be specified by the Director.

Schedule

Form 1(See Para 8)Notice of publication of electoral roll in draftTo,The Electors of
 Gaon SabhaNotice is hereby given that the electoral roll has
 been prepared in accordance with the U.P. Gaon Sabha Registration of Electoral Order, 1978 and a
 copy thereof is available for inspection at my office, and the office of the Block Development Officer
 during office hours.If there be any claim for the inclusion of a name in the rolls or any objection to
 the inclusion of a name or any objection to particulars in any entry, it should be lodged on or before
 the 19 in Form 2, 3 or 4 as may be appropriate.Every such claim
 or objection should either be presented in my office or to or sent by post to the
 address given below so as to reach me not later than the aforesaid
 date.....Electoral Registration Officer(Address).....Date
Form 2(See Paras 9 and 12)Claim/Application for inclusion of nameTo,The Electoral
 Registration Officer.....Gaon
 Sabha.....Block/Tehsil.....DistrictSir,I request that may
 name be included in the Electoral roll for the above Gaon Sabha in part no.
 relating to-My name (in full).....My
 father's/mother's/husband's nameParticulars of my place of
 residence are-House No.Lane/MohallaGaon Sabha
Block/TehsilDistrictI hereby
 declare that-(1)I am a citizen of India;(2)My name has been included in the Assembly electoral roll
 for the area relatable to the aforesaid Gaon Sabha at Serial No. in Part
 Constituency No.(3)my age on the first day of January last was
 years and months;(4)I am ordinarily resident at the address given above;(5)I have not
 applied for the inclusion of my name in the electoral roll for any other Gaon Sabha or electoral roll
 for any urban Local Body;(6)my name has not been included in the electoral roll for this or any
 other Gaon Sabha or electoral roll for any urban Local Body;Ormy name has wrongly been included
 in the electoral roll for another Gaon Sabha, namely at Serial No. Part
 No. which should be deleted.(7)my name originally included at Serial No.
 Part No. of this Gaon Sabha was struck off due to disqualification namely
 and such disqualification has since been removed by order dated ofI verify
 that the contents of this application are correct to the best of my knowledge and belief.Signature or
 thumb-impression of claimant.PlaceDateI am an elector
 included in the electoral roll of the same Gaon Sabha in which the claimant has applied for
 inclusion, viz., Gaon Sabha at Serial No. I verify that the contents of this application
 are correct to the best of may knowledge and
 belief.....Signature of the ElectorName (in full)
Form 3[See Paras 10 (a) and 12]Objection to particulars in any entryTo,The
 Electoral Registration Officer.....Gaon
 Sabha.....Block/Tehsil.....DistrictSir,I submit that the
 entry relating to myself which appears at Serial No.of the electoral roll as "....."
 is not correct. It should be corrected to read as follows
 : "....."I verify that the contents
 of this application are correct to the best of may knowledge and

belief.....Signature or thumb-impression of the elector.Place
Dated 19 ...I am an elector included in the electoral roll of the same
 Gaon Sabha as the applicant viz., Gaon Sabha at Serial No.I verify that the
 contents of this application are correct to the best of my knowledge and
 belief.....Signature of the ElectorName (in full)
Form 4[See Paras 10 (c) and 12]Objection to particulars in any entryTo,The
 Electoral Registration Officer.....Gaon
 Sabha.....Block/Tehsil.....DistrictSir,I object to the
 inclusion of the name of at Serial No. of the electoral roll for
 the following reason(s):- (1)the said person died on or about; (2)the said
 person is not longer ordinarily resident in this locality since; (3)the name of the
 said person is included also in the electoral roll of another Gaon Sabha/Urban Local Boady/at Serial
 No. Ward No.of (name of Urban Local Boady/Gaon Sabha)
; (4)the said person did not complete the age of 18 years of the relevant date; (5)the
 said person is not a citizen of India; (6)the said person is of unsound mind and stands so declared by
 order dated of; (7)the said person has been disqualified from voting due to
 election offence by order dated of the court of; (8)..... (any other reason).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 for this Gaon Sabha as follows :Name in full
Father's/husband's/mother's nameSerial No.
Signature/thumb-impression of
 objector(Postal address)Dated 19I am an elector included in the Electoral roll of
 the same Gaon Sabha in which the name objected to appears, viz., Gaon Sabha at Serial No.
 I verify that the contents of this objection are correct to the best of my knowledge
 and belief.....Signature of the
 Elector.....Name (in full)Form 5(See Paragraphs 13 and 14)Form for
 list of claims and objectionsDistrictBlock/Tehsil
Gaon SabhaList of claims and objections

Serial number of claim Objection	Date of filling	Name of Application	Nature of Application i.e., whether forinclusion, correction or deletion of entry	Date of decision	Result	Signature of designated officer or ElectoralRegistration Officer
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Form 6(See Paragraph 16)NoticeTo,.....Applicant/applicant's
 agentOpposite partyTake notice that the application filed by you Sri..... above
 named for inclusion/correction/deletion of the entry of your name/the name of Sri concerning the
 electoral roll of Gaon Sabha of Block/Tehsil
 District shall come up for hearing before the Electoral Registration Officer on
 (Place) (time) You are directed to be
 present at the hearing with such evidence as you may wish to adduce.A copy of the objection against
 the inclusion of your name in the electoral roll is sent herewith.Electoral Registration
 OfficerReceived notice.* Received copy of objection.Signature of person to be served.* To be deleted

if notice is to be served on the claimant or objector or agent of either. Report of person serving the notice. Form 7[See Paragraph 20 (1)]Notice of final publication of electoral rollIt is hereby notified for public information that the list of amendments to the draft electoral roll for the.....Gaon Sabha has been prepared in accordance with the U.P. Gaon Sabha Registration of Electors Order, 1978 and 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.....Electoral Registration Officer.(Address).....PlaceDated 19 ...