

The Punjab Panchayat Election Rules, 1994

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1. Title.

(1) These rules may be called the Punjab Panchayat Election Rules, 1994. (2) They shall come into force on the date of their publication in the official Gazette. (3) They shall apply to the Gram Panchayats, Panchayat Samitis and Zila Parishads constituted under the Punjab Panchayati Raj, Act, 1994.

2. Definition.

- In these rules, unless the context otherwise required: (a) "Agent" means any person appointed in writing by a candidate at an election to be his agent for these purpose of the rules, with the acceptance by such persons of the office of such election agent; (b) "Backward Classes" means castes,, races or classes declared as Backward Classes by the State Government from time to time; (c) "Commission" means the State Election Commission ; (d) "Election" means election of a Panch, Sarpanch of a Gram Panchayat, member of Panchayat Samiti, Zila Parishad whether by direct election or out of the representative of Sarpanches or Chairman or Vice- Chairman of the Panchayat Samiti or Zila Parishad, as the case may be; (e) "Elector" means a person who is entered in the electoral roll for the Gram Panchayat elections held in January, 1993, as revised at the time of election to be held from time to time; (f) "Form" means a form appended to these rules; (g) "Government" means the Government of Punjab; (h) "Act" means the Punjab State Election Commission Act, 1994; (i) "Political party" means an association or a body of individual citizens of India registered with the Election Commission as a political party under Representation of the People Act, 1951; (j) "Section" means a section of the Act.

3. Notification of election and preparation of electoral rolls

[Sections 209 and 30]. - (1) As soon as a notification under section 209 of the Punjab Panchayati Raj Act, 1994 has been issued by the Government, the Election Commission shall take action to prepare the electoral rolls in accordance with section 30 of the Act.

4. Appointment of Assistant Electoral Registration Officers

[Section 30]. - (1) The Commission may appoint one or more Electoral Registration Officers for the Panchayats in a Sub-Division for the revision of the electoral rolls.(2)The Electoral Registration Officer may appoint Officers and staff to assist him in consultation with the District Electoral Officer.

5. Registration of electors

[Section 30]. - (1) For the purpose of preparing electoral rolls for any election to the Gram Panchayat, Panchayat Samiti of Zila Parishad, the Election Commission shall publish the preliminary electoral rolls based upon the electoral rolls used at the last elections of the Gram Panchayat as revised from time to time for information of the public.(2)The electoral rolls so published under sub-rule (1) shall also be pasted at conspicuous places in the offices of District Electoral Officer, Block Development and Panchayat Officer and the Sabha area to which these electoral rolls pertain.

6. Revision of Electoral Rolls at an election

[Section 30]. - (1) Any person may make an application to the Electoral Registration Officer within three days for revision of Electoral Rolls in accordance with Section 30 before the date fixed by the Election Commission for filing nomination papers :-(a)In Form-I for addition of his/her name in the electoral roll if he/she is qualified to be included in the electoral roll of a Gram Sabha,(b)In Form-II for deletion of any entry in the electoral roll in respect of a person who has ceased to be an elector due to death, change of residence or any other reason which disqualifies him/her and from being an elector in the Sabha area in which he/she has been registered as an elector.(c)In Form-III for correction of any mistake in entry relating to him/her.(d)Each application for inclusion, deletion or correction of the name in the electoral roll shall be accompanied by a fee of Re. 1/- which may be deposited either with the Electoral Registration Officer or in the Government Treasury. The fee shall not be refundable.(2)Every application made by a person under sub-rule (1) shall be heard and disposed of within three days of the receipt on the basis of personal hearing by the Electoral Registration Officer who shall inform the claimant and, the person who has made the application.(3)On the date fixed for hearing the claim application, if the Electoral Registration Officer is satisfied that the applicant is entitled to have his name entered then he shall enter the name accordingly. If after hearing of objections, he is satisfied that the person is not qualified to be entered in the electoral roll then he shall not enter the name in the roll. He may amend the electoral roll as deemed fit. Similarly, he may correct any mistake in the electoral roll which he is satisfied

after hearing the applicant.(4)[Section 31] The Electoral Registration Officer, may at any time, correct any clerical or printing error that he may discover in the electoral roll.(5)[Section 33] (a) An appeal against the order passed by the Electoral Registration Officer shall be made to the Election Commission or an Officer authorised by him within a period of five days from the date of order of the Electoral Registration Officer. The order of such appellate authority shall be final.(b)The appeal will contain the particulars of the appellant and reasons for challenging the order of the Electoral Registration Officer.(c)[Section 34] The appeal shall be accompanied by a fee of Rs 50/- which may be paid to the District Electoral Officer. A receipt issued in this behalf shall be sufficient proof of the fee having been paid.(6)The Election Commission or Electoral Registration Officers concerned shall publish the final electoral roll after making all additions, deletions and corrections made by him and print sufficient number of copies for supply to such persons as may apply for the same, on payment of a fee of Rs. 2/- per page.(7)The Election Commission may order for the general revision of electoral rolls of Gram Sabha area after every five years after laying down instructions for such revision.

7. Publication of election programme.

- [Section 35] - After the election programme is published under section 35, the Returning Officer in the Constituency for which he has been appointed as such shall publish the details of the election programme by pasting the same outside his office and at conspicuous places in the Gram Sabha area included in that constituency.

8. Notification of symbols.

- The Commission shall by Notification in the Official Gazette publish lists of symbols for use in the Panchayat Election, and may amend or vary such lists.

9. Presentation of nomination papers.

- [Section 38] - (1) Nomination papers shall be presented to the Returning Officer in Form-IV in person by the candidate himself on or before the date, time and place fixed for filing the nomination papers.(2)The nomination papers of a member of Scheduled Castes or Backward Classes shall also be accompanied by a declaration in Form-IV - A-I.Provided that no person shall propose or second more than one candidate and the candidate himself shall not propose or second the name of any other candidate:Provided further that the candidate contesting for Gram Panchayat should be an elector in the Sabha Area and candidate contesting for Panchayat Samiti should be an elector in the concerned constituency of that Samiti Area and candidate contesting for Zila Parishad should be an elector in the concerned constituency of that Zila Parishad area.(3)The nomination of each candidate shall be made on a separate nomination Form as prescribed in sub-rule (1) above and must be subscribed by the candidate himself as assenting to the nomination.(4)The nomination of a member of Scheduled Caste from a constituency reserved for Scheduled Castes or Backward Classes, as the case may be shall be accompanied by a declaration verified by an M.L.A., M.P. Magistrate, Tehsildar, Naib-Tehsildar for Panchayat Samiti and for Zila Parishad by M.L.A.,M.P., Magistrate, Tehsildar, or any other gazetted officer specifying the particulars of the caste to which the candidate

belongs.(5)The nomination paper shall be accompanied by a fee of Rs. 100/- for a Panch or Sarpanch of the Gram Panchayat, Rs. 200/- for member of the Panchayat Samiti and Rs. 400/- for member of the Zila Parishad:Provided that for Scheduled Castes and Backward Classes the fee will be half of the fee specified above.

10. Withdrawal of Nomination

[Section 42]. - Any candidate may withdraw his candidature by a notice in writing which shall contain the particulars as given in the Form IV-B according to the provisions of law.

11. Scrutiny of nomination papers and decision of objections

[Section 41]. - (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, as to the eligibility of any candidate and determine these objections after such enquiry as he may consider necessary. The decision rejecting or accepting a nomination paper and 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 rolls; 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 a candidate of the concerned Panchayat or Sabha Area, as the case may be.

12. Allocation of Symbols.

- The Returning Office shall, on the expiry of the time fixed for withdrawal of nomination papers, allocate by draw of lot to each validly nominated candidate hereinafter called contesting candidate a symbol out of the approved list of symbols :Provided that if a candidate opts to contest the election on the basis of his party symbol he may do so:Provided further that a symbol which is controversial or gives rise to communal feelings shall not be used.

13. Publication of the list of validly nominated candidates

[Section 43]. - The particulars of the validly nominated candidates shall be displayed outside the office of the Returning Officer in Form-V and will contain the names in alphabetical order alongwith the particulars of the candidates and symbols allotted to each of the candidates.

14. Appointment of Presiding Officer and Polling Officer

[Section 20]. - The District Electoral Officer shall appoint Presiding Officers and such number of Polling Officers as may be necessary for the conduct of poll at each polling station. The Presiding Officer shall, in addition to other duties imposed upon him by these rules, be in general in-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 generally and for the maintenance of peace and order at or in the vicinity of the Polling Station. It shall be the duty of the Polling Officer and Polling Assistants at the Polling Station to assist the Presiding Officer of such Station in the performance of his functioning.

15. Official Mark

- The Election Commission may direct that before any Ballot Paper is delivered to a voter at the Polling Station, it shall be marked with such official mark as may be specified which shall be kept secret. Every Ballot Paper shall be signed in full on its back by the Presiding Officer.

16. Safeguards against Personation.

(1) Every elector shall allow his left fore-finger to be inspected by the Presiding Officer or Polling Officer and indelible ink mark to be put on it. If any elector refuses to show his left fore-finger or does any act with a view to removing the ink mark, he shall not be supplied with any Ballot Paper or allowed to vote. (2) Any reference in this rule to the left fore-finger of a voter shall, in the case where the elector has his left fore-finger missing, be construed as reference to any other finger of his left hand, and shall in the case where all the fingers of his left hand are missing be construed as a reference to the fore-finger any other fingers of his right hand and shall in the case where all his fingers on both hands are missing be construed as a reference to such extremity of his left or right arms as he possesses.

17. Design of Ballot Boxes.

- Every Ballot Box shall be of such design as may be approved by the Election Commission.

18. Material to be supplied at the Polling Station.

- The Returning Officer shall provide at the Polling Station the following, namely : (1) The necessary number of ballot boxes. (2) Sufficient number of ballot papers; (3) Copies of the relevant parts of the electoral roll; (4) Presiding Officer's seal for stamping the ballot papers; (5) Other necessary material.

19. Admission to the Polling Station

[Section 21]. - 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 Officer; (b) Public servants on duty in connection with the election; (c) Persons authorised by Election Commission; (d) Candidates, their election agents or their polling agents; (e) The child in arms accompanying an elector; (f) A person accompanying a blind, old or an infirm elector who cannot move without help; and (g) Such other persons as the Returning Officer or Presiding Officer may allow.

20. Candidate and his agent to be allowed to enter Polling Station

[Section 11]. - The Presiding Officer shall allow the candidate or his polling agent to enter the polling station, during the polling except the polling compartment: Provided that if a candidate wants to appoint a Polling Agent or change a person as Polling Agent for any reason he shall inform the Returning Officer giving name and complete address of the person appointed as Polling Agent.

21. Procedure before commencement of polls.

- Immediately before the commencement of the poll, the Presiding Officer shall show the ballot boxes to the Polling Agents who may be present at the Polling Station, so that they may see that the ballot boxes are empty. The Presiding Officer shall secure and seal the ballot boxes in such a manner that the slit for insertion of Ballot Papers remains open. Every Ballot Box used at the Polling Station shall bear labels, both inside and outside, marked with the following, namely :-(a) the serial number, if any, and the name of constituency; (b) the serial number and name of the Polling Station; (c) the serial number of the Ballot Box (to be filled in the end of poll on the label outside the Ballot Box only); and (d) the date of poll. The Ballot Boxes shall be closed, sealed and secured and placed in full view of the Presiding Officer and Polling Agents.

22. Voting to be in person and not by proxy

[Section 61]. - (1) Voting shall be by secret ballot and every person wishing to record his vote shall do so in person and not be proxy by means of Ballot Papers specified by the Election Commission to be supplied to a voter which shall have a serial number, names of the candidates and such symbols as are allotted to the candidates, such other particulars of the candidate and such official marks as may be specified by the Commission. Every person shall be entitled to a single non-transferable vote. Provided that a voter who is in service shall be entitled to vote by post. The following persons, shall subject to their fulfilling the requirement specified below be entitled to vote by post namely: (1) At an Election of Panchayat, any of the following namely : (a) Voters who are in service; (b) Voters on election duty; (c) Electors subject to preventive detentions; and (d) All other electors as may be specified by the Election Commission in this behalf who want to vote at a Panchayat Election may send a request in writing to the Returning Officer of their intention in Form VI for the supply of Postal Ballot Paper. (2) A postal ballot paper shall be sent by post under certificate of posting to the Elector by the Returning Officer ten days before the date of actual poll to voters who apply for the same. The elector will mark his choice and return the postal Ballot Paper to the Returning Officer so that the Ballot Paper reaches the Returning Officer on or before the date of actual poll. (3) The Returning Officer shall then make a mention thereof on the marked copy of the Elector Roll which relates to the service voters. He will then keep the Ballot Papers in a separate packet and prepare a list of such postal Ballot Papers and the votes secured by each candidate shall be added at the time of counting.

23. Commencement and close of poll

[Section 57]. - The poll shall commence and close at the date and time fixed by the Commission for the purpose: Provided that : (a) all electors present at the place fixed for the 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 hour fixed for opening the same or if any 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 lapses 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.

24. Seating arrangement of the Polling Officers.

- The table of the polling officer should be so placed that when a voter arrives at the polling station, he will meet the first polling officer posted inside the polling station who will issue an identity slip after locating his name in the Electoral Roll. Then he will proceed to the second Polling Officer who will mark his left hand forefinger in the manner given in rule 15. Thereafter he will proceed to the third Polling Officer who will give the Ballot Paper and marking stamp to him after obtaining his signatures. He will then go to the polling compartment where he will mark his vote and after that put the same in the Ballot Box after folding it properly. In case the Government decides to hold the elections to the Gram Panchayat, Panchayat Samiti and Zila Parishad simultaneously, the Commission may order the posting of additional persons as polling officers in the interest of smooth poll. Each additional Polling Officer (s) will be custodian of ballot papers for Gram Panchayat, Panchayat Samiti and Zila Parishad constituency, respectively and ballot papers will be given to the elector in this order.

25. Tendered votes.

(1) If a person representing himself to be particular voter named in the electoral roll, asks for a ballot paper after another person has voted as such voter, he shall after such enquiry as the Presiding Officer may make be allowed to vote but his vote will be considered to be a tendered vote which shall be handed over to the Presiding Officer. The Presiding Officer will mark the vote as tendered vote and all such votes shall be put in a separate envelope meant for tendered votes and the word 'Tendered Vote' shall also be written by the Presiding Officer on the vote and the electoral roll and the name of the polling station to which the roll relates shall be entered in a list bearing the heading "Tendered Votes List." The person tendering such ballot-paper shall sign his name and address or affix his thumb-impression against the entry of that list. (2) The "Tendered Votes List" shall be prepared by the Presiding Officer in Form VII.

26. Challenged Votes.

- If any candidate or polling agent declares and undertakes to prove that any person by applying for a ballot-paper has committed the offence of impersonation the Presiding Officer may require such

person to enter in the list of challenged votes his name, and address or if he is unable to write, to fix his thumb-impression thereto and may further require such person to produce evidence of identification. If after summary enquiry the Presiding Officer is satisfied, that he is a genuine voter, he shall be allowed to vote. If the challenged person is not found to be genuine, he may be sent to the nearest police station with a report for registration of a case against him. The Presiding Officer shall at the close of the Poll, prepare a list of challenged voters in Form VIII.

27. Spoilt Ballot Papers.

- A voter, who has inadvertently spoilt his ballot-paper in such a way that it cannot conveniently be used as a ballot- paper may, on delivering it to the Presiding Officer and satisfying him of his inadvertence, obtain another ballot-paper in place of the spoilt ballot paper and the latter shall be marked as cancelled. All such votes shall be put in a separate packet marked "Cancelled Votes".

28. Recording of Votes of infirm Voters.

(1) If the Presiding Officer is satisfied that owing to blindness, old age or other physical infirmity an elector is unable to recognise the symbol on the ballot-paper or to insert the ballot-paper in the ballot-box, the Presiding Officer shall permit the elector to take with him a companion of not less than 18 years of age to the voting compartment for marking and putting the ballot-paper into the ballot-box on his behalf and in accordance with his wishes. (2) The Presiding Officer shall keep a brief record of all such instances without indicating the manner in which the votes have been cast.

29. Returning of ballot-papers by voter.

(1) If a voter after obtaining any ballot-paper for the purpose of recording his vote decides not to use the same, he shall return the ballot-paper to the Presiding Officer, and the ballot-paper so returned shall then be marked "cancelled returned" and kept in a separate packet set apart for the purpose and record shall be kept by the Presiding Officer of all such ballot-papers. (2) If any ballot-paper which has been issued to any voter for the purpose of recording his vote has not been put in the ballot-box but has been left by the voter at the polling Station or the polling compartment it shall be presumed as cancelled and dealt with in accordance with the provision of sub- rule (1) as if it has been returned to the Presiding Officer.

30. Fresh poll in case of destruction of Ballot-Boxes

[Section 59]. - (1) If at an election any ballot-box or boxes is or are unlawfully taken out of the custody of the Presiding Officer or is or are in any way tampered with, or is or are either accidentally or intentionally destroyed or lost, the election in respect of Polling Station to which the ballot-box or boxes relate may be declared void by the Election Commission. (2) Whenever the polling at any polling station 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 contingency has come to his knowledge, report the matter to the Election Commission 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 has been completed.(3)The provisions of these rules shall apply to every such fresh poll as they apply to the original poll.

31. Adjournment of Poll in emergencies

[Section 58]. - (1) The Returning Officer, the Presiding Officer, the District Electoral Officer or Election Commission may adjourn the poll in a sabha area or constituency at any time in case the poll is interrupted or obstructed by:(i)any riot or violence; or(ii)a direct or indirect threat to the election process or conduct of poll; or(iii)an action of snatching or destroying the ballot papers; or(iv)any type of natural calamity; or(v)booth capturing at the polling station or at a place fixed for polling; or(vi)any other sufficient reason to be recorded in writing.(2)Whenever the polling is adjourned in terms of the provisions of sub- rule (1), the Returning Officer shall as soon as practicable, report the matter to the Election Commission who shall appoint a day for a fresh poll and shall fix the time at which such poll shall be held.

32. Cancellation of Election Programme.

- (1) Subject to the provisions of Rule 30 for the Election Commission or District Election Officer, for reasons to be recorded in writing, may by an order, cancel the election programme at any time, before the commencement of the poll, if.(i)electors are threatened or prevented from exercising their franchise ; or(ii)electors are threatened or prevented directly or indirectly not to contest the elections on such a scale that the polling is not smooth or fair; or(iii)there is any type of natural calamity;(2)Whenever an election programme is cancelled in terms of the provisions of sub-rule (1), the Election Commission shall frame a fresh election programme as provided in section 35 in respect of that sabha area or constituency.

33. Counting of Votes

[Section 66] - (1) In a Sabha area where there is only one polling station, the Returning Officer shall follow the following procedure for the counting of votes and declaration of result for election to the Gram Panchayat.(2)The Presiding Officer shall, as soon as practicable, after the close of the poll and in the presence of any candidate or polling agent who may be present:(a)Inspect and also allow an opportunity to candidates or their polling agents to inspect the ballot boxes and their seals to satisfy themselves that they are in order;(b)open the ballot-box after checking the mark or marks made on the box and the label affixed, takes out the ballot papers from the box and arrange them in convenient bundles, separating the ballot-papers which he deems valid from those he rejects;(c)allow the candidates and their agents who may be present, reasonable opportunity to inspect all ballot papers, which is in the opinion of the Presiding Officer, are liable to be rejected but shall not allow them to handle those or any other ballot-papers. The Presiding Officer shall on every ballot-paper which is rejected, endorse the word "rejected" and record briefly on such ballot-papers the grounds for its rejection. A brief record shall be kept of the serial numbers of all ballot- papers

rejected ;(d)Count the valid votes given to each candidate with the aid of persons appointed to assist in the counting of votes and declare the election of the candidate who is found to have obtained the largest number of valid votes, or, if more than one member is to be elected for the Gram Panchayat, then the candidates who are found to have obtained the largest number of valid votes shall be declared to have been elected ;(e)After the counting of ballot-papers contained in all the ballot-boxes has been completed, the Returning Officer shall record a statement in Form IX showing the total number of votes polled by each candidate.

34. Counting of Votes where there is more than one Polling Station

[Section 66]. - (1) In a Gram Sabha where there is more than one Polling Stations the Presiding Officer of each Polling Station shall, as soon as practicable, after the close of the poll, close the ballot-boxes used at the Polling Station in such manner as the Election Commission may direct and forward them to the Returning Officer.(2)When the ballot-boxes used at all the Polling Station, in his Sabha or Constituency area have been received, the Returning Officer shall, as soon as practicable, follow the procedure prescribed in rule 33 for the counting of votes and the declaration of results :Provided that in case of constituency of a Panchayat Samiti and Zila Parishad ballot-boxes from all the polling stations of a Constituency may be kept at a secure place and counting may be done on a day fixed for counting by the Returning Officer and at a place to be notified in advance.Provided further that separate parties will be deployed for counting and the candidate may also deploy one counting agent for each counting table and one more counting agent for the table of the Returning Officer. The counting will be done by the counting parties and at the end of the each round the result of counting shall be compiled. Final results shall be declared in accordance with rule 33.

35. Procedure in case of tie

[Section 68]. - If, after the counting of votes is completed, votes polled by two candidates are equal, and the addition of one vote will entitle any of these candidates to be declared elected. The Returning Officer shall forthwith decide between those candidates by draw of lots as the candidate in whose favour the lot falls has received an additional vote.

36. 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 ;(b)it does not contain official mark;(c)the Returning Officer is satisfied that the ballot paper is spurious;(d)it has been so damaged or mutilated that its identity as a genuine ballot-paper cannot be established;(e)it has not been marked in favour of any candidate or has been marked in favour of more than one candidates.

37. Preparation of Return

[Section 69]. - When the counting of votes has been completed and the result has been declared the

Returning Officer shall forthwith prepare return containing the following, namely : (1) the names of contesting candidates; (2) the number of valid votes given for each candidate; (3) the name(s) of the candidate(s) declared to have been elected; and shall forthwith forward a copy of the return to the District Election Officer, and to any other Officer authorised by him in this behalf and a copy containing names of the candidates declared elected may be given to the candidates so elected.

38. Election Papers to be forwarded to the District Election Officer.

- The Returning Officer shall put the election papers 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 District Election Officer : (a) the ballot-papers counted as valid; (b) the ballot-papers rejected as invalid; (c) the unissued ballot-papers; (d) the issued tendered ballot-papers; (e) the spoilt ballot-papers; (f) the cancelled/returned ballot-papers; (g) the tendered votes list; (h) the list of challenged votes; (i) account of ballot-papers; and (j) the marked copy of electoral roll.

39. Custody of Election Papers.

(1) The District Election Officer shall retain the packets forwarded to him under the preceding rule in his custody until the expiry of one year from the date of the election or till the conclusion of an election petition, if any is pending, whichever is later, and shall then, subject to any direction to the contrary given by the Election Commission shall cause them to be destroyed. (2) A candidate may apply to the District Election Officer 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 on payment of Rs. 5/- and such copies shall be supplied in accordance with the procedure to be followed for similar application in respect of a case dealt with by a Revenue Officer.

40. Authority who shall administer oath.

- The oath required to be taken under Section 104 of the Panchayati Raj Act. 1994, shall be administered by a person authorised by the Govt.

41. Election expenses.

- The Election Commission may fix expenses to be incurred by a candidate for any office which may vary from office to office and may also specify the proforma in which the expenditure statement will be submitted by the candidate to the Commission within one month of the declaration of the result.

42. Staff of Election Commission and Election Tribunal.

- The Government may fix such staff of the Election Commission and the Election Tribunal as may be considered necessary for carrying out the functions of the ordinance.

43. Election of Representatives of Sarpanches

[Section 20]. - (1) As soon as a notification under section 209 of the Punjab Panchayati Raj Act, 1994 is issued by the Government to hold the election of the members of the Panchayat Samiti, the District Electoral Officer shall initiate the preparation of a list containing the names and addresses of the Sarpanches of the Gram Panchayats falling under the jurisdiction of a Panchayat Samiti and shall publish it by pasting the names at some conspicuous places in his office, the office of the Panchayat Samiti concerned and Sub-Divisional Officer (Civil) : (a) Any Sarpanch whose name has not been included in the list may file a claim with the concerned Returning Officer for inclusion of his name within three days of the publication of the list. (b) Any elector from the concerned Panchayat Samiti may file any objection with the concerned Returning Officer regarding inclusion of any name of person who is not a Sarpanch. (2) The District Electoral Officer will call the above elector and may dispose of any claim or objection after summary inquiry within three days from the receipt of the claim/objection and publish the final list in the manner given under sub-rule (1) : Provided that any clerical or printing error may be rectified by the concerned District Electoral Officer at any time.

44. Appointment of Returning Officer

[Section 16]. - (1) The Election Commission may appoint any Officer as Returning Officer for conduct of election by and from amongst the Sarpanches finally published under sub-rule (1) of rule 43. (2) The Election Commission shall fix a schedule of election of representatives from and by Sarpanches of Gram Panchayats in a Panchayat Samiti as prescribed in clause (b) of sub-section (1) of Section 99 of the Punjab Panchayati Raj Act, 1994 and hold election to elect the representatives of the Sarpanches in accordance with the provision of these rules as far as practicable. (3) The election of representatives of the Sarpanches of every Panchayat Samiti shall be notified by the Government.

45. Election of Chairman and Vice-Chairman of Panchayat Samiti and Zila Parishad.

(1) After the election of directly elected members and representatives of Sarpanches in case of Panchayat is notified by the Government and the above members have taken the oath or affirmation under section 104 of the Punjab Panchayati Raj Act, 1994 the Deputy Commissioner or any other Officer appointed by him in this behalf, not below the rank of Extra Assistant Commissioner shall call a meeting as laid down under sections 105 and 168 of the Punjab Panchayati Raj Act, 1994, after giving [a minimum of twenty four hours] [Substituted vide Notification No. GSR 68/PA19/94/S39/Amd/944 dated 19.10.1994 for the wordss seven day's] notice in Form-xiii to such members to elect Chairman and Vice-Chairman of the Panchayat Samiti or Zila Parishad, as the case may be, in separate meetings in accordance with the provisions of these rules. Provided that where the seat of Chairman and Vice-Chairman of Panchayat Samiti or Zila Parishad, as the case may be, is reserved for Scheduled Castes or Women, the proposer or seconder shall propose or second the name of the persons belonging to such reserved categories only. (2) Two-thirds of the total number of members shall constitute a quorum. (3) As soon as the members have assembled at the appointed

time and place, the Presiding Officer shall call upon the members present to propose candidates for the two offices and every proposal shall also be seconded by a member. The names of the candidates, their proposers and seconders shall be recorded in Form XIV and read out by the Presiding Officer to the members present.(4)If at the first meeting there be no quorum as specified in sub-rule (2), the Presiding Officer shall adjourn the meeting.(5)When a meeting is adjourned under sub-rule (4) another meeting shall be convened by the Presiding Officer by giving not less than twenty-four hour's notice to the members.(6)No quorum shall be necessary for the second meeting.(7)If there are two or more such candidates for the seat of Chairman and Vice-Chairman, the votes of the members present at the meeting shall be taken by ballot in Form-IV.The copy of the result of the election in respect of Chairman and Vice Chairman of Panchayat Samiti or Zila Parishad as the case may, shall be immediately sent by the concerned Officer conducting the election to the District Electoral Officer, the Election Commission and the State Government, and a copy of the result may also be given to the elected candidate.

46. Appointment of Deputy Election Commissioner and the Secretary to Election Commission

[Section 13]. - (1) Qualification and term. The State Government may appoint Deputy Election Commissioner from amongst IAS and PCS Officers of the State Government not below the rank of Additional Secretary. He/She will be on deputation with Commission on usual terms and conditions

47. Qualification and term of Secretary.

- The State Government may appoint a Secretary to the Election Commission from amongst the IAS or PCS Officers of the State Government not below the rank of Joint Secretary. He will be on deputation with the State Election Commission on usual terms and conditions of deputation for a maximum period of five years.

48. Power of Election Commission to issue instructions.

- The Commission may from time to time issue instructions to carry out the purposes of the ordinance and these rules for the conduct of election. The instructions so issued by the Commission shall be complied with by the concerned Officers and Officials.

49. Final authority for the interpretation of these rules.

- If any question arises regarding the interpretation of the rules otherwise than in connection with an election petition which has actually been presented, it shall be referred by the person interested to the official concerned to the State Government whose decision shall be final.

50. Election Petition

[Section 7]. - (1) Any election petition under section 76 shall be presented to the Election Tribunal. (2) The petitioner shall enclose with the petition copies of the petition and its enclosures equal to the number of respondents.

51. Contents of the petition

[Section 78]. - (1) The petitioner shall set- forth in the petition full particulars of any material irregularities which, he alleges, including a full statement as far as possible with regard to the commission of each such irregularity. The petition shall, where necessary, be divided into paragraphs numbered consecutively.

52. Deposit to be made.

(1) At the time of, or before, presenting an election petition, the petitioner or petitioners shall deposit in the treasury or sub-treasury a sum of rupees two hundred in cash or in Government promissory notes equal value, as security for all costs that may become payable by him or them. (2) If the petitioner by whom the deposit referred to in sub-rule (1) withdraws his election petition, and in any other case, after final orders have been passed on the election petition, the deposit shall, after such amount as may be ordered to be paid as costs, charges and expenses has been deducted, be returned to the petitioner by whom it was made, and if the petitioner dies during the course of the enquiry into the election petition, any such deposit, if made by him, shall after the amount of such costs as may be ordered to be paid, have been deducted, be returned to his legal heirs. (3) All applications for the refund of a deposit shall be made to the Election Tribunal who shall pass orders thereon in accordance with these rules.

53. Petitions to be dismissed for non-compliance with the rules.

- If any of the provisions of rules 51 and 52 and Section 76 of the Act has not been complied with, the Election Tribunal shall pass an order dismissing the election petition and such orders shall be final.

54. Withdrawal of Petition.

- An election petition may be withdrawn only by leave of the Election Tribunal.

55. Repeals.

- The following set of rules are hereby repealed : (1) The Punjab Gram Panchayat Election Rules, 1960; (2) Punjab Panchayat Samitis (primary members) Election Rules, 1961; (3) The Punjab Panchayat Samitis Co-option of Members Rules, 1961; (4) Panchayat Samitis & Zila Parishads Election of Members Rules, 1961; (5) The Punjab Zila Parishad (Co-option of Members) Rules, 1961; and (6) The Punjab Panchayat Samitis and Zila Parishads (Chairman and Vice- Chairman) Rules,

1961. Provided that any order made or action taken under these rules so repealed shall be deemed to have been made or taken under the corresponding provisions of these rules. Form I (See sub-rule (a) of rule 6) Claim application for inclusion of name in the electoral roll. To The Electoral Registration Officer, _____ Sir, I request that my name be included in the electoral roll for the Gram Sabha/Constituency _____ relating to

_____ My name (in full) _____ Sex _____

_____ My Father's/Mother's/Husband's name _____

_____ Particulars of my place of residence are :- Village _____

_____ Post Office _____ Police Station/Tehsil _____

_____ District _____ I hereby declare that to the best of my

knowledge and belief :- (i) I am a citizen of India ; (ii) My age on the first day of January/last was _____

_____ years and _____ months _____ ; (iii) I am

ordinarily residing at the address given above, (iv) I have not applied for the inclusion of my name in

the electoral roll for any other Gram Sabha area/Constituency : (v) My name has not been included in

the electoral roll for this or any other Gram Sabha/Constituency ; Signature or thumb impression of

claimant. The application in Form I of Shri/Shrimati/Kumari _____ Address _____

_____ has been :- (a) accepted and his/her name has been

included in the electoral roll vide Serial No. _____ (b) rejected for the reason _____

_____ Electoral Registration Officer Date _____

(Address) _____ Receipt of Application Received the application in Form

I from Shri/Shrimati/Kumari _____

_____ Address _____

Registration Officer or Officer nominated by him. Dated _____

_____ Address _____ Form II (See sub-rule. (b) of rule

61) Objection to inclusion of name To The Electoral Registration Officer,

_____ Sir, I object to the inclusion of the name of _____ at Serial

No. _____ in the electoral roll of Gram Sabha/ _____ of the election for the following

reason (s) _____

:- _____

hereby declare that the facts mentioned above are true to the best of my knowledge and belief. I am

elector for this Gram Sabha and any particulars in the electoral roll for this Sabha area are as follows

- Name in full _____ sex _____

_____ Father's/Husband's/Mother's name _____

_____ Serial No. _____

Part No – . _____

(Signature/thumb impression) Dated _____ Full postal

address _____ I am an elector included in the electoral roll in which the

name objected to appear and my name is enrolled _____ in the Gram

Sabha/Constituency _____ of the roll. In support of this objection I have

signed it. (Signature/thumb impression) Name (in full) _____

_____ Intimation of action taken The objection in Form II lodged

by Shri/Shrimati/Kumari _____ Address _____

_____ has
been :- (a) accepted and the name of Shri/Shrimati/Kumari _____ as appearing at
Serial No. _____ in Gram Sabha/Constituency _____ has been
deleted. (b) rejected for the reason _____ District
Electoral Registration Officer Address _____

_____ Date _____
of Application Received the application in Form II from Shri/Shrimati/Kumari _____
_____ Address _____
Electoral Registration Officer Address _____ Dated _____

*To be filled in by the applicant. Form III [See Rule 6(1)(c)] Objections to
particulars in an entry To The District Electoral Registration Officer, _____

_____ Sir, I submit that the entry relating to myself which appears at Serial No.
_____ in Gram Sabha/Constituency _____ of the electoral roll as
_____ is not correct. It shall be corrected to read as follows

:- " _____ "Place _____

Signature or thumb impression of the elector Date _____ Intimation of Action Taken The
objection in Form III lodged by Shri/Shrimati/Kumari _____

_____ Address _____ has
been _____ (a) accepted and the relevant entry has been corrected to read as follows :- "

_____ for the reason _____ District Electoral Registration
Officer, Date _____ Address _____ Receipt of
Application Received the application in Form III from Shri/Shrimati/Kumari _____

_____ Address _____ Distr _____

Electoral Registration Officer Address _____ Form IV [See rule

9(1)] Nomination Paper Name of Gram Sabha/Constituency

area _____ Name of

Office _____ Name of the

Candidate _____ Father's or Husband's

Name _____ Age _____

_____ Whether the

candidate is a member of the Scheduled Castes, the particular caste to which the candidate

belongs _____ Serial Number of the candidate

on the electoral roll pertaining to the Gram Sabha/Constituency area is

_____ Name of the

Proposer _____ Number of the Proposer

on the electoral roll pertaining to the Gram Sabha/Constituency

area _____ (Signature of the

Proposer) Name of the Secunder

_____ Number of the Secunder on the

electoral roll pertaining to the Gram Sabha/Constituency area

_____ (Signature of the Secunder) Declaration By Candidate I hereby declare

that I agree to this nomination. Signature of candidate ----- Undertaking By A

Candidate Who is A Member of Either House of Parliament or of The Legislature Of the Punjab

State.I hereby undertake to resign the membership of either House of Parliament or the Legislature of the Punjab State if elected as Sarpanch or Panch of Gram Panchayat or member of Panchayat Samiti and Zila Parishad as the case may be, before taking the oath under sub-sections 13,104 and 167 of the Punjab Panchayati Raj Act, 1994.Date _____ Signature of the candidate(To be filled in by Returning Officer)Serial No. _____ This nomination paper was delivered to me at my office at _____ (date and hour) _____ Date _____ 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 _____ ORI have scrutinised this nomination and reject it for the following reasons _____

of Officer scrutinising the nomination paper.The symbol assigned to the candidate.

_____.Signature of Returning Officer.Form IV-A[See rule

9(2)]Declaration By A Candidate Who is A Member of Any Scheduled CastesI do hereby declare that I am a member of the _____ caste which has been declared to be a

Scheduled Caste/Backward Class of the State.Date _____ Signature of the candidateForm IV-B(See rule 10)Notice for withdrawal of candidatureI _____ resident of village _____ Block _____ District _____ do hereby give

notice to withdraw my candidature from the office of member Panchayat Samiti/Zila Parishad _____ .Date and time _____ Signature of the

candidateToThe Returning OfficerOrder of the Returning Officer.Signature of Returning

OfficerForm V(See rule 13)List of contesting candidates for Election of

_____.Election of Sarpanch/Panches of Gram Panchayat/Member of Panchayat Samiti/Zila Parishad _____

Serial No.	Name of Candidate	Address of Candidate	Whether Scheduled Castes/Tribes	Symbol allotted
1	2	3	4	5

Signature of Returning OfficerForm VI[See rule 22(1)(d)]ToThe Returning Officer,Gram

Panchayat/Panchayat Samiti/Zila Parishad Election _____ Block _____

District _____ .Subject :- Supply of ballot paper for polling by post.Sir,I,

_____ s/o _____ age _____ is resident of village _____ of Gram Sabha/Panchayat Samiti/Zila Parishad _____ . The

election of Gram Panchayat/Panchayat Samiti/Zila Parishad _____ is scheduled to take place on _____ . I being elector of the said Gram Panchayat/Panchayat Samiti/Zila

Parishad intend to cast my vote by post. Kindly supply me a ballot-paper to enable me to cast my vote.Yours faithfully,Name _____ S/o _____

_____ Village

_____ Block

_____ District _____ .Date _____

VII[See sub-rule (2) of rule 25]Tendered votes' list for the election of

_____ Name of the Gram Sabha/Constituency

_____ Polling Station

Serial No. Name of Voter Number of electoral roll Signature of voter, if literate of thumb-impression if illiterate with his address

Date _____ Signature of Presiding Officer. Form VIII [See rule 26] Challenged Votes
List for the election of _____ Polling Station

Signature Sheet No.

Name of Gram Sabha Constituency	Number of electoral roll	Name and Address	Signature of voter or thumb-impression of voter if illiterate	Name of identifier if any	Name of challenger	Order of Presiding Officer in each case
---------------------------------------	--------------------------------	------------------------	---	---------------------------------	-----------------------	--

Date _____ Signature of Presiding Officer Form IX [See rule 33 (2) (e)] Statement of
total number of votes. Statement of votes polled for the election of Panches/Sarpanch of Gram
Panchayat members of Panchayat Samiti/Zila Parishad _____ Name of Gram
Sabha/Constituency area _____ Polling Station

Sr. No.	Name of candidate	Number of valid ballot papers polled by him	Number of rejected ballot-papers
---------	----------------------	--	-------------------------------------

Total number of (a) valid votes _____ (b) rejected
votes _____ (c) votes polled _____ Dated

Signature of Returning / Presiding Officer. Form X [See rule 45(1)] Notice is
hereby given to Shri _____ member of Panchayat Samiti/Zila
Parishad _____ that a special meeting of the Panchayat Samiti/Zila Parishad
will be held at _____ (time) on _____ (date) _____ at its office for
the election of its Chairman and Vice-Chairman. The members are requested to make it convenient
to attend the meeting. Signature

Designation _____ (Seal) Form XI [See sub-rule (2) of
rule 45] Election of Chairman and Vice-Chairman of Panchayat Samiti/Zila Parishad

1. Name of District _____

2. Name of Panchayat Samiti/Zila Parishad _____

3. Place of meeting _____

4. Date and hour of meeting _____

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

S.No.	Name of Candidate	Name of Proposer	Name of seconder	If candidate has withdrawn note fact and take candidate'ssignature or thumb mark.
1				
2				
3				

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

S.No.,	Name of Candidate	Name of proposer	Name of seconder	If candidate has withdrawn note fact and take candidate'ssignature or thumb- impression.
1				
2				
3				

Date_____ Signature of the Presiding Officer. Form XII(See rule 45(7)Ballot Paper

S. No., Name and brief description of the candidate for mark (x) by voter.

- (1)
- (2)
- (3)
- (4)
- (5)
- (6)
- (7)
- (8)
- (9)
- (10)

Signature of the Presiding Officer,