

# **The Punjab Agricultural Produce Markets (Election to Market Committees), Rules 1961**

PUNJAB

India

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### **Rule**

### **THE-PUNJAB-AGRICULTURAL-PRODUCE-MARKETS-ELECTION-TO-M of 1961**

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### **1. Short title and commencement.**

(1)These rules may be called the Punjab Agricultural Produce Markets (Election to Market Committees), Rules, 1961.(2)They shall come into force at once.

### **2. Definitions.**

- In these rules, unless the context otherwise requires :-(1)'Act' means the Punjab Agricultural Produce Markets Act, 1961;(2)'Deputy Commissioner' means the Deputy Commissioner of the district having jurisdiction over the notified market area or if such area is situated in more than one district, the Deputy Commissioner of one of those districts designated by the State Government in this behalf;(3)'Election' means the election of a member or members of Market Committee;(4)'Returning Officer' means person, not below the rank of a gazetted officer, appointed as such by the Deputy Commissioner for the purposes of these rules;(5)'Form' means a form appended to these rules;(6)'Qualifying date' in relation to the preparation or revision of every electoral roll under these rules means such date as may be specified by the State Government by notification in the official Gazette;(7)'Section' means a section of the Act.

### **3. Preparation and publication of electoral rolls.**

(1) For the purpose of electing members under sub-section (2) of Section 12, the Deputy Commissioner shall obtain:-(i) From the Panchayat Department, in Form A a list of Panches and Sarpanches of the Gram Panchayats situated within the notified market area; (ii) From the Chairman of the Committees, in Form B, separate lists of persons licensed under Sections 10 and 13 in the notified market area; and (iii) [ From the Assistant Registrar, Co-op. Societies of the district, in Form 'C' a list of the members of each Co-operative Society in existence in the notified market area.] [Amended vide notification No. GSR-264/PA 23/61/S 43 Amd. (6) 66 dated 11th October, 1966.] (2) On the basis of the information obtained under sub-rule (1), the Deputy Commissioner shall cause to be prepared separately preliminary lists of electors specified under sub-section (2) of section 12. Every person who is Panch or Sarpanch or a licensee under section 10 or section 13 [or a member of the Co-operative Society in existence in the notified market area on the qualifying date] [Amended vide ibid.] shall be entitled to get his or its name included in the preliminary lists. (3) Copies of the preliminary lists of electors of each category shall, as soon as they are ready, be published by the Deputy Commissioner for inviting objections of the public by pasting a notice with the copies of the preliminary lists at conspicuous places in the office of :-(i) the Deputy Commissioner; (ii) Tehsildar; and (iii) the Market Committee. [Provided that where in a notified market area there is in existence a Co-operative Society, such lists of members of the Co-operative Societies shall also be published for inviting objections of the public by pasting a notice with copies of such preliminary list at conspicuous places in the office of the Assistant Registrar, Co-operative Societies, for that area.] [Added vide Notification No. GSR 264/PA 23/61/S. 43 Amd. (6)/66 dated 11th October, 1966.] (4) The notice referred to in sub-rule (3) shall specify for each notified market area:-(a) the officer who will hear and decide objections; (b) the date, time and place of hearing objections; provided that no more than four days shall intervene between the publication and date of hearing objections. (5) The Deputy Commissioner shall, soon after the objections have been heard and decided but not later than four days after the date fixed for hearing of objections, publish in the manner laid down in sub-rule (3) the final electoral roll and shall cause to be printed a sufficient number of copies of such rolls for supply to such person as may apply for the same. (6) The Deputy Commissioner may, at any time correct any clerical or printing errors that he may discover in the electoral roll.

### **4. Revision of final electoral roll.**

- The final electoral roll prepared under rule 3 shall be revised after every three years and the provisions of the aforesaid rule shall, in so far as may be, apply in relation to such revision, as they apply in relation to the preparation of the final electoral roll.

## **Part I – Election of Members except one Member from Co-operative Societies**

## **5. Election programme.**

(1) For the purpose of holding elections from producers and from persons licensed under sections 10 and 13, the Deputy Commissioner shall frame an election programme specifying the date, time and place for :-(a) the filing of nomination papers; (b) the scrutiny of nomination papers; (c) the withdrawal of nomination papers; (d) the taking of poll, if necessary; (e) the counting of votes and declaration of results. (2) The election programme shall be published not less than seven days before the date fixed for filing the nomination papers :-(a) by pasting a copy at the office of the District Panchayat Officer, the Market Committee of the area and at such other conspicuous places in the notified market area as may be determined by the Deputy Commissioner in this behalf; and (b) by supplying a copy to each Panchayat in the notified market area. (3) The Government or the Deputy Commissioner may, by an order in writing, amend, vary or modify the election programme at any time : Provided that, unless the State Government otherwise directs, no such order shall be deemed to invalidate any proceeding taken before the date of the order. (4) Every order under sub-rule (3) shall be published in the manner prescribed under sub-rule (2).

## **6. Notification of Symbols.**

- The Deputy Commissioner shall publish a list of symbols and may in like manner add to or vary such list.

## **7. Nomination of candidates.**

(1) Any person who is a producer of the notified market area and is resident in that area, or is a licensee under section 10 or section 13, as the case may be and is not disqualified under sub-section (6) of section 12, may be nominated as a candidate for the membership of the Committee of that area : Provided that where the licensee under section 10 or section 13 is a [firm] [Substituted for word 'person' by Notification No. 1085-MC-61/8304 dated 21st November, 1961.] only that partner of the firm who has been duly authorised by all the partners to represent it, shall be eligible for being nominated as a candidate. (2) The nomination of each candidate shall be made on a separate nomination paper in Form 'D', Form 'E', or Form 'F', as the case may be, and must be, subscribed by the candidate himself as assenting to the nomination [and by one person as proposer who shall be a Panch or Sarpanch of the Gram Panchayat situated within the notified market area in the case of an election from the producer, and in the case of an election from person licenced under section 10 or 13, a licensee under section 10 or 13 in the notified market area, as the case may be.] [Added by Notification No. GSR 164/PA-23/61 S-43/Amd/(2)-63 dated 28th June, 1963.] (3) [The nomination paper shall bear a certificate in the case of a producer by a Magistrate, Lambardar, Panch or Sarpanch that the candidate is a producer and resident of the notified market area, and in the case of a licensee under section 10 or 13, by the Chairman of the Committee concerned or a Magistrate or a Tehsildar that the candidate is a licensee of the Committee under section 10 or section 13 or is a duly authorised representative of the firm which is a licensee of the Committee under section 10 or section 13, as the case may be.] [Substituted vide notification No. GSR/95/PA 23/61/S-43/Amd (4) 63 dated 9th August, 1963.] (4) The nomination paper complete in all respects shall be delivered in person to the Returning Officer by the time and date fixed for the filing of such papers under rule 5.

## **8. Deposits.**

(1) Each candidate nominated under the provisions of [rule 7] [Substituted vide notification No. GSR/164/PA/23/61/S. 43/Amd (2) 63 dated 28th June, 1963.] shall, at or before the time of delivery of his nomination paper, deposit or cause to be deposited a sum of twenty rupees with the Returning Officer or in the office of the Committee of the notified market area and produce a receipt from the Returning Officer or the Committee, as the case may be, along with the nomination papers. No candidate shall be deemed to be duly nominated unless such deposit has been made. (2) The deposit, in the following cases, shall by an order in writing of the Returning Officer be returned to the candidate, or, if not made by him, to the person by whom it was made or, when the candidate has died, to his legal representative :-(a) where the nomination of the candidate has been rejected; or (b) where the candidate has withdrawn his nomination paper within the specified time; or (c) where the candidate has died before the commencement of the poll; or (d) where the candidate has been elected; or (e) [ where a candidate, though not elected, has polled 50 per cent or more than fifty per cent of votes polled by the candidate who is declared elected with the least number of votes.] [Substituted vide notification No. GSR/264/PA-22/61/S. 43 Amd (6) 66 dated 11th October, 1966.] (3) If a candidate by whom or on whose behalf the deposit referred to in sub-rule (1) has been made is not elected and the number of votes polled by him is less than one half of the votes polled by the candidate who is declared elected with the least number of votes, the deposit shall be forfeited to the Board.

## **9. Scrutiny of nomination papers and decision of objections.**

(1) The Returning Officer shall examine the nomination papers at the time appointed in this behalf, hear objections, if any, presented by the objectors in person, to the eligibility of any candidate and take decision on these objections after such enquiry as he may consider necessary. The decision rejecting or accepting a nomination paper shall be final and a brief statement of reasons thereof shall be endorsed on the nomination paper and signed by the Returning Officer :- Provided that the Returning Officer may :-(a) permit any clerical error, in the nomination paper in regard to names or numbers, to be corrected in order to bring them in conformity with the corresponding entries in the electoral roll; and (b) where necessary direct that any clerical or printing error in the said entries shall be overlooked. (2) The person objecting under sub-rule (1) must be an elector : Provided that in the case of nomination from amongst producers a candidate may also be an objector.

## **10. Withdrawal of Candidature.**

(1) Any candidate may withdraw his nomination by a notice in writing, which shall be subscribed by him and delivered to the Returning Officer before the expiry of the time allowed for the withdrawal of nomination papers. (2) No person who has given a notice of withdrawal under sub-rule (1) shall be allowed to cancel the withdrawal or be renominated as a candidate for the same election.

## **11. Allocation of symbols to candidates.**

- The Returning Officer shall on the expiry of the time fixed for withdrawal of nomination papers, allocate to each validly nominated candidate (hereinafter called contesting candidate) a symbol out of the list of symbols published under rule 6.

## **12. List of nominations to be posted.**

- After symbols have been allotted to each contesting candidate, the Returning Officer shall prepare, for each category of contesting candidates, separate lists in alphabetical order and publish copies thereof by pasting them outside his camp office. The symbol allotted to each candidate shall also be indicated in such lists against the names of the candidates.

## **13. Procedure to be observed when the number of candidates is equal to or less than the number of seats to be filled.**

(1) If the number of contesting candidates is equal to or less than the number of vacancies, all such candidates shall be declared to be duly elected. (2) If the number of contesting candidates exceeds the number of persons to be elected an election shall be held by secret ballot.

## **14. Death of candidate before poll.**

- If a candidate who has been validly nominated dies and a report of his death is received by the Returning Officer before the commencement of the poll, the Returning Officer shall countermand the poll in respect of category of members for which he was a candidate and report the fact to the Deputy Commissioner, and all proceedings with reference to the elections of that category of members shall be commenced afresh in all respects as if for a new election : Provided that no fresh nomination shall be necessary in the case of a candidate whose name is entered in the list of validly nominated candidates published under rule 12.

## **15. Appointment of presiding officers for polling stations.**

(1) The Returning Officer shall appoint a presiding officer for each polling station and such polling officers as he thinks necessary, but he 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 : Provided that if a polling officer is absent from the polling station, the presiding officer may appoint any person who is present at the polling station, other than a person who has been employed by or on behalf of, or has been otherwise working for a candidate in or about the election, to be the polling officer during the absence of the former officer, and inform the Returning Officer accordingly : Provided further that nothing in this sub-rule shall prevent the Returning Officer from appointing the same person to be the presiding officer for more than one polling station in the same premises. (2) 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. (3) If the presiding officer, owing to illness or other unavoidable cause, is obliged

to absent himself from the polling station, his functions shall be performed by such polling officer as has been previously authorised by the Returning Officer to perform such functions during any such absence.(4)The presiding officer shall be in general charge of all arrangements at the polling station and may issue orders as to the manner in which the persons shall be admitted to the polling station and generally for preservation of peace and order at or in the vicinity of the polling station. It shall be the duty of the polling officer at a polling station to assist the presiding officer of such station in the performance of his functions.

## **16. Official mark.**

- The Deputy Commissioner may direct that before any ballot paper is delivered to a voter at a polling station, it shall be marked with such official mark as may be specified by him in this behalf and the official mark so specified shall be kept secret.

## **17. Material to be supplied at polling station.**

[The Secretary of the Board] [Substituted for word 'Director' by notification No. GSR 264/PA 23/61/S. 43/Amd (6) 66 dated 11th October, 1966.] or an officer appointed by him in this behalf shall provide at each polling station :-(i)the necessary number of ballot boxes;(ii)a sufficient number of ballot papers of different colours for election of each category of members;(iii)two copies of electoral roll;(iv)presiding officer's seals; and(v)other necessary election material.

## **18. Commencement and close of poll.**

- The poll shall commence and close at the time fixed for the purpose under rule 5.Provided that : (a)all electors present at the place fixed for poll before it is so closed shall be entitled to have their votes recorded; and(b)if for any reason it is not possible to open the polling station at the fixed hours or if by reason of disorder at the polling station or for any other reason, polling for a certain time has to be stopped, the presiding officer shall keep the polling station open for a further period equal to that which lapse between the hour appointed for the opening of the polling station and the hour at which it was actually opened or the time during which the polling was stopped, as the case may be.

## **19. Voting and result of election.**

(1)Where the votes of the members entered in the electoral roll have to be taken under sub-rule (2) of rule 13 the Returning Officer shall provide a ballot box. Such ballot box shall be so constructed that ballot paper can be introduced therein but cannot be withdrawn therefrom without the box being unlocked. The ballot box shall be placed where it can be seen by the presiding officer during polling.(2)Immediately before the commencement of poll, the presiding officer shall show the ballot box to such contesting candidates as may be present to satisfy them that the ballot box is empty. The Presiding Officer shall thereafter lock the ballot box and affix his seal as well as the seal, if any, of the contesting candidates, if they so desire upon it in such a manner as to prevent its being opened

without breaking such seals.(3)[ Every Panch or Sarpanch of the notified market area wishing to vote shall bring with him a certificate of identity in Form 'G' from Block Development and Panchayat Officer, or Social Education and Panchayat Officer or Extension Officer, Co-operative/Agriculture/Industries/Animal Husbandry and every person licensed under section 10 or section 13 wishing to vote shall bring with him a certificate of identity in Form 'H' or Form 'T', as the case may be, from the Chairman of the Committee concerned or a Magistrate or a Tehsildar or shall bring with him his valid licence under section 10 or 13 as the case may be :Provided that where the licensee under section 10 or section 13 is a firm only that partner of the firm who has been duly authorised by all the partners to represent it shall be entitled to vote.] [Substituted vide notification No. GSR 106/PA 23/6/S-43/Amd (5)/65 dated 21.5.1965.](4)After the identity of an elector has been established, he shall be supplied with a ballot paper in Form J, K or L as the case may be, on which the name of contesting candidates along with [facsimilies of] [Inserted vide notification No. GSR/164/PA 23/61/PA 23/61/S-43/Amd (2) 63 dated 28.6.1963.] symbols allotted to them shall be printed, typed or legibly written in regional languages.The presiding officer shall also fix on the ballot paper, before supplying to the voters, a stamp or his signature so as to indicate its authenticity.(5)The vote shall then proceed to the place set apart for voting and there place a cross mark (X) in column (4) of the ballot paper, against the name of the candidate for whom he wishes to vote with a stamp to be supplied by the presiding officer.(6)He shall then fold up the ballot paper so as to maintain secrecy and deposit it in the ballot box.(7)In the case of an elector who [-] [Words'is illiterate or' deleted by notification GSR 164/PA 23/61/S-43/Amd (2) 63 dated 28.6.1963.] is physically incapacitated from voting, the presiding officer shall, at the request of the elector, take him or her to the place set apart for voting, ascertain his or her choice, accordingly mark the ballot paper, fold it up so as to maintain secrecy and deposit it in the ballot box.(8)The presiding officer shall cause such arrangements to be made as well ensure the secrecy of the ballot.(9)Every elector wishing to record his vote shall do so in person and not by proxy.(10)The presiding officer shall, as soon as practicable after the close of the poll, seal the ballot box used at the polling station and forward the same to the Returning Officer.(11)The Returning Officer shall as soon as practicable in the presence of such contesting candidates as desire to be present open the ballot boxes and count the ballot papers with the aid of persons appointed to assist in the counting of votes. An account of ballot papers found in each box shall be recorded in a statement in Form 'M' which shall be prepared separately for each category of candidates.(12)After the counting of ballot papers has been completed and an account of such ballot papers has been recorded in Form 'M' the Returning Officer shall declare the result in the following manner :-(a)The contesting candidate, who is found to have obtained the largest number of valid votes, or if more than one is to be elected, the contesting candidates up to the number of persons to be elected who are found to have obtained the largest number of valid votes shall be declared to have been elected.(b)In the event of a number of contesting candidates polling the same number of votes and their position in the statement in form 'M', being such that all of them cannot be declared elected, the Returning Officer shall draw lots in the presence of such contesting candidates for the number of seats that remain to be filled and the candidate or candidates whose name or names is or are first drawn shall be declared to have been duly elected.(13)When the result has been declared the Returning Officer shall forthwith forward a copy of the Statement in form 'M', together with the name of candidates declared to have been elected under the provisions of these rules to the State Government for notifying the same in the official Gazette with a copy each to the Deputy Commissioner and the Board.

## **20. Fresh poll in cases of destruction of ballot boxes.**

(1) If at any election any ballot box is unlawfully taken out of the custody of the presiding officer or is in any way tampered with, or is either accidentally or intentionally destroyed or lost, the polling to which the ballot box relates shall be liable to be declared void by the Deputy

Commissioner. (2) Whenever the polling at any polling station or stations is liable to be declared void under sub-rule (1) the presiding officer shall, as soon as practicable after the act or event causing such liability has come to his knowledge report the matter to the Deputy Commissioner who shall, after holding such enquiry as he may deem necessary, declare such polling to be void and shall appoint a day for the taking of a fresh poll in such polling station or stations, as the case may be, and fix the hours during which the poll shall be taken, and the votes cast during the said election shall not be counted until such fresh poll shall have been completed.

## **21. Rejection of ballot papers.**

- A ballot paper contained in a ballot box shall be rejected, if :-(a) it bears any mark or writing by which the voter can be identified, or (b) it does not bear mark (X) or the said mark is placed in an ambiguous manner, or (c) it does not bear the official seal, or (d) the Returning Officer, as the case may be, is satisfied that the ballot paper is spurious or that it has been so damaged or mutilated that its identity as a genuine ballot paper cannot be established.

## **22. Election papers to be forwarded to Deputy Commissioner.**

- The Returning Officer shall put in separate packages, on the outside of which shall be endorsed a description of their contents, and after sealing them in separate packets, forward to the Deputy Commissioner :-(a) the ballot papers counted as valid; (b) the ballot papers rejected as invalid; (c) the unissued ballot papers; (d) the spoiled ballot papers; (e) the cancelled or returned ballot papers; (f) account of ballot papers; and (g) the marked copy of the electoral roll.

## **23. Custody to election papers.**

(1) The Deputy Commissioner shall retain the packets forwarded to him under the preceding rule in his custody until the expiry of one year from the date of election [-] [Words 'or till the conclusion of an election petition, if one is pending, whichever is later' deleted by Notification No. GSR. 164/PA-23/61/S-43/Amd (2)/63 dated 28.6.1963.] and shall then, subject to any direction to the contrary given by the State Government cause them to be destroyed. (2) A candidate may apply to the Deputy Commissioner for inspection or supply of certified copies of any document relating to an election other than ballot papers and the marked copy of the roll referred to in rule 22, on payment of a fee of one rupee.



## **24. Appointment of officers to perform the function of the Deputy Commissioner.**

- The Deputy Commissioner may by order in writing appoint any Assistant Commissioner or Extra Assistant Commissioner or Tehsildar to perform his functions under these rules.

## **Part II – Election Of One Member Representing Co-operative Society**

### **25.**

[Omitted] [Rule 25 omitted vide Notification No. GSR 264/PA-23/61/S-43/Amd (6)/66 dated 11.10.1966.][26. Preparation of election programme of Co- operative Societies. - (1) For the purpose of holding election from Co-operative Societies the Deputy Commissioner shall frame all election programme specifying the date, time and place for :-(a)filing of nomination papers;(b)scrutiny of nomination papers;(c)withdrawal of nomination papers;(d)taking of poll, if necessary; and(e)counting of votes and declaration of results.(2)The election programme shall be published not less than seven days before the date fixed for filing nomination papers :-(a)by pasting a copy at the office of the Assistant Registrar, Co- operative Societies and at such other conspicuous places in the notified market area as may be determined by the Deputy Commissioner in this behalf; and(b)by supplying a copy to each Co-operative Societies in existence in the notified market area.(3)The Government or the Deputy Commissioner may, by an order in writing, amend, vary or modify the election programme at any time :Provided that, unless the Government otherwise directs, no such order shall be deemed to invalidate any proceeding taken before the date of the order.(4)Every order made under sub-rule (3) shall be published in the manner prescribed under sub-rule (2).]

[Substituted vide notification No. GSR 264/PA-23/61/S-43/Amd. (6)/66, dated 11th October, 1966.]

## **27. Filing of nomination papers and depositing of securities.**

(1)Any person who is member of a co-operative society, in existence within the notified market area, may be nominated as a candidate for the election of one member under clause (b) or clause (c), as the case may be, of sub-section (2) of section 12, provided he delivers in person, or sends through the representative of that society, a nomination paper completed in all respects on the date, time and place specified in the election programme.(2)The nomination of each candidate shall be made on a separate nomination paper in Form 'P' and must be subscribed by the candidate himself as assenting to the nomination, and by [one person as proposer who shall be a member of that society]

[Substituted vide Notification No. GSR 164/PA- 23/61/S-43/Amd. (2) /63 dated 28th June, 1963.](3)Each candidate filing a nomination paper under the above provision shall, at or before the time of delivery of his nomination paper, deposit or cause to be deposited a sum of twenty rupees either in the treasury or sub- treasury or with the local Lambardar or the Returning Officer, and produce a receipt obtained from treasury or sub-treasury or from the Lambardar or the Returning Officer, as the case may be, and no candidate shall be deemed to be duly nominated unless such

deposit has been made.(4)If a candidate by whom or on whose behalf the deposit referred to in sub-rule (3) has been made is not elected and the number of votes polled by him is less than one half of the votes polled by the candidate who is declared to have been elected with least number of votes, the deposit shall be forfeited to the Government.(5)The provisions regarding the return of security deposits shall be same as laid down in sub-rule (2) of rule 8.

## **28. Scrutiny of nomination papers.**

(1)At the time appointed for the scrutiny of nominations, the candidates, his proposer and seconder may attend such place as may be specified in the election programme for the scrutiny of nomination papers and the Returning Officer shall give such persons all reasonable facilities to examine the nomination papers of all the candidates.(2)The Returning Officer shall then examine the nomination papers and shall decide all objections which may be made at that time to any nomination by any candidate or his proposer or seconder and may, either on such objections, or on his own motion and after such summary enquiry, if any, as he may deem necessary, reject any nomination :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 seconder, or of any other particulars if the identity of the candidate, proposer or seconder, as the case may be, can otherwise be established beyond reasonable doubt.

## **29. Withdrawal of nomination paper.**

(1)Any candidate may withdraw his nomination by a notice in writing, which shall be subscribed by him and delivered to the Returning Officer before the expiry of the time allowed for the withdrawal of nomination papers.(2)No person who has given a notice of withdrawal under sub-rule (1) shall be allowed to cancel the withdrawal or be re-nominated as a candidate for the same election.

## **30. Allocation of symbols to candidates.**

- The Returning Officer, shall on the expiry of the time fixed for withdrawal of nomination papers, allocate to each validly nominated candidate (hereinafter called 'contesting candidate') a symbol out of the approved list of symbols published under rule 6.

## **31. List of nominations to be posted.**

- The Returning Officer shall, immediately after symbols have been allotted to each contesting candidate prepare and publish by pasting outside his camp office in alphabetical order, a list in Form 'Q', showing against each contesting candidate, the symbol, allotted to him.

## **32. Procedure after publication of list of validly nominated candidates.**

(1)If there is only one candidate, the Returning Officer shall declare him as duly elected.(2)[If the number of such candidates is more than one, an election shall be held by secret ballot. Every

member of the Co-operative Societies in a notified market area wishing to vote shall bring with him a certificate of identity in Form 'T' from the Assistant Registrar, Co-operative Societies, of the District or the President or the Chairman as the case may be, of the Co-operative Society concerned.] [Substituted vide Notification No. GSR 264/PA 23/61/S-43/Amd (6)/66 dated 11.10.1966.][2-A) After the identity of an elector has been established he shall be supplied with a ballot paper in Form 'S' on which the names of contesting candidates alongwith [facsimilies of] [Added by Notification No. GSR 171/PA 23/61/5543-12/Amd (1)/62 dated 13.8.62.] symbols allotted to them shall be printed, typed or legibly written in regional language;](3)[On the date fixed for the counting of votes,] [Substituted for the words 'immediately after the voting is over' vide notification No. GSR 264/PA 23/61/S. 43/Amd 6/66 dated 11.10.1966.] under rule 26 (1)], the Returning Officer shall count the votes in the presence of such candidates as may be present and declare the result in the following manner :-(a)the candidate who is found to have obtained the largest number of valid votes, shall be declared to have been elected;(b)in the event of a number of contesting candidates polling the same number of votes, the Returning Officer shall draw lots in the presence of such candidates and the candidate whose name in first drawn shall be declared to have been duly elected.

### **33. Preparation of record of proceedings and publication of result of election.**

- Immediately after the voting is over, the Returning Officer shall :-(a)prepare in form 'R', a record of the proceedings of election and sign it, attesting with his initials every correction made therein and also permit every contesting candidate, if he expresses his desire to do so, to affix his signature or thumb-mark to such record; and(b)when the result has been declared the Returning Officer shall forward the [name of the candidate] [Added vide Notification No. GSR 264/PA/23/61/S.43/Amd (6)/66 dated 11.10.66.] declared to have been elected to the State Government for notifying the same in the Official Gazette with a copy to the Deputy Commissioner and the Board.

### **33A. [ Certain Rules to apply to Election under Part II. [Added vide Notification No. GSR 264/PA/23/61/S.43/Amd (6)/66 dated 11.10.66.]**

- The provisions of rules 14, 15, 16, 17, 18, 19(1), 19(2), 19(5) to 19(11), 20, 21, 22, 23, and 24 shall apply mutatis mutandis in relation to the election held under part II as they apply to election under part I of these rules.]

## **Part III – Miscellaneous**

### **34. [ Election to be made within prescribed period. [Added vide Notification No. GSR 264/PA/23/61/S.43/Amd (6)/66 dated 11.10.66.]**

- The election of members referred to in sub-section (2) of section 12, shall be made and communicated to the State Government within a period of three months of the date on which direction is issued by the Government to the Deputy Commissioner.]

### 35. Final authority for interpretation of these rules.

- If any question arises regarding the interpretation of these rules [-] [Deleted 'otherwise than in connection with an election petition which has actually presented' vide Notification No. GSR/164/PA/23/61/S-43/Amd (2) 63 dated 28.6.1963.] it shall be referred by the person interested, or the official concerned, to the Deputy Commissioner for decision. The Deputy Commissioner, if he thinks fit, may refer the question to the Government, whose decision shall be final.

### 36. [ Expenditure in connection with or incidental to such elections. [Added by notification No. GSR/264/PA/23/61/S-43/Amd (6) 66 dated 11.10.1966.]

- All the expenditure incurred by the Deputy Commissioner or the person authorised by him under rule 24 in connection with or incidental to the elections of members of the Market Committee shall be paid by the concerned Market Committee.]Form A[See rule 3(1)(i)]List of Sarpanches and Panches of Gram Panchayats situated in notified Market AreaName of Market Committee\_\_\_\_\_District\_\_\_\_\_

Serial No.	Name of the Panch or Sarpanch	Father's Name	Age	Permanent Address	Name of village panchayat of which Panch or Sarpanch is officebearer	Date when election was made
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Form B[See rule 3(I)(ii)]List of Licensees under [Section 10/Section 13 of the Act] [strike out whichever is in- applicable.]Name of the Market Committee\_\_\_\_\_District\_\_\_\_\_

Serial No.	Name of the licensee with parentage	Name of the firm, if any	Licence No. with date on which licence was issued	Age	Permanent address
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[Form C] [Substituted vide notification No. FSR 264/PA/23/61/S-43/Amd. (6)/66 dated 11th October, 1966.][See rule 3(I)(iii)]Name of Market Committee\_\_\_\_\_District\_\_\_\_\_

Serial No.	Name of Co-operative Societies with licence No.	Name of the member with parentage	Age	Permanent
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[Form D] [Substituted vide Notification No. GSR/164/PA/23/61/S-43 Amd. (2), 63 dated 28th June, 1963.][See rule 7(2)]Nomination of candidate for election from producersI, hereby nominate\_\_\_\_\_ as candidate for election to the\_\_\_\_\_ Market Committee\_\_\_\_\_ District\_\_\_\_\_

1. Full name of proposer with Electoral Roll No.\_\_\_\_\_

**2. Name of Candidate's father or husband** \_\_\_\_\_

**3. Age of candidate** \_\_\_\_\_

**4. Address of the candidate** \_\_\_\_\_

(Signature of Proposer)Declaration By CandidateI hereby declare that I am a resident of the notified market area and I agree to this nomination.(Signature of Candidate)I do hereby certify that Sh. \_\_\_\_\_ a producer and is resident of the notified market area \_\_\_\_\_ Signature of Magistrate/Lmbardar Panch/SarpanchCertificate of DeliverySerial No.This nomination paper was delivered to me at any office at (date and hour)Date (Signature of Returning Officer)Certificate of ScrutinyI have scrutinised the eligibilty of the candidate, and find that he is qualified to stand for election, and I therefore, accept the nomination of \_\_\_\_\_ ORI have scrutinised this nomination and reject it for the following reasons :-(Signature of Returning Officer)DateThe symbol assigned to the candidate is(Signature of Returning Officer)[Form E] [Substituted by notification No. GSR 164/P-23/61/S-43/Amd. (2)/63 dated 28th June, 1963.][See rule 7(2)]Nomination of Candidate for Election from licensees under Section 10.I hereby nominate \_\_\_\_\_ as candidate for election to the \_\_\_\_\_ Market Committee, District \_\_\_\_\_

**1. Full Name of Proposer with Electoral Roll No.** \_\_\_\_\_

**2. Name of candidate's father or husband** \_\_\_\_\_

**3. Name of firm, if any which the candidate represents** \_\_\_\_\_

**4. Licence No.** \_\_\_\_\_

**5. Address** \_\_\_\_\_

(Signature of Proposer)Declaration By CandidateI hereby declare that I am a duly authorised representative of the firm \_\_\_\_\_ which is a licensee under section 10 and agree to this nomination.(Signature of candidate)I do hereby certify that Sh. \_\_\_\_\_ son of Sh. \_\_\_\_\_ is a licensee of the Committee under section 10 or he is duly authorised representative of Messrs \_\_\_\_\_ which is the licensee of the committee under Section 10.[Signature of Chairman] of the Committee/Magistrate/Tehsildar)Dated \_\_\_\_\_ Certificate of

DeliverySerial No. \_\_\_\_\_ This nomination paper was delivered to me at my office at (date and hour) \_\_\_\_\_ (Signature of Returning Officer)Certificate of ScrutinyI have scrutinised the eligibility of the candidate, and find that he is qualified to stand for election, and I, therefore, accept the nomination of \_\_\_\_\_ ORI have scruitnised this nomination and reject if for the following reasons :-(Signature of Returning Officer)The symbol assigned to the candidate is \_\_\_\_\_ (Signature of Returning Officer)[Form F] [Substituted by Notification No. GSR 164/PA/23/61/S-43/Amd (2)/63 dated 28.6.1963.][See rule 7(2)]Nomination of candidate for Election from Licensees under section 13I hereby nominate \_\_\_\_\_ as candidate for election to the \_\_\_\_\_ Market Committee, \_\_\_\_\_ District

**1. Full Name of proposer with Electoral Roll No.** \_\_\_\_\_

**2. Name of Candidate's father or husband** \_\_\_\_\_

**3. Name of firm, if any, which the candidate represents** \_\_\_\_\_

**4. Licence No.** \_\_\_\_\_

**5. Address** \_\_\_\_\_

(Signature of Proposer)Declaration By CandidateI hereby declare that I am \*duly authorised representative of the firm \_\_\_\_\_ which is a licensee under section 13 and agree to this nomination.(Signature of candidate)\*Strike out whichever is inapplicable.I do hereby certify that Sh. \_\_\_\_\_ S/o Sh. \_\_\_\_\_ is a licensee of the committee under section 13 or he is a duly authorised representative of Messrs \_\_\_\_\_ which is a licensee of the committee under Section 13.[Signature of Chairman of the Committee/Magistrate/Tehsildar] [Substituted by Notification No. GSR 195/PA/23/61/S.43/Amd (4)/63 dated 9.8.1963 for words 'Signature of Chairman of the Committee.']Certificate of DeliverySerial No. \_\_\_\_\_ This nomination paper was delivered to me at my office at (date and Hour) \_\_\_\_\_ (Signature of the Returning Officer)Certificate of ScrutinyI have scrutinized the eligibility of candidate, and find that he is qualified to stand for election, and I, therefore, accept the nomination of \_\_\_\_\_ ORI have scrutinized this nomination and reject it for the following reasons :-Dated ----- (Signature of the Returning Officer)The symbol assigned to the candidate is \_\_\_\_\_ Form G[See rule 19(3)]Identity Certificate

**1. Name of the elector** \_\_\_\_\_

**2. Father's or husband's Name** \_\_\_\_\_

**3. Name of the Gram Panchayat of which the elector is Panch/Sarpanch**  
\_\_\_\_\_  
\_\_\_\_\_

**4. His Serial Number in the electoral roll** \_\_\_\_\_

(Signature of Panch/Sarpanch of Gram Panchayat)I do hereby certify that  
Shri/Shrimati \_\_\_\_\_ is a Panch/Sarpanch of the Gram  
Panchayat. Signature of the Block Development and Panchayat Officer or Social Education and  
Panchayat Officer or Extension Officer Co-operation/Agriculture/ Industries/Animal  
Husbandry Form H [See rule 19(3)] Identity Certificate of Licensee under Section 10

**1. Name of the elector**  
\_\_\_\_\_

**2. Father's Name** \_\_\_\_\_

**3. Name of the firm, if any, which the elector represents**  
\_\_\_\_\_

**4. . Licence No.** \_\_\_\_\_

**5. Serial No. of elector or of the firm in the electoral roll** \_\_\_\_\_

(Signature of elector)I do hereby certify that Sh. \_\_\_\_\_ s/o  
\_\_\_\_\_ is a licensee of \_\_\_\_\_ Committee under  
section 10 and holds licence No. \_\_\_\_\_ or in case of a  
firm. Shri \_\_\_\_\_, s/o \_\_\_\_\_ of M/s. \_\_\_\_\_  
which is a licensee of the Committee under Section 10 with licence No. \_\_\_\_\_ is duly  
authorised representative of the firm for exercising vote. [Signature of Chairman of the Committee/  
Magistrate/Tehsildar] [Substituted for words and dash 'signature of Chairman' vide notification No.  
GSR 195/PA-23/61-S-43/Amd (4)/63 dated 9.8.1963.] Dated \_\_\_\_\_ Form I [See  
rule 19(3)] Identity certificate of licensee under section 13

**1. Name of the elector** \_\_\_\_\_

**2. Father's name** \_\_\_\_\_

**3. Name of the firm, if any, which the elector represents** \_\_\_\_\_

**4. Licence No.** \_\_\_\_\_

**5. Serial No. of elector or the firm in the electoral roll** \_\_\_\_\_

Signature of elector I do hereby certify that Shri \_\_\_\_\_  
S/o Shri \_\_\_\_\_ is a licensee of the Committee  
under section 13 and holds licence No. \_\_\_\_\_ or in case of a  
firm. Shri \_\_\_\_\_, S/o. \_\_\_\_\_  
of M/s. \_\_\_\_\_ which is a licensee of the Committee is a  
duly authorised representative of the firm for exercising vote. [Signature of Chairman of the  
Committee Magistrate/Tehsildar] [Substituted for words and dash 'Signature of Chairman of  
\_\_\_\_\_' vide notification No. 195/PA. 23/61/S. 43/Amd (4)/63 dated  
9.8.1963.] Dated \_\_\_\_\_ Form J [See rule 19(4)] Ballot-Paper for  
Producers \_\_\_\_\_  
Committee (Signature or seal of Returning Officer)

Sr. No. Name and description of contesting candidate Symbol allotted For Mark (X) by voter

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

Form K [See rule 19(4)] Ballot-paper Licensees under section

10 \_\_\_\_\_

Committee (Signature or seal of Returning Officer)

Sr. No. Name and description of contesting candidate Symbol allotted For Mark (X) by voter

- 1.
- 2.
- 3.
- 4.



- 5.
- 6.

Form L[See rule 19(4)]Ballot-paper Licensees under section

13\_\_\_\_\_

Committee.(Signature or seal of Returning Officer)

Sr. No. Name and description of contesting candidate Symbol allotted For Mark (X) by voter

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

Form M[See rule 19(11)]Statement of votes Polled by Producers/licensees under section 10/Licensees under section 13Name of Market

Committee\_\_\_\_\_Name of

District\_\_\_\_\_

Serial No.	Name of candidate	No. of valid ballot papers polled by him	Number of rejected ballot-papers
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Total number of (a) valid votes\_\_\_\_\_rejected

votes\_\_\_\_\_votes polled\_\_\_\_\_Signature of Returning OfficerDated\_\_\_\_\_ [Form N] [Rule 25 stands omitted. This Form is thus redundant now.][See rule 25]Programme for the Election of one Member to represent Co-operative Societies working within the Notified Market Area

1. Name of Market Committee \_\_\_\_\_
2. Name of Returning Officer \_\_\_\_\_
3. Date time and place of \_\_\_\_\_
- (a) filing of nomination papers \_\_\_\_\_
- (b) scrutiny of nomination papers \_\_\_\_\_
- (c) withdrawal of nomination papers \_\_\_\_\_
- (d) taking of poll, if necessary \_\_\_\_\_
- (e) counting of votes and declaration of results \_\_\_\_\_

Signature of Assistant RegistrarDate\_\_\_\_\_Form O[See rule 26]Notice to Chairman/President, Co-operative SocietyToThe Chairman/President of the \_\_\_\_\_ Co-operative

Society,\_\_\_\_\_You are hereby called under [rule 26 (1)] [Substituted for word, figures and brackets 'rule 25(1)' by Notification No. GSR 164/PA/23/61/S-43/Amd (2) 123 dated 28th June, 1963.] of the Punjab Agricultural Produce Markets (Election to Market Committee) Rules, 1961, to convene, within twenty days of the receipt of the notice, a meeting of the general body of the Society for authorisation of five members of the society to represent the society at the election to be held on \_\_\_\_\_ as specified in the programme enclosed.

**2. You should send the names of the representatives thus elected to the Assistant Registrar, on the day the election is held.**

**3. The members thus elected should be directed to present themselves before the Returning Officer, with a copy of the resolution of the society, duly attested by you at the appointed time and place for the said election.**

**4. Please note that the Members authorised by the Society's resolution will only be permitted to participate in the election**

(Signature of the Assistant Registrar) Form P [See rule 27(2)] Nomination Paper I hereby nominate \_\_\_\_\_ as a candidate for election to the \_\_\_\_\_ Market Committee, District \_\_\_\_\_

1. Full name of proposer with electoral roll No. \_\_\_\_\_
2. Name of candidate's father or husband \_\_\_\_\_
3. Address of candidate \_\_\_\_\_
4. Name of society of which the candidate is a member \_\_\_\_\_
5. Licence No. of the Society \_\_\_\_\_
6. Sr. No. of candidate in the Electoral Roll \_\_\_\_\_

Signature of proposer with address Declaration By Candidate I, the above named candidate, give my consent to this nomination and hereby declare that I have completed

\_\_\_\_\_ years of age. (Signature of the Candidate) Dated \_\_\_\_\_ Place \_\_\_\_\_ I do hereby certify that Shri \_\_\_\_\_ of (Address) \_\_\_\_\_ is a member of the Co-operative Society \_\_\_\_\_ which is a licensee of the Market Committee \_\_\_\_\_ under the Act. Signature of President/Chairman, Co-operative Society/Assistant Registrar, Co-operative Society of the District. Date \_\_\_\_\_ Certify of Delivery Sr. No. This nomination paper was presented to me by \_\_\_\_\_ (Name) at \_\_\_\_\_ (Date & Hour) \_\_\_\_\_ Signature of the Returning Officer Place \_\_\_\_\_ Date \_\_\_\_\_ Order of the Returning Officer Accepted/Rejected Reason for rejection Signature of the Returning Officer Place \_\_\_\_\_ Date \_\_\_\_\_ Form Q [See rule 31] List of Validly Nominated Candidates for Election

Serial No.	Name of designation of candidate	Symbol allotted	Remarks
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- 1.
- 2.
- 3.
- 4.
- 5.

6.

(Signature of Returning Officer)Form R[See rule 33]

1. Name of District

2. Name of Market Committee

3. Date of publication of election programme

4. Nomination papers :-

(a) Place, date and time of filing of nomination papers

(2) Number of nomination papers filed

(3) Place, date and time of scrutiny of nomination paper

(4) Number of nomination papers withdrawn

(5) Number of nomination papers rejected

(6) Number of nomination papers accepted

5. (1) Date,time and Place of polling

(2) Number of contesting candidates

6. Name of member elected

(Signature of Returning Officer)Date \_\_\_\_\_ [Form S] [Added by notification No. GSR 171/PA 23/61/5543-12/Amd. (1)/62 dated 31st August, 1966.][See rule 32 (2-A)]Ballot Paper Representing Co-operative Societies \_\_\_\_\_

Committee(Signature and seal of Returning Officer)

Serial No. Name and Description of contesting candidates Symbol allotted For Mark (X) by voter

1.

2.

3.

[Form T] [Added vide notification No. GSR 264/PA/23/61/S-43 Amd. (6)/66 dated 11th October, 1966.][See rule 32(2)]Identity Certificate

1. Name of the Elector

2. Father's or husband's name

3. Name of Co-operative Society of which the elector is a member

4. Licence No. of the Co-operative Society

5. Serial No. of elector in the electoral roll

(Signature of Elector)I do hereby certify that Shri \_\_\_\_\_ son of/daughter of/husband of/widow of \_\_\_\_\_ (Address)

\_\_\_\_\_ is a member of \_\_\_\_\_ Co-operative Society which is a licensed Co-operative Society in the notified market area

\_\_\_\_\_ Assistant Registrar, Co-operative

Societies District \_\_\_\_\_ President or Chairman Co-operative Society