

**GOVERNMENT OF ARUNACHAL PRADESH PANCHAYAT DEPARTMENT
THE ARUNACHAL PRADESH PANCHAYATS (PREPARATION OF ELECTORAL ROLLS)
RULES, 2002**

NOTIFICATION The 18th June, 2002

No. PR-51/2002- In exercise of the powers conferred by Section 106 of the Arunachal Pradesh Panchayat Raj Act, 1997, the Governor of Arunachal Pradesh is pleased to make the Rules for regulating the preparation of electoral rolls for conducting elections to Gram Panchayat, Anchal Samiti and Zilla Parishads as follows:-

**CHAPTER-I
PRELIMINARY**

1. These rules may be called the Arunachal Pradesh Panchayat Raj (Preparation of Electoral Roll) Rules, 2002.
2. They shall come into force on and from the date of their publication in the Official Gazette.
3. In these rules, unless there is any thing repugnant in the subject or context-
 - (a) "Act" means the Arunachal Pradesh Panchayat Raj Act, 1997.
 - (b) "Gram Panchayat Constituency" means a Constituency provided by law for a purpose of election to the Gram Panchayats in the State.
 - (c) "Anchal Samiti Constituency" means a Constituency provided by law for the purpose of election to the Anchal Samitis of this State;
 - (d) "Zilla Parishad Constituency" means a Constituency provided by law for the purpose of election to the Zilla Parishad of this State.
 - (e) "State Election Committee" means the Election Commission appointed by the Governor of Arunachal Pradesh under Section 104 of the Arunachal Pradesh Panchayati Raj Act, 1997.
 - (f) "Order" means an Order published in the Official Gazette;
 - (g) "State" means the State of Arunachal Pradesh;
 - (h) "Election" in relation to election of any member of a Gram Panchayat, Anchal Samiti and Zilla Parishad means any person entitled to vote at that Election;
 - (i) "Electoral Registration Officer" means the Electoral Registration Officer of a Constituency of Gram Panchayat, Anchal Samiti or Zilia Parishad under Section 105 and includes an Assistant Electoral Registration Officer thereof appointed under this section;
 - (j) "Section" means a section of the Arunachal Pradesh Panchayat Raj Act, 1997.
 - (k) "Qualifying Date" in relation to the preparation or revision of every electoral roll under these rules means the 1st day of January of the year in which it is so prepared or revised.

The expression used in these rules and not otherwise defined shall have the same meaning as respectfully assigned to them in the Act.

CHAPTER-II

For the purpose of this Act and Rules made there under, the superintendence, direction and control of the preparation, revision and correction of Electoral Rolls in the State shall vest with the State Election Commission.

4. (1) The State Election Commission shall, in consultation with the State Government designate or nominate a District Election Officer who shall be an Officer of the Government:

Provided that the State Election Commissioner may designate or nominate more than one such Officer for a district if the State Election Commission is satisfied that the functions of the Officer cannot be performed satisfactorily by one Officer.

- (2) Subject to the superintendence, direction and control of the State Election Commissioner, the District Election Officer shall coordinate and supervise all works in the district or in the area within the jurisdiction in connection with the preparation and revision of the electoral rolls for all Gram Panchayats, Anchal Samitis or Zilla Parishad Constituencies within the District.
- (3) The District Election Officer shall also perform such other functions as may be entrusted to him by the State Election Commission.
5. The electoral roll for the Gram Panchayat Constituency, Anchal Samiti or Zilla Parishad Constituency shall prepare and revised an Electoral Registration Officer who shall be such Officer of ' Government or of a local authority as the State Election Commissioner may, in consultation with the State Government designate or nominate in this behalf.
6. (1) The State Election Commissioner may appoint one or man persons as Assistant Electoral Registration Officer to assist any Electoral Registration Officer in the performance of his functions,
- (2) Every Assistant Electoral Registration Officer shall, subject to control of the Electoral Registration Officer, be competent to perform all or any of the functions of the Electoral Registration Officer.

PART-II

7. (1) There shall be an Electoral Roll which shall be prepared if accordance with the provisions of the Arunachal Pradesh Panchayati Raj Act, 1997 under the superintendence, directly, and control of the State Panchayat Election Commission.
- (2) The State Election Commissioner shall, in consultation with the State Government, draw up the programme for publication of Electoral Roll in draft, before its final publication and other matters relating to the preparation of the Electoral Roll.
- (3) The State Election Commissioner shall, in relation to the preparation or revision of Electoral Roll specify an Official Order, the qualifying date and shall, in addition, in the said Order specify the programme for revision including the period or date as the case may on the following:
- (a) period for completion of enumeration and preparation of manuscript of Electoral Roll
 - (b) Date for the publication of Electoral Roll in draft;
 - (c) Last date for filling of claims and objections shall be within a period of seventh day of the date of publication of Electoral Rolls in draft under Clause- (b);
 - (d) period for disposal of claims and objections;
 - (e) date for final publication of the Electoral Roll;

Provided that the State Election Commissioner may, if he considers it expedient so to do for sufficient reasons, extend the period of the enumeration, lodging of claims and objections, period for disposal of claims and objections and may also make consequential changes with reference to th0 dates of publication of Electoral Rolls in draft and final publication of the Electoral Rolls.

8. (1) The Electoral Registration Officer shall prepare or cause to be prepared integrated Electoral Rolls of all the Gram Panchayat Constituencies under the respective Anchal Samiti and integrated Electoral Rolls of all Anchal Samitis under a Zilla Parishad as per form I.

- (2) The Electoral Registration Officer may sub-divide the electoral roll of a Constituency in such parts as it may deem expedient for the purpose of expediting or facilitating the publication of the electoral roll.
- (3) When the Electoral Roll of a Constituency are so sub-divided, the parts shall be serially numbered.
- (4) The name of electors in each part of the electoral shall be numbered, as far as practicable, consecutively with a separate series of number beginning with number one.
9. (1) A person shall be disqualified for registration in an electoral roll if he-
- (a) is not a citizen of India;
 - (b) is of unsound mind or insolvent and stands so declared by a Competent Court; or
 - (c) is for the time being disqualified from voting under the provision of any law relating to corrupt practices and other offence in connection with election.
- (2) The name of any person who becomes so disqualified after registration shall forthwith be struck off from the electoral roll in which it is included:

Provided that the name of any person struck off from the electoral roll of a Constituency by reason of a disqualification under Clause (c) of sub-rule 1 shall forthwith be re-instated in that roll if such disqualification is, during the period such roll is in force, removed under any law authorizing such removal.

10. No person shall be entitled to be registered in the electoral roll for more than one Constituency in Gram Panchayat, Anchal Samiti or Zilla Parishad.
11. No person shall be entitled to be registered in the electoral roll for any Constituency more than one.
12. Subject to the foregoing provision of this rule every person who
 - (a) is not less than 18 years of age on the qualifying date, and
 - (b) is ordinarily resident in a Constituency of the Gram Panchayat, shall be entitled to be registered in the electoral roll for that constituency.
13. The State Government when so requested by the State Election Commission shall make available the services of such staff of the State Government as may be necessary for preparing the electoral rolls in respect of any Constituency or Constituencies of Gram Panchayat, or Anchal Samiti or Zilla Parishad.
14. The Electoral Registration Officer may, if he considers necessary for the purpose of preparing electoral rolls send letter of request in Form-2 to the occupants of dwelling houses in the Gram or any part and every person receiving any such letter shall furnish the information called for these into the best of his ability.
15. For the purpose of deciding any claim or objection to entry in a electoral roll, the Electoral Registration Officer or any person employed by him shall have access to any admission register of any education institution, ordinarily resident register maintained by Panchayat and it shall be the duty of every person-in-charge of any such register to give to the said officer or person such information and such extracts from the said register as he may require.
16. (1) The Electoral Roll for a constituency relating to a Gram Panchayat, Anchal Samiti or the Zilla Parishad shall be published in draft by the Electoral Registration Officer in the following manner and in any other manner as he thinks fit, to give it wide publicity by affixing for public inspection a complete copy of the Electoral roll in the -
 - (i) The Electoral Registration Officer;
 - (ii) The concerned Gram Panchayat area;
 - (iii) The Block Development Officer of the area concerned;

- (2) As soon as the draft Electoral Roll has been published, the Electoral Registration Officer, Anchal Samiti or Zilla Parishad as the case may be, in form 3 as widely as possible that the electoral roll has been published in draft and may be inspected at the Officer of the Electoral Registration Officer or at the Gram Panchayat area, Block Development Office concerned during working days and hours and shall specify in the notice the place at which the period within which and the manner in which a claim for being included in the electoral roll or any objection to particulars in any entry in the electoral roll shall be preferred.
- (3) The Electoral Roll as required to be published in draft under sub-rule (1) may be printed or cyclostyled or in manuscript form.
17. Every claim for the inclusion of a name in the roll and every objection to an entry therein shall be lodged within a period of seven days from the date of publication of the roll in draft:
Provided that State Election Commission may by order extend the period in respect to the constituency as a whole or in respect of any part thereof.
18. (1) Every claim for the inclusion of a name in the Electoral Roll shall be:-
(a) in form 4;
(b) signed by the person desiring his name to be included in the electoral roll; and
(c) countersigned by another person whose name is already included in that part of the roll in which the claimant desires his name to be included.
- (2) Every objection to the inclusion of a name in the roll shall be
(a) in form 5;
(b) preferred only by a person whose name is already included in that roll; and
(c) countersigned by another person whose name is already included in that roll;
- (3) Every objection to a particular or particulars in a entry in the roll shall be-
(a) in form 6; and
(b) preferred only by the person to whom that entry relates.
19. Every claim or objection shall-
(a) either be presented to the Electoral Registration Officer;
(b) be sent by registered post to the Electoral Registration Officer;
Provided that in claim or objection 'which may be sent by post shall be rejected by the Electoral Registration Officer unless it is received by him within the period specified in Rule 17.
20. (1) Every Officer designated under Rule 20 shall
(a) maintain in duplicate a list of claims in Form 7, a list of objection to the inclusion of names in Form 8 and a list of objection to particulars in entries in Form 9 and
(2) Where a claim for objection is preferred to him, he shall after complying with the requirements of sub-rule (1), forward it with such remarks, if any, as he considers proper to the Electoral Registration Officer.
21. (1) The Electoral Registration Officer shall also:-
(a) maintain in duplicate, the three lists in Form 7, 8, 9 entering thereon the particulars of every claim or objection as and when it is received by him whether directly under Rule 20 or under Rule 21; and
(b) keep exhibited one copy of each such list on the Notice Board in his office.
22. Any claim or objection which is not lodged within the period, or in the form and manner, herein specified, shall be rejected by the Electoral Registration Officer.

23. If the Registration Officer is not satisfied as to the validity of any claim or objection, he may allow it without further enquiry after the expiry of three days from the date on which it is entered in the list exhibited by under Clause (b) of Rule 21.

Provided that where before any such claim or objection has been allowed a demand for enquiry has been made in writing to the electoral registration officer by any person, it shall not be allowed without further enquiry.

24. (1) Where a claim or objection is not disposed of under Rule 23 or Rule 24, the Registration Officer shall-

- (a) specify in the list exhibited by him under Clause (b) or Rule 22, the date, time and place of hearing of the claim or objection; and
- (b) give notice of the hearing-
 - (i) in the case of a claim to the claimant in Form 10,
 - (ii) in the case of an objection to the inclusion of a name, to the objector in Form 11 and to the person objected to in Form 12; and
 - (iii) a notice under this rule may be given either personally or by registered post or by affixing it to the person's residence at last known residence within the Constituency

25. (1) The Electoral Registration Officer shall hold a summary inquiry into every claim or objection in respect of which notice has been given under Rule 25 and shall record his decision thereon.

(2) At the hearing, the claimant or as the case may be, the objector and the person objected to or any other person who, in the opinion of the Electoral Registration Officer, is likely to be of assistance to him, shall be entitled to appear and be heard.

(3) The Electoral Registration Officer may in his discretion-

- (a) require any claimant, objector or person objected to, to appear in person before him.
- (b) require that the evidence tendered by any person shall be given an oath and administer an oath for the purpose.

26. (1) It appears to the Electoral Registration Officer that owing to inadvertence or error during preparation, the name of any electors have been left out of the roll and that remedial action should be taken under this rule, Electoral Registration Officer shall-

- (a) prepare a list of the names and other details of such electors;
- (b) exhibit on the notice board of his Office a copy of the list together with a notice as to the time and place at which the inclusion of these names in the roll will be considered, and also publish the list and the notice in such manner as he may think fit, and
- (c) after considering any verbal or written objections that may be preferred, decide whether all or any of the names should be included in the roll;

27. If it appears to the Electoral Registration Officer at any time before final publication of the roll that owing to inadvertence or error or otherwise, the names of dead persons who cease to be, or are not, ordinarily residents in the Constituency or all persons who are otherwise not entitled to be registered in that roll, have been included in that remedial action should be taken under this rule, the Electoral Registration Officer, shall -

- (a) prepare a list of the names and other details of such electors;
- (b) exhibit on the notice board of his Office a copy of the list together with a notice as to the time and place at which the question of deletion of these names from the roll will be considered, and also publish the list and the notice in such other manner as he may think fit; and
- (c) after considering any verbal or written objections that may be preferred, decide whether all or any of the names should be deleted from the roll;

Provided that before taking any action under this rule in respect of any person on the ground that he had ceased to be of, or is not ordinarily resident of the Constituency, or is otherwise not entitled to be registered in that roll, the Electoral Registration Officer shall make every endeavor to give him a reasonable opportunity to show cause why the action proposed should not be taken in relation to him.

28. (1) The Electoral Registration Officer shall thereafter -

- (a) prepare a list of amendments to carry out his decision under rules 25, 26, 27 and 28 and to correct any clerical or printing errors or other inaccuracies in the roll; and
- (b) publish the roll, together with the list of amendments, by making complete copy thereof available for inspection and displaying a notice in Form 14 at his Office.
- (c) subject to such general or special direction;

(2) On such publication, the roll together with the list of amendments shall be the electoral roll in force.

29. (1) The rolls of every Constituency shall be revised under sub-section (2) of Section 112 either intensively or summarily or partly intensively or partly summarily, as the State Election Commission may direct after consulting the State Government.

(2) When the rolls or any part thereof is to be revised intensively in any year it shall be prepared afresh and all the rules from 4 to 29 shall apply in relation to such revision as they apply in relation to the 1st preparation of roll. When the roll or any part thereof is to be revised summarily in any year, the Electoral Registration officer shall cause to prepare a list of amendments to the relevant parts of the rolls on the basis of such information as may be readily available and publish the roll together with the list of amendments of the draft and provisions of rules 16 to 28 shall apply in relation to such revision as they apply in relation to the 1st preparation of a roll.

(3) Where at any time between the publication in draft of the revised roll under sub-rule (2) and the final publication of same under 29 any names have been directed to be included in the roll for the time being in force under Section 112, the Electoral Registration Officer shall cause the names to be included also in the revised rolls unless there is, in his opinion, any valid objection to such inclusion.

30. (1) Every application under Section 113 and under Section 114 shall be made in duplicate in such one of the Forms 5, 6, or 7 as may be appropriate.

(2) Every such application as is referred in sub-rule (1) shall have to be presented to the Electoral Registration Officer.

(3) Every application for inclusion presented in pursuance of the sub-rule (2) shall be countersigned where necessary by any6 other person whose name has already been included in the roll in which the Claimant desires his name to be included.

(4) The Electoral Registration Officer shall, immediately on receipt of such application, direct that one copy thereof be posted in some conspicuous place in his Office together with a notice inviting objections to such applications within a period of 7 days from the date of such posting.

(5) the Electoral Registration Officer shall, as soon as may be, after the expiry of the period specified in sub-rule (4) consider the application and objection thereof, if any received by him and shall, if satisfied direct the inclusion, deletion, correction or transposition of entries in the roll, as may be necessary:

Provided that, when an application is rejected by the Electoral Registration Officer, he shall record in writing, a brief statement of his reasons for such rejection.

31. (1) Appeal from orders under Rule 30 and every appeal under Section 115 shall be-

- (a) in the form of a memorandum signed by the applicant;
- (b) accompanied by a copy of the order appeal from and a fee of Rs.5 to be-

- (i) paid by means of non-judicial stamps
 - (ii) deposited in a Government Treasury in favour of the Electoral Registration Officer; or
 - (iii) paid in such manner as may be directed by the State Election Commission; and
- (c) presented to the District Election Officer within a period of 7 days from the date of order appealed from or sent by registered post so as to reach within that period.

Provided that the District Election Officer may condone the delay in the presentation of the appeal to him if he is satisfied that the appellant had sufficient cause for not presenting it within the time prescribed.

- (2) where the fee deposited under Clause (b) (i) of sub-rule (1) and appellant shall enclose with the memorandum of appeal a Government Treasury receipt of the fee being deposited.
 - (3) for the purpose of sub-rule (1) and appeal shall be deemed to have been presented to the District Election Officer, when the memorandum of appeal is delivered by or on behalf of the appellant to the District Election Officer, or any other Officer appointed by him in this behalf.
32. (1) after Electoral Rolls for a Constituency have been finally published, the following papers shall be kept in the Office of the Electoral Registration Officer until expiration of one year after the completion of next intensive revision of that roll;
- (a) one complete copy of the roll;
 - (b) statement submitted to the State Election Commissioner;
 - (c) statement submitted to the Electoral Registration Officer;
 - (d) register of enumeration forms;
 - (e) application in regard to the preparation of the roll;
 - (f) manuscript part prepared by enumerating agencies and use for compiling the roll;
 - (g) papers relating to claims and appeals;
 - (h) papers relating to appeal under Rule 30 and application under Section 113 and 114.
33. (1) The papers referred to in Rule 32 shall be disposed in such manner on expiry of the period specified therein and subject to such general or special direction. If any, as may be given by the State Election Commission in this behalf.
- (2) Copies of the Electoral Rolls for any Constituency in excess of the number required for deposit under Rule 32 and for any such manner as the State Election Commission may direct and until such disposal attested copies shall be made available for sale to the public.