

**THE KARNATAKA MUNICIPALITIES
(ELECTION OF COUNCILLORS)
RULES, 1977**

AMENDED UP TO 2017

**STATE ELECTION COMMISSION
KARNATAKA**

2018

CONTENTS		
CHAPTER I		
PRELIMINARY		
1	Title and commencement	1
2	Definitions	1-2
CHAPTER II		
CONDUCT OF ELECTION OF COUNCILLORS		
3	Conduct of Election	3
3A	List of voters	3
4	Returning Officer	3
5	General duty of the returning officer	4
5A	Polling Stations	4
6	presiding officer and polling officers	4
7	Duties of the presiding officer and polling officers	4
8	Notification of election	4-5
9	Recognition of Political Parties	5-6
10	Publication of list of recognized Political parties and symbols	6
10A	Publication of a list of unrecognized political parties	6
11	Allotment of Symbols	6-7
12	Omitted	8
13	Omitted	8
14	Nomination of candidates for election	8
15	Presentation of nomination Paper	8
15A	Presentation of nomination Paper (persons belonging to BCA/BCB)	10
16	Omitted	10
17	Deposits by candidates	10-11
18	Notice of nomination and the time and place for their scrutiny	11
19	Scrutiny of Nominations	11-12
20	Withdrawal of candidature	12-13
21	Preparation and publication of list of contesting candidates	13
22	Election agent	13-14
22A	Particulars of account of election expenses under section 16A	14-15
22B	Notice by Returning officers	15
22C	Report by the returning officer as to the lodging of the account of election expenses and the decision of the State Election Commission thereon	15-16
22D	Maximum limit of election expenses under section 16A	16

23	Polling Agents	16
24	Counting Agent	16-17
25	Revocation of the appointment or death of a polling agent or a counting agent	17
26	Attendance of contesting candidates or his election agent at polling stations	17
27	Nonattendance of polling or counting agents	17
28	Death of candidate before the poll	17-18
29	Procedure in contested and uncontested election	18
30	Omitted	18
31	Omitted	18
32	Adjournment of poll in emergencies	18-19
32A	Adjournment of poll or countermanding of election on the ground of booth capturing	19-20
33	Fresh poll in the case of destruction etc., of ballot boxes	20
34	Manner of voting	20
35	Design of ballot boxes	20
36	Form of ballot paper	21
37	Arrangements at polling stations	21
38	Admission to polling stations	21
39	Preparation of ballot boxes for poll	22
40	Facilities for women voters	22
41	Identification of voters	23
41A	Facilities for public servants on election duty	23-24
41B	Persons entitled to vote by post	24
41C	Intimation by voters who are entitled to vote by post	24
41D	Form of postal ballot paper	24
41E	Issue of ballot paper	24-25
41F	Electors under preventive detention	25
41G	Recording of vote	25-26
41H	Return of postal ballot paper	26
41I	Marked copy of the list of voters	26
42	Challenging of identity	26-27
43	Safeguards against impersonation	27
44	Issue of Ballot Papers to electors	27-28
45	Voting procedure	28-29
46	Recording of votes of blind or infirm electors	29

47	Tendered votes	29-30
48	Closing of poll	30
49	Sealing of Ballot Boxes after the Poll	30
50	Account of ballot papers	30
50A	Spoilt and returned ballot papers	30-31
51	Sealing of other packets	31
52	Transmission of Ballot Boxes, etc., to the returning officer	31
53	Procedure on adjournment of poll	32
54	Right to vote	32
55	Procedure of counting votes	32
56	Time and place for counting of votes	33
57	Admission to the place fixed for counting	33
58	Maintenance of secrecy of voting	33
58A	Counting of Votes received by post	33-35
59	Scrutiny and opening of ballot boxes	35
60	Counting of votes	35-37
61	Omitted	37
62	Counting to be continuous	37
62A	Recount of votes	37-38
62B	Sealing of used ballot papers	38
63	Equality of votes	38
64	Recommencement of counting after fresh poll	38
64A	Application of new rules 64A to 64 ZD and Design of Electronic Voting Machines	38
64B	Preparation of voting machine by the returning officer	38-39
64C	Arrangements at the polling stations	39
64D	Admission to polling stations	39
64E	Preparation of voting machine for poll	40
64F	Marked copy of the electoral roll	40
64G	Facilities for women electors	40
64H	Identification of electors	41
64I	Facilities for public servants on election duty	41
64J	Challenging the identity	41-42
64K	Safeguards against impersonation	42-43
64L	Procedure for voting by voting machines	43
64M	Maintenance of secrecy of voting by electors within the polling station and voting procedures	43-44

64N	Recording of votes of blind or infirm electors	44
64O	Elector deciding not to vote	44
64P	Tendered votes	44-45
64Q	Presiding Officer's entry in the voting compartment during poll	45
64R	Closing of the poll	45
64S	Account of votes recorded	46
64T	Sealing of voting machine after poll	46
64U	Sealing of other packets	46
64V	Transmission of voting machines, etc., to the returning officer	46-47
64W	Procedure on adjournment of poll	47
64X	Closing of voting machine in case of booth capturing	47
64Y	Scrutiny and inspection of voting machines	47-48
64Z	Counting of votes where electronic voting machines have been used	48
64ZA	Scrutiny and inspection of voting machines	48
64ZB	Sealing of voting machines	49
64ZC	Custody of voting machines and papers relating to election	49
64ZD	Applicability of Central Rules, statutory orders, etc.,	50
65	Declaration of result of election and return of election	50
66	Publication of the results of election	50
67	Elections to more than one ward in a Municipal Council or Town Panchayat	50
68	Grant of certificate of election to returned candidates	50
69	Fee to be paid on an election petition	51
70	Custody of ballot boxes and papers relating to election	51
71	Production and inspection of election papers	51
72	Disposal of election papers	51-52
73	Return or forfeiture of candidates deposit	52
74	Report of casual vacancy	52
75	Omitted	53
76	Punishment for contravention of rules	53
77	Assistance to the returning officer	53
78	Omitted	53
79	Omitted	53
80	Repeal	53

FORMS		
Form - 1	Notification of Election	54-55
Form – 1A	Notice of election	56
Form – 2	Nomination Paper	57-59
Form – 3	Notice of Nomination	60
Form – 4	List of validly nominated candidates	61
Form – 5	Notice of withdrawal	62
Form – 6	Notice of withdrawal of candidature	63
Form – 7	List of contesting candidate	64
Form – 8	Appointment of Election Agent	65
Form – 9	Revocation of Appointment of election Agent	66
Form – 10	Appointment of polling Agent	67-68
Form – 11	Appointment of Counting Agent	69-70
Form – 11A	Particulars of account of election expenses	71-77
Form – 11B	Format of affidavit	78
Form – 11C	Receipt	79
Form - 12	Revocation of Appointment of polling Agent	80
Form – 13	Revocation of Appointment of Counting Agent	81
Form – 13A	Declaration of Result of Election (uncontested)	82
Form – 13B	Declaration of Result of Election (Casual vacancy)	83
Form – 14	Application for election duty certificate	84
Form – 14A	Election duty certificate	85
Form – 14B	Letter of intimation to returning officer requesting for a postal ballot paper	86
Form – 14 C	Declaration by elector	87-88

Form – 14D	Cover-A for postal Ballot paper	89
Form – 14E	Cover-B for postal Ballot paper	90
Form – 14F	Instructions for the guidance of electors	91-92
Form – 15	List of challenged votes	93
Form – 15 A	List of blind and infirm voters	94
Form – 16	List of tendered votes	95
Form – 17	Ballot paper account	96
Form – 17A (EVM)	Account of votes recorded	97-98
Form – 17B (EVM)	Final result sheet	99
Form – 18	Final result sheet	100-101
Form – 19	Declaration of result of election	102
Form – 19A	Return of election	103
Form – 19B	List of tendered votes	104
Form – 20	Certificate of election	105
Form – 20A	Register of voters	106

**THE KARNATAKA MUNICIPALITIES (ELECTION OF
COUNCILLORS) RULES, 1977**

[After incorporating the Amendments brought out by,

1. The Karnataka Municipalities (Election of councillors) (Amendments) Rules, 1995 vide Notification No. HUD 376 MLR 95 dated 28/9/1995]
2. The Karnataka Municipalities (election of councilors) (Amendment) rules, 2010, vide notification No. UDD 122 MLR 2010, dated 11-2-2011.
3. The Karnataka Municipalities (election of councilors) (Amendment) Rules 2010 vide notification NO.UDD 126 MLR 2009, dated 26-5-2011.

**CHAPTER I
Preliminary**

1. Title and commencement

- (1) These rules may be called the Karnataka Municipalities (Election of Councillors) Rules, 1977.
- (2) They shall come into force at once.

2. Definitions

- (1) In these rules, unless the context otherwise requires,
 - (a) ‘**Act**’ means the Karnataka Municipalities Act, 1964
 - (b) “Ballot box” includes any box, bag or other receptacle used for the insertion of the ballot paper by voters.
*[(bb) “Caste Certificate” means, a Caste Certificate or Income and Caste Certificate issued by the Tahsildar of a Revenue Taluk under the Karnataka Scheduled Castes, Scheduled Tribes and other Backward Classes (Reservation of Appointment etc...) Act, 1990]
 - (c) ‘**Electoral Roll Number**’ of a person means;
 - (i) The serial number of the entry in the list of voters in respect of that person;
 - (ii) The serial number of the part of the of the list of voters in which such entry occurs;
 - (iii) The name of the ward to which the list of voters relates;
 - (d) ‘**Form**’ means, a form appended to these rules, and includes a translation thereof in the Kannada language;
 - (e) ‘**Polling Station**’ means the place fixed for taking the poll at an election in any ward;
 - (f) ‘**Presiding Officer**’ includes any polling officer performing any of the functions of a presiding officer under sub-rules (2) and (3) of rule 6;
 - (g) ‘**Public holiday**’ means any day which is a public holiday for the purposes of section 25 of the Negotiable Instruments Act, 1881 (Central Act 26 of 1881);

* Amended vide notification no.UDD.48.MLR.2005 dated 17/01/2006

- (h) **‘Qualified Candidate’ or Candidate qualified to be chosen** shall mean a candidate, who is qualified to be chosen in an election held under the provisions of the Act and the rules made there under;
 - (i) **‘Reserved Seat’** means a seat reserved for Scheduled castes, Scheduled Tribes, Backward Classes and Women under section 11;
 - (j) **‘Returning Officer’** includes any Assistant Returning officer performing any function he is authorized to perform under sub rule (3) of rule 4;
 - (k) **‘Section’** means, the section of the Act;
- (2) The Karnataka General clauses Act, 1899 (Karnataka Act III of 1899) shall apply for the interpretation of these rules as it applies to a Karnataka Act.

Rule 2A to 2 Y : Omitted by notification No. HUD 376 MLR 95, dated 28-9-95.

CHAPTER II

Conduct of Election of Councillors

3. Conduct of Election

- (1) Election to the City Municipal Council, Town Municipal Council and Town Panchayat shall be conducted under the superintendence, direction and control of the State Election Commission.
- (2) Subject to the superintendence, direction and control of the State Election Commission, the Deputy Commissioner of the District (hereinafter referred to as Deputy Commissioner) shall co-ordinate and supervises all work in connection with the conduct of election to the City Municipal Council, Town Municipal Council and Town Panchayat. The Deputy Commissioner shall also perform such other functions pertaining to the said elections as may be entrusted to him by the State Election Commission.

3A. List of voters

- (1) The officer designated under sub Section (2) of section 14 shall split up the list of voters for each “ward of municipal area” or “Town Panchayat” into one or more parts taking into consideration the area within the “ward” wherein, the voters to be included, in each part reside, so that the voters included in each belong to a named area, street or road within the “ward” and the list of voters of the electoral roll so split up in respect of the several part of the ward of municipal area will together constitute the list of voters for such ward.
- (2) And (3) omitted
- (4) A copy of such list of voters in respect of each ward shall be published on the notice board and shall also be kept open for inspection in the office of the Municipal Council.

4. Returning Officer

- (1) For every general election of the Councillors of a Municipal Council or Town Panchayat or for an election to fill a casual vacancy the Deputy Commissioner shall designate or nominate one or more Returning Officers who shall be officers of the State Government or of a local authority:

Provided that if more than one Returning Officer is nominated or designated the Deputy Commissioner shall specify the ward or wards for which each such officer is nominated or designated.

- (2) The Deputy Commissioner may in the same manner designate or nominate one or more Assistant Returning Officers who shall be officers of the State Government or of a local authority.

- (3) Every Assistant Returning Officer shall if so directed by the Returning Officer, be competent to perform all or any of the functions of the Returning Officer.

5. General duty of the Returning Officer

It shall be the general duty of the Returning Officer at any election to do all such acts and things as may be necessary for effectually conducting the election in the manner provided by the Act and these rules.

5A. Polling Stations

The returning Officer shall with the approval of the Deputy Commissioner, provide sufficient number of Polling Stations for each ward and shall publish a list showing the Polling Stations so provided and the Polling areas or groups of voters for which they have respectively been provided in such manner as the State Election Commissioner may direct.

6. Presiding Officer and Polling officers

- (1) The Deputy Commissioner shall appoint a Presiding Officer for each polling Station and such Polling Officer or officers as he thinks necessary.
- (2) A Polling Officer shall, if so directed by the Presiding Officer perform all or any of the functions of a Presiding Officer.
- (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 authorized by the Deputy Commissioner to perform such functions during any such absence.
- (4) Reference in these rules to the Presiding Officer shall unless the context otherwise requires, be deemed to include any person performing any functions which he is authorized to perform under sub-rule (2) or sub-rule(3) as the case may be.

7. Duties of the Presiding Officer and polling officers

- (1) It shall be the general duty of the Presiding Officer at a Polling Station to keep order there at and to see that the poll is fairly taken.
- (2) It shall be the duty of the Polling Officers at a polling station to assist the presiding officer for such station in the performance of his functions.

8. Notification of Election

- (1) The Deputy Commissioner shall, with the approval of the State Election Commission, notify in Form -1 the intended election referred to in Section 17 or 19 and 352.
- (2) The Deputy Commission, shall in such Notification appoint,

- (a) The last date for making nominations which shall be the seventh day after the date of publication of public notice or if that day is a public holiday, the next succeeding day which is not a public holiday;
- (b) the date for the scrutiny of nominations, which shall be the day immediately following the last date for making nominations, or if that day is a public holiday, the next succeeding day which is not a public holiday.
- (c) The last date for the withdrawal of candidatures, which shall be the second day after the date for the scrutiny of nominations or, if that day is a public holiday the next succeeding day which is not a public holiday.
- (d) the date or dates on which the poll shall, if necessary, be taken which shall be a date not earlier than *[seventh day] after the last day for the withdrawal of candidatures; and the hours during which poll shall be taken, the total period of which on any allotted day shall not be less than eight hours; and
- (e) the date before which the election shall be completed.

*Amended vide notification no.UDD.92.MLR.2004 dated 12/12/2005

- (3) (a) On the issue of the notification under sub-rule (1) the returning officer shall give a public notice of the intended election in Form-1A by displaying it on the notice board in his office and in the office of City Municipal Council, Town Municipal Council or Town Panchayat as the case may be and at such other places as he deems necessary, inviting nominations for such election.
- (b) In the said notice, the returning officer shall specify among other things the last date for receipt of nominations, the place at which nominations are to be delivered, date of scrutiny of nominations, last date for withdrawal of candidatures, date or dates on which a poll shall, if necessary, be taken and the hours of poll and the date before which elections shall be completed which shall conform to the dates notified in that behalf by the Deputy Commissioner under sub-rule(2).

9. Recognition of Political Parties

Every political party recognized by the Election Commission of India as a National Party or as a State Party in the State of Karnataka under the Election Symbols (Reservation and Allotment) Order, 1968, shall be a recognized political party for the purpose of election to Municipal Councils and Town Panchayats.

10. Publication of a list of recognized Political Parties and Symbols

(1) For the purpose of these rules the State Election Commission shall publish by notification a list of recognized political parties and symbol reserved to each such recognized political party and a list of free symbols.

* (2) The State Election Commission shall by notification publish a list of symbols of Political Parties which are registered or recognized in other State or other States.

****10A. Publication of a list of unrecognized political parties**

The State Election Commission shall also publish by notification a list of unrecognized political parties in the State of Karnataka.

11. Allotment of symbols

(1) A candidate set up by any recognized Political Party in the election shall choose, and shall be allotted, symbol reserved for that party and no other symbol.

* Amended vide notification no. UDD.185.MLR.2015(1), Bengaluru dated 28/07/2017

** Amended vide notification no. UDD.91.MLR.2005 dated 03/05/2006

(2) A reserved symbol shall not be chosen by or allotted to any candidate other than a candidate set up by a recognized political party.

(3) Any candidate other than the candidate set up by a recognized Political Party in the election shall choose and shall be allotted in accordance with the rules herein after provided, one of the symbols specified as free symbols:

Provided that in the case of a candidate set up by an unrecognized political party in the election shall be allotted the free symbol chosen by such candidate and no one else and in case candidate set up by two or more un-recognized political parties choose the same free symbol, the Returning Officer shall decide by lot to which of those candidates set up by such unrecognized political parties that free symbol shall be allotted and allot that free symbol to the candidate to whom the lot falls and to no one else. The remaining free symbols shall be allotted to other candidates.

* "Explanation":- For the purpose of this rule and rule 10A, the expression "unrecognized political party" means a political party registered as a political party under section 29A of the representation of people Act 191 (Central Act 43 of 1951) and having its registered office or a branch office in Karnataka and which is not a recognized National party or a recognized State party in Karnataka within the meaning of the Election Symbol (reservation and allotment) order 1968.

(4) Where a free symbol other than the one chosen by a candidate set up by an unrecognized political party has been chosen by only one candidate at the election, the Returning Officer shall allot that symbol to that candidate and to no one else.

* Amended vide notification no. UDD.91.MLR.2005 dated 03/05/2006

- (5) In the same free symbol other than the one chosen by a candidate set up by any unrecognized political party is chosen by more than one candidate,
- a) the Returning Officer shall decide by lot to which of those candidates that free symbol shall be allotted and shall allot it to the candidate, to whom the lot falls and to no one else;
 - b) Where there are more number of candidates than the number of free symbols specified, the Returning Officer shall allot any other symbol in his discretion to the remaining candidates.

Explanation - For the purpose of these rules a candidate shall be deemed to be set up by a political party, if and only if,

- (a) the candidate has made a declaration to that effect in his nomination paper; and
- (b) A notice in writing to that effect has been delivered to the Returning Officer before 3 O' clock in the afternoon on the last date for * making nomination; and
- (c) The said notice is signed by the President or the Secretary or any other office bearer of the party and the President, Secretary or such other office bearer is authorized by the party to send such notice and the name and specimen signature of the President, the Secretary or such other office-bearer are communicated in advance to the Returning Officer of the ward and to the State Election Commission. In the case of a National Party the authorization may be made by the President or secretary of the party's unit at the state level or any other office bearer of such unit who is empowered by it.

** (6) If a Political Party is a registered, recognized party in other State or States, and it is a political party which is not registered, recognized political party in Karnataka State, such party has setup the candidates to contest the election in the State, the symbols allotted to the candidates of that party or parties in other State or States itself may be allotted, if they fulfill the following conditions even though that symbols were not in the list of free symbol, namely:-

- (a) the President of such parties shall submit a representation in writing to the State Election Commission by requesting to allot particular symbol to the candidates who are contesting from their parties, within three days from publication of calendar of events by the State Election Commission.

*Amended vide notification no.UDD.226.MLR.2000 dated 13/12/2000

** Amended vide notification no. UDD.185.MLR.2015(1), Bengaluru dated 28/07/2017

- (b) if more than one party which has been recognized in other states have chosen the same symbol as their reserved symbol of their party and such parties have submitted requisition for allotting the same symbol for their candidates, the State Election Commissioner shall allot the symbol to the candidates of such parties through lot. The candidates of other party or parties shall choose remaining any one of the free symbols.
- (c) the candidates shall declare in the nomination that which party has filed him as a candidate. In case anything contrary to this is found in the nomination or form 'C' or 'D' such candidate shall not be allotted the symbol reserved and such candidate shall be allotted a symbol by the Election Commissioner out of the list of free symbols.
- (d) It shall be satisfied by the Commission, that there is no appropriate reason to reject the application. They shall not claim for allotment of the same symbol for any other election, conducted in future.

12. Omitted

13. Omitted

14. Nomination of candidates for election

Any person may be nominated as a candidate to fill a seat in any of the wards of the city Municipal Council, Town Municipal Council or Town Panchayat if he is qualified to be chosen to fill that seat under the provisions of the Act.

15. Presentation of nomination paper

- * (1) On or before the date appointed under Rule 8 for making nominations, each candidate shall either in person or by his proposer, between the hours of eleven O' clock in the forenoon and three O' clock in the afternoon deliver to the Returning Officer at the place specified in this behalf in the public notice referred to in Rule 8, a nomination paper duly completed in Form 2 along with his recent passport size photograph and nomination papers signed by the candidate and by not less than five voters of the ward as proposers in case of City Municipal Council, four voters of the ward as proposers in case of Town Municipal Council and three voters of the ward in case of Town Panchayat. Provided further that a candidate set up by a recognized political party, shall be deemed to be duly nominated for election from a ward of the nomination paper is subscribed by one proposer.

Provided further that no nomination paper shall be delivered to the R.O. on a day which is a public Holiday.

*Amended vide notification no.UDD.325.MLR.2011 dated 10/12/2012

- (2) In a ward where any seat is reserved, a candidate shall not be deemed to be qualified to be chosen to fill that seat unless his nomination paper contains a declaration by him specifying in the case of a seat reserved for Scheduled Castes or Scheduled Tribes or Backward Classes that he is a member of any of the Scheduled Castes or Scheduled Tribes or Backward Classes and in the case of seat reserved for women that the candidate is a woman.
- (3) Where the candidate is a person to whom the provisions of clause (a), (d) or (f) of sub-section (1) of section 16 or the clause (o) thereof are applicable and period of four years or five years, as the case may be has not elapsed, such person shall not be deemed to be duly nominated as a candidate unless his nomination paper is accompanied by a copy of the orders of the Government issued under proviso (c) to the said sub-section (1) or clause (o) of the said sub-section.
- (4) On the presentation of a nomination paper, the returning officer shall satisfy himself that the names and electoral roll numbers of the candidate and his proposer as entered in the nomination paper are the same as those entered in the list of voters.
- Provided that no misnomer or inaccurate description or clerical, technical or printing error in regard to the name of the candidate or his proposer or any other person, or in regard to any place mentioned in the list of voters or the nomination paper and no clerical, technical or printing error in regard to the electoral roll numbers or any such person in the list of voters or the nomination paper shall affect the full operation of the list of voters or nomination paper with respect to such person or place in any case where the description in regard to the name of the person or place is such as to be understood and the returning officer shall permit any such misnomer or inaccurate description or clerical, technical or printing error to be corrected and where necessary direct that any such misnomer, inaccurate description, clerical, technical or printing error in the list of voters or in the nomination paper shall be overlooked;
- (5) Where the candidate is a voter of a different ward, a copy of the list of voters of that ward or of the relevant part thereof or a certified copy of the relevant entries in such list shall, unless, it has been filed along with the nomination paper, be produced before the returning officer at the time of scrutiny.
- (6) Nothing in this rule shall prevent any candidate from being nominated by more than one nomination paper, provided such nominations shall not exceed four.

*** Insertion of New rule 15A**

15 A Receiving nominations in case of seats reserved under the provision to sub-section (3) of section 11. Notwithstanding anything contained in these rules, where a seat is reserved under the proviso to sub-section (3) of section 11.

(i) For persons belonging to category “A” of the Backward Classes, the Returning Officer may accept nomination papers from persons belonging to both Category A and Category B of the Backward Classes, but shall return the nomination paper filled by a person belonging to category “B” along with the deposit made in case nomination paper is received from any person belonging to category A, before the expiry of the date and time fixed for making nomination, so however, he may proceed to consider the nomination paper filled by a candidate belonging to category “B” only, when no nomination paper is received from a person belonging to category A before the expiry of

(ii) for persons belonging to category B of the Backward Classes the Returning Officer may accept nomination papers from persons belonging to both category A and category B of the backward classes but shall return the nomination paper filled by the person belonging to category A along with the deposit made in case nomination paper is received from any person belonging to category B before the expiry of the date and time fixed for making nomination so however, he may proceed, to consider, the nomination paper filled by a candidate belonging to category A only when no nomination paper is received from a person belonging to category B before the expiry of the date and time fixed for making “nomination”.

* Amended vide notification no.UDD 226 MLR 2000, dated 13-12-2000
the date and time fixed for making nomination.

16. Omitted

17. Deposits by candidates

(1) A candidate shall not be deemed to be duly nominated for election from any ward unless he deposits or causes to be deposited

* (a) in the case of an election to a city Municipal Council a sum of two thousand rupees or where the candidate is a member of the Backward Classes or a Scheduled Caste or a Scheduled Tribe or is a woman a sum of one thousand rupees;

* (b) in the case of an election to a Town Municipal Council or the Town Panchayat a sum of one thousand rupees or where the candidate is a member of the Backward classes or Scheduled Castes or Scheduled Tribes or is a woman, a sum of five hundred rupees.

Provided that where the candidate is nominated by more than one nomination paper for election in the same ward, not more than one deposit shall be required of him under this sub-rule.

- (2) Any sum required to be deposited under sub-rule (1) shall not be deemed to have been deposited unless at the time of delivery of nomination paper under sub-rule (1) of Rule 15, the candidate has either deposited or caused to be deposited that sum with the returning officer in cash or enclosed with the nomination paper a receipt showing that the said sum has been deposited by him or in on his behalf in the Reserve Bank of India or in a Government treasury or in any branch of the State Bank of India.

* Amended vide notification no.UDD.293.MLR.2011 dated 22/06/2012

18. Notice of nomination and the time and place for their scrutiny

The returning officer shall on receiving the nomination paper under rule 15, inform the person or persons delivering the same of the date, time and place fixed for scrutiny of nominations and shall enter on the nomination paper its serial number and shall sign thereon a certificate stating the date on which and the hour at which the nomination paper has been delivered to him, and shall as soon as may be thereafter cause to be fixed in some conspicuous place in his office a notice of the nomination in Form 3 containing descriptions similar to those contained in the nomination paper both of the candidate and of the proposer.

19. Scrutiny of Nominations

- (1) On the date fixed for scrutiny of nominations under Rule 8, the candidates their election agents, one proposer of each candidate and one other person duly authorized in writing by each candidate, but no other person, may attend at such time and place as the Returning Officer may appoint, and the Returning Officer shall give them all reasonable facilities for examining the nomination papers of all candidates which have been delivered within the time and in the manner laid down in Rule 15.
- (2) The Returning Officer shall then examine the nomination papers and shall decide all objections which may be made to any nomination and may, either on such objection or on his own motion, after such summary enquiry, if any as he thinks necessary, reject any nomination on any of the following grounds,
- (a) that on the date fixed for the scrutiny of nominations, the candidate either is not qualified or is disqualified for being chosen to fill the seats under sections 15 or 16 ;

- (b) that there has been a failure to comply with any of the provisions of rules 15 or rule 17; or
 - (c) that the signature of the candidate or the proposer on the nomination paper is not genuine.
- (3) Nothing contained in clause (b) or (c) of sub-rule (2) shall be deemed to authorize the rejection of nomination of any candidate on the ground of any irregularity in respect of a nomination paper, if the candidate has been duly nominated by means of another nomination paper in respect of which no irregularity has been committed.
 - (4) The Returning Officer shall not reject any nomination paper on the ground of any defect which is not of a substantial character.
 - (5) The Returning Officer shall hold the scrutiny on the date appointed in this behalf under clause (b) of sub-rule (2) of rule 8 and shall not allow any adjournment of the proceedings except when such proceedings are interrupted or obstructed by riot or open violence or by causes beyond his control:

Provided that in case any objection is raised by the Returning Officer or is made by any other person, the candidate concerned may be allowed time to rebut it not later than the next day, but one following the date fixed for scrutiny and the Returning Officer shall record his decision on the date to which the proceedings have been adjourned.
 - (6) The Returning Officer shall endorse on each nomination paper his decision accepting or rejecting the same and if the nomination paper is rejected, shall record in writing a brief statement of his reasons for such rejection.
 - (7) For the purpose of this rule, a certified copy of an entry in the electoral roll for the time being in force of a Ward shall be conclusive evidence of the fact that the person referred to in that entry is an elector for that ward.
 - (8) Immediately after all the nomination papers have been scrutinized and decisions accepting or rejecting the same have been recorded, the Returning Officer shall prepare a list of validly nominated candidates that is to say, candidates whose nominations have been found valid, in Form 4 and affix it to the notice board of his office.

20. Withdrawal of Candidature

- (1) Any candidate may withdraw his candidature by a notice in writing in Form 5 containing particulars set out there and delivered before three O' clock in the afternoon on the day fixed under clause (c) of sub-rule (2) of Rule 8 to the Returning Officer either by such candidate in person or by his proposer or election agent who has been authorized on his behalf in writing by such candidate and on

receipt of such notice, the returning officer shall note thereon the date and time at which it was delivered.

- (1A) On receipt of such notice under sub-rule (1), the Returning Officer shall note thereon the date and time at which it was delivered.
- (2) No person who has given notice of withdrawal of his candidature under sub-rule (1) shall be allowed to cancel the said notice.
- (3) The Returning Officer shall on being satisfied as to the genuineness of a notice of withdrawal and the identity of the person delivering it under sub-rule (1), cause the notice in Form 6 to be affixed on the conspicuous place in his office.

21. Preparation and publication of list of contesting candidates

- (1) Immediately after the expiry of the period within which candidatures may be withdrawn under sub-rule (1) of Rule 20, the Returning Officer shall prepare and publish in Kannada language in Form 7 a list of the contesting candidates that is to say candidates, who were included in the list of validly nominated candidates and who have not withdrawn their candidatures within the said period.

Provided that, State Election Commission may direct that in any election, the list of contesting candidates may be prepared in a language other than Kannada.

- (2) The said list shall contain the names in Kannada alphabetical order and the addresses of the contesting candidates as given in the nomination paper.
- (3) Where a poll becomes necessary, the Returning Officer shall consider the choice of symbols expressed by the contesting candidates in their nomination papers and shall allot the symbols in accordance with Rule 11.
- (4) The allotment by the returning officer of any symbol to a candidate under these rules shall be final.
- (5) Every candidate or his election agent shall forthwith be informed of the symbol allotted to the candidate and be supplied with a specimen thereof by the Returning Officer.
- (6) The returning officer shall immediately after preparation of the list of contesting candidates, cause a copy of the list to be affixed in a conspicuous place in his office.

22. Election Agent

- (1) A candidate at an election may appoint an election agent in Form 8 and notice of such appointment shall be given by forwarding the same in duplicate to the Returning Officer who shall return one copy thereof to the election agent after affixing thereon his seal and signature in token of his approval of the appointment.

(1A) A person who is for the time being disqualified under the Act for being a councillor of the Municipal Council or Town Panchayat shall so long as the disqualification subsists, also be disqualified for being appointed as an election agent under sub-rule(1);

(2) Any revocation of appointment of an election agent shall be made in Form 9 and shall be signed by the candidate and shall operate from the date on which it is lodged with the returning officer.

(3) In the event of such a revocation or of the death of an election agent whether that event occurs before or during the election, the candidate may at any time before the election is over make a fresh appointment in the manner specified in sub-rule(1) another person to be his election agent and when such appointment is made, notice of the appointment shall be given in the manner laid down in sub-rule (1) to the returning officer.

(4) An election agent may perform such function in connection with the election as are authorized by or under the Act or these rules to be performed by an election agent.

22A. Particulars of account of election expenses under section 16A.-

(1) The candidate or his election agent shall maintain the account of election expenses under section 16A shall be in Form 11A, which shall ordinarily contain the following particulars in respect of each item of expenditure from day to day, namely:-

(a) date on which the expenditure was incurred or authorized;

(b) the nature of expenditure (as for example, traveling, postage or printing and the like);

(c) the amount of the expenditure with break up of,

(i) the amount paid;

(ii) the amount outstanding; and

(iii) date of payment;

(d) the name and address of the payee;

(e) the serial number of vouchers, in case of amount paid;

(f) the serial number of bills, if any, in case of amount outstanding;

(g) the name and address of the person to whom the amount outstanding is payable.

(2) A voucher shall be obtained for every item of expenditure unless from the nature of the case, such as postage, travel by rail and the like, it is not practicable to obtain a voucher.

(3) All vouchers shall be lodged along with the account of election expenses, arranged according to the date of payment and serially numbered by the candidate or his election agent and such serial numbers shall be entered in the account under item (e) of sub rule (1).

(4) It shall not be necessary to give particulars mentioned in item (e) of sub-rule (1) in regard to items of expenditure for which vouchers have not been obtained under sub-rule (2).

(5) Every Candidate shall make a declaration in Form 11B, while lodging his Statement of expenditure before the Returning officer and the Returning officer shall acknowledge the same in Form 11C.

22B. Notice by Returning officers - The Returning officer, shall within two days from the date on which the account of election expenses has been lodged by a candidate under section 16-B of the Act, cause a notice to be affixed on the notice board of the office, specifying,-

- (a) the date on which the account has been lodged;
- (b) the name of candidate; and
- (c) the time and place at which such account can be inspected.

22C. Report by the returning officer as to the lodging of the account of

election expenses and the decision of the State Election Commission thereon.- (1)

As soon as may be after the expiration of the time specified in section 16-B of the Act for lodging of the accounts of election expenses at any election, the returning officer shall report to the Election Commission,-

- (a) the name of each contesting candidate;
- (b) whether such candidate has lodged his account of election expenses and if so, the date on which such account has been lodged; and
- (c) whether in his opinion such account has been lodged within the time and in the manner required by the Act and these rules.

(2) Where the returning officer is of the opinion, that the account of election expenses of any candidate has not been lodged in the manner required by the Act under these rules, he shall with every such report forward to the State Election Commission the account of election expenses of that candidate and the vouchers lodged along with it.

(3) Immediately after the submission of the report referred to in sub-rule (2), the Returning officer shall publish a copy thereof by affixing the same on the notice board.

(4) As soon as may be after the receipt of the report referred to in sub-rule (2), the State Election Commission shall consider the same and decide whether any contesting candidate has failed to lodge the account of election expenses within the time and in the manner required by the Act and these rules.

(5) Where the State Election Commission decides that a contesting candidate has failed to lodge his account of expenses within the time and in the manner required by the Act under these rules, it shall by notice in writing call upon the candidate to show cause why he should not be disqualified under section 16C of the Act for such failure.

(6) Any contesting candidate who has been called upon to show cause under sub-rule (5) may within twenty days of the receipt of such notice submit in respect of the matter, a representation in writing to the State Election Commission, and shall at the same time send to the returning officer a copy of his representation together with a complete account of his election expenses if he had not already furnished such an account.

(7) The Returning officer shall, within five days of the receipt thereof, forward to the State Election Commission a copy of the representation and the account (if any) with such comments as he deems fit, to make thereon.

22D. Maximum limit of election expenses under section 16A.- (1) The

maximum limit of the expenditure that may be incurred by each candidate or his election agent, in connection with the election, shall not exceed,-

(a) in respect of CMC rupees two lakhs; and

(b) in respect of TMC rupees 1.5 lakhs; and

(c) in respect of Town panchayat rupees one lakhs”

23. Polling Agent

(1) A contesting candidate or his election agent may appoint in form 10 one Polling agent and two relief agents to act as polling agents of such candidate at each polling station. The order of appointment shall be made over to the polling agent for production at the polling station.

(2) No Polling Agent shall be admitted into any Polling Station unless he has delivered to the Presiding Officer the instrument of his appointment under sub-rule (1) after duly completed and signing before the Presiding Officer the declaration contained therein.

24. Counting agent

(1) A contesting candidate or his election agent may appoint not more than one counting agent in respect of each counting table at the place or at each of the places fixed for counting to be present as his agents at the time of counting of votes of the ward in which he is a candidate.

(2) Every such appointment shall be made in Form 11 and a copy there of shall be forwarded to the returning officer, another copy shall be made over to the counting agent for production before the returning officer not later than one hour before the time fixed for counting of votes.

(3) No counting agent shall be admitted into the place fixed for counting unless he has delivered to the returning officer, the second copy of his appointment under sub-rule(2) after duly completing and signing the declaration contained therein and

receiving from the returning officer an authority for entry into the place fixed for counting.

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

- (1) Any revocation of the appointment of a polling agent shall be made in Form 12 and shall be signed by the candidate or his election agent and shall operate from the date on which it is lodged with the presiding officer and in the event of such a revocation or of death of a polling agent, the candidate or his election agent may appoint another polling agent in the manner laid down in rule 23 at any time before the poll is closed and shall forthwith give notice of the appointment in the manner specified in rule 23 to the presiding officer.
- (2) Any revocation of the appointment of counting agent shall be made in Form 13 signed by the candidate or his election agent and lodged with the returning officer. It shall operate from the date on which it is lodged with the returning officer and in the event of such a revocation or of the death of a counting agent before the commencement of counting of votes the candidate may appoint another counting agent in the manner laid down in rule 24 at any time before the counting of votes is commenced and shall forthwith give notice of such appointment in the manner laid down in rule 24 to the returning officer.

26. Attendance of a contesting candidate or his election agent at polling stations

- (1) At every election where a poll is taken, each contesting candidate at such election and his election agent shall have a right to be present at any polling station.
- (2) A contesting candidate or his election agent may himself do any act or thing which any polling agent or the counting agent of such contesting candidate if appointed, would have been authorized by or under these rules to do, or may assist any polling agent or the counting agent of such contesting candidate in doing any such act or thing.

27. Non attendance of polling or counting agents

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

28. Death of a candidate before the poll

If a candidate set up by a recognized political party,

- (a) Dies at any time after 11 AM. On the last date for making nominations and his nomination is found valid on scrutiny under rule 19;or
- (b) whose nomination has been found valid on scrutiny under rule 19 and who has not withdrawn his candidature under rule 20, dies and in either case a report of his death

is received at any time before the publication of the list of contesting candidates under rule 21; or

- (c) dies as a contesting candidate and a report of his death is received before the commencement of the poll;

the returning officer shall, upon being satisfied about the fact of the death of the candidate, by order, countermand the poll and report the fact to the State Election Commission and all proceedings with reference to the election shall be commenced afresh in all respects as if for a new election;

Provided that no order for countermanding a poll should be made in a case referred to in clause (a) except after the scrutiny of all the nominations including the nomination of the deceased candidate;

Provided further that no further nomination shall be necessary in the case of a person who was a contesting candidate at the time of the countermanding of the poll;

Provided also that no person who has given a notice of withdrawal of his candidature under sub-rule (1) of rule 20 before the countermanding of the poll shall be ineligible for being nominated as a candidate for the election after such countermanding.

29. Procedure in contested and uncontested election

- (1) If the number of contesting candidates is more than the number of seats to be filled, a poll shall be taken.
- (2) If the number of such candidates is equal to the number of seats to be filled the returning officer shall forthwith declare all such candidates to be duly elected to fill these seats in Form-13A or 13B as may be appropriate.
- (3) If the number of such candidates is less than the number of seats to be filled in that ward, the returning officer shall forthwith declare all such candidates to be duly elected in Form 13A or 13B as may be appropriate and the Commissioner shall with the approval of State Election Commission by notification call upon on the ward to elect a person or persons to fill the remaining seat or seats.

30. Omitted

31. Omitted

32. Adjournment of Poll in emergencies

- (1) If at an election the proceedings at any polling station are interrupted or obstructed by any riot or open violence or if at an election it is not possible to take the poll at any polling station on account of any natural calamity or any other sufficient cause,

the presiding officer for such polling station or the returning officer shall announce an adjournment of the poll to a date to be notified later, and where the poll is adjourned by a presiding officer, he shall forthwith inform the returning officer concerned.

- (2) Whenever a poll is adjourned under sub-rule (1), the returning officer shall immediately report the circumstances to the Deputy Commissioner and the State Election Commission and shall, as soon as may be, with the previous approval of the State Election Commission publish a notice appointing the day on which the poll shall re-commence and fix the polling station and the hours during which the poll shall be taken and shall not count the votes cast at the election of such ward until such adjourned poll shall have been completed.
- (3) In every such case as aforesaid, the returning officer shall notify in such manner as the State Election Commission may direct the date, place and hours of polling fixed under sub-rule(2).

32A. Adjournment of poll or countermanding of election on the ground of booth capturing

- (1) If at any election,
 - (a) Booth capturing has taken place at a polling station or at a place fixed for the poll (hereinafter in this rule referred to as a place) in such a manner that the result of the poll at that polling station or place cannot be ascertained; or
 - (b) Booth capturing takes place in any place for counting of votes in such a manner that the result of the counting at the place cannot be ascertained;
The returning officer shall forthwith report the matter to the State Election Commission and the Deputy Commissioner.
- (2) The State Election Commission shall, on receipt of a report from the returning officer under sub-rule (1) and after taking all material circumstances into account, either
 - (a) Declare that the poll at that polling station or place be void, appoint a date and fix the hours, for taking fresh poll at that polling station or place and notify the date so appointed and hours so fixed in such manner as it may deem fit; or
 - (b) If satisfied that in view of the large number of polling stations or places involved in booth capturing, the result of the election is likely to be affected, or that booth capturing had affected counting of votes in such a manner as to affect the result of the election, countermand the election in that ward.

Explanation: For the purpose of this rule “booth capturing” includes, among other things, all or any of the following activities, namely,

- (a) Seizure of polling station or a place fixed for the poll by any person or persons, making polling authorities surrender the ballot papers or voting machines and doing of any other act which affects the orderly conduct of elections;
- (b) Taking possession of a polling station or a place fixed for the polling by any person or persons and allowing only his or their own supporters to exercise their right to vote and prevent others from voting;

- (c) Threatening any elector and preventing him from going to the polling station or a place fixed for the poll to cast his vote;
- (d) Seizure of a place for counting of votes by any person or persons, making the counting authorities surrender the ballot papers or voting machines and the doing of anything which affects the orderly counting of votes;
- (e) Doing by any person in the service of Government, of all or any of the aforesaid activities or aiding or conniving at, any such activity in the furtherance of the prospects of the election of a candidate .

33. Fresh poll in the case of destruction etc., of ballot boxes

(1) If at any election:

- (a) any ballot box used at a polling station is unlawfully taken out of the custody of the presiding officer or the returning officer or is accidentally or intentionally destroyed or lost, or is damaged or tampered with, to such an extent, that the result of the poll at that polling station or the ward cannot be ascertained; or
- (b) any such errors or irregularity in procedure as is likely to vitiate the poll is committed at a polling station;

the returning officer shall forthwith report the matter to the State Election Commission.

(2) There upon the State Election Commission shall, after taking all material circumstances into account, either-

- (a) declare the poll at that polling station to be void, appoint a day and fix the hours for taking a fresh poll at that polling station and notify the day so appointed and the hours so fixed in such manner as it may deem fit; or
- (b) if satisfied that the result of a fresh poll at that polling station would not, in any way, affect the result of the election or that the error or irregularity in procedure is not material, issue such directions to the returning officer as it may deem proper for the further conduct and completion of the election.

(3) The provisions of the Act and these rules shall apply to every such fresh poll as they apply to the original poll.

34. Manner of voting

At every election where a poll is taken votes shall be given by ballot and all voters voting at an election shall do so in person at the polling station and no votes shall be received by proxy.

35. Design of ballot boxes

Every ballot box shall be of such design as may be approved by the State Election Commission.

36. Form of ballot paper

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

37. Arrangements at polling stations

- (1) Outside each polling station there shall be displayed prominently.
 - a) a notice specifying the polling area the electors of which are entitled to vote at the polling station and when the polling area has more than one polling station, the particulars of the electors so entitled; and
 - b) a copy of the list of contesting candidates.
- (2) At each polling station, there shall be set up one or more voting compartments in which the electors can record their votes screened from observation.
- (3) The returning officers shall provide at each polling station sufficient number of ballot boxes, copies of the relevant part of the electoral roll, ballot papers, instruments for stamping the distinguishing mark on the ballot papers and articles necessary for voters to mark the ballot papers and such other materials as are necessary for the conduct of poll.

38. Admission to Polling stations

The presiding officer shall regulate the number of voters to be admitted at any one time inside the polling station and shall exclude there from all persons, other than-

- (a) Polling officers;
- (b) Public servants on duty in connection with the election;
- (c) Persons authorized by the Deputy Commissioner or the State Election Commission.
- (d) Candidates, their election agents and subject to the provisions of rule 23 one polling agent of each candidate;
- (e) A child in arms accompanying an voter;
- (f) A person accompanying a blind or infirm voter who cannot move without help, and
- (g) Such other persons as the returning officer or the presiding officer may employ under rule 40 or rule 41.

39. Preparation of ballot boxes for poll

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

40. Facilities for Women voters

- (1) Where a polling station is for both men and women voters, the presiding officer may direct that they shall be admitted into the polling station alternately in separate batches.
- (2) The returning officer or the presiding officers may appoint a woman to serve as an attendant at any polling station to assist women voters and also to assist presiding officer generally in taking the poll in respect of women voters, and in particular to help in searching any woman voter in case it becomes necessary.

41. Identification of voters

- (1) The returning officer or the presiding officer may employ at the polling station such persons as he thinks fit to help in the identification of the electors or to assist the presiding officer otherwise in taking the poll.
- (2) As each voter enters the polling station, the presiding officer or the polling officer authorized by him in this behalf shall check the voter's name and other particulars with the relevant entry in the list of voters and then call out the serial number, name and other particulars of the voter.
- (3) In deciding the right of a person to obtain a ballot paper the presiding officer or the polling officer, as the case maybe, shall overlook merely clerical or printing errors in an entry in the list of voters if he is satisfied that such person is identical with the voter to whom such entry relates.

41A. Facilities for public servants on election duty

- (1) Voters on election duty who wish to vote by post at an election shall send an application in Form 14 to the returning officer so as to reach him at least seven days or shorter period as the returning officer may allow before the date of poll and if the returning officer is satisfied that the applicant is on election duty in any place outside the ward in which he is a voter he shall issue a postal ballot paper of such concerned ward.
- (2) Where such voter being a presiding officer ,a polling officer or other public servant on election duty in a polling station other than the one in which he is entitled to vote wishes to vote in the polling station in which he is on election duty, he shall send an application in Form 14 to the returning officer so as to reach at least four days or such shorter period as the returning officer may allow before the day of poll and if the returning officer is satisfied that the applicant is a public servant and voter on election duty, he shall,
 - (a) issue to the applicant an Election Duty Certificate in Form 14A;
 - (b) mark E.D.C. against his name in the marked copy of the electoral roll to indicate that an election duty certificate has been issued to him; and
 - (c) Ensure that he is not allowed to vote at the polling station where he would otherwise have been entitled to vote.
- (3) (a) The provisions of rule 41 shall not apply to any person who produces at the polling station an Election Duty Certificate in form 14A, and asks for the issue of a ballot paper to him although the polling station is different from the one where he is entitled to vote.

- (b) On production of such certificate the presiding officer shall;
 - (i) Obtain there on the signature of the person producing it;
 - (ii) have the person's name and electoral roll number as mentioned in the certificate entered at the end of the marked copy of the electoral roll; and
 - (iii) Issue to him a ballot paper and permit him to vote, in the same manner as for as elector entitled to vote at that polling station.

41B. Persons entitled to vote by post

The following persons shall subject to their fulfilling the requirements hereinafter specified, be entitled to vote by post, namely;

- (a) Persons to whom provisions of sub-section (3) or sub-section (6) of section 20 of the Representation of the peoples Act, 1950 (Central Act 43 of 1950) apply;
- (b) Voters on election duty in any place outside the ward in which they are entitled to vote; and
- (c) Electors subject to preventive detention.

41C. Intimation by voters who are entitled to vote by post

Subject to rules 41A and 41F the persons referred to in rule 41B who wish to vote by post in an election shall send an intimation in Form 14B to the returning officer so as to reach him at least ten days before the date of poll and on receipt of the intimation the returning officer shall issue a postal ballot paper to him.

41D. Form of Postal Ballot paper

The Postal paper shall be the same as that of the other ballot paper issued to voters who are entitled to vote in person.

41E. Issue of Postal ballot paper

- (1) A postal ballot paper shall be sent by post under certificate of posting to the elector together with-
 - (a) a declaration in Form 14C;
 - (b) a cover in Form 14D;
 - (c) a large cover addressed to the returning officer in Form 14E;
 - (d) instructions for the guidance of the elector in Form 14F;

Provided that the returning officer may, in the case of a voter on election duty who is entitled to vote by post deliver the ballot paper and forms or cause them to be delivered, to such voter personally.

- (2) The returning officer shall at the same time,
 - (a) record on the counterfoil of the ballot paper the electoral roll number of the elector as entered in the marked copy of the electoral roll;
 - (b) mark the name of the elector in the marked copy of the electoral roll to indicate that a postal ballot paper has been issued to him, without however, recording therein the serial number of the ballot paper issued to that elector; and
 - (c) Ensure that the elector is not allowed to vote at a polling station.
- (3) Every officer under whose care or through whom a postal ballot paper is sent shall ensure its delivery to the addressee without delay.

41F. Electors under preventive detention

- (1) The State Government shall within fifteen days of the calling of an election, ascertain and intimate to the returning officer the names of electors, if any, subject to preventive detention together with their addresses and electoral roll numbers and the particulars about their places of detention.
- (2) Any elector subjected to preventive detention, may within fifteen days of the calling of an election send an intimation to the returning officer that he wishes to vote by post specifying his name, address, electoral roll number and place of detention.
- (3) The returning officer shall on receipt of such intimation issue a postal ballot paper to every elector subjected to preventive detention whose name has been intimated to him under sub rule (1) or under sub-rule (2)

41G. Recording of vote

- (1) An elector who has received a postal ballot paper and desired to vote shall record his vote on the ballot paper in accordance with the directions contained in part I of Form 14F and then enclose it in the cover in Form 14E.
- (2) The elector shall sign the declaration in Form 14C in the presence of and have the signature attested by a Magistrate or any Gazetted Officer to whom he is personally known or to whose satisfaction he has been identified.
- (3) In the case of voters who are required to vote by a ballot under clause (a) of the rule 41B, the attestation shall be by the commanding officer of the unit, ship or establishment in which the voter or her husband, as the case may be is employed.
- (4) In the case of a voter on election duty, any Gazetted Officer or the presiding officer of the polling station at which he is on election duty may attest.

- (5) In the case of an elector under preventive detention the Superintendent of the jail in which the elector is under detention may attest.

41H. Return of the postal ballot paper

- (1) After an elector has recorded his vote and made his declaration, he shall return the postal ballot paper and declaration to the returning officer in accordance with the instructions communicated to him so as to reach the returning officer before the hour fixed for commencement of counting votes.
- (2) If any cover containing a postal ballot paper is received by the returning officer after the expiry of the time fixed in sub-rule (1) he shall note thereon the day and time of its receipt and shall keep all such covers together in a separate packet.
- (3) The returning officer shall keep in safe custody until the commencement of the counting of votes the covers containing postal ballot papers received by him.

41I. Marked copy of the list of voters

Immediately before the commencement of the poll the presiding officer shall allow the polling agents and others present to inspect the marked copy of the list of voters to be used during the poll which is supplied by the returning officer.

42. Challenging of Identity

- (1) Any polling agent may challenge the identity of a person claiming to a particular voter by first depositing a sum of two rupees in cash with the presiding officer for each such challenge.
- (2) on such deposit being made, the presiding officer shall;
 - (a) warn the person challenged of the penalty for personation;
 - (b) read the relevant entry in the electoral roll in full and ask him whether he is the person referred to in that entry;
 - (c) enter his name and address in the list of challenged votes in Form 15; and
 - (d) require him to affix his signature or left thumb impression in the said list.
- (3) The presiding officer shall thereafter hold a summary enquiry into the challenge and may for that purpose.
 - (a) require the challenger to adduce evidence in proof of the challenge and the person challenged to adduce evidence in proof of his identity;
 - (b) put to the person challenged any questions necessary for the purpose of establishing his identity and require him to answer them on oath; and

- (c) administer an oath to the person challenged and any other person offering to give evidence.
- (4) If, after the inquiry, the presiding officer considers that the challenge has not been established, he shall allow the person challenged to vote and if he considers that the challenge has been established, he shall debar the person challenged from voting.
- (5) If the presiding officer is of the opinion that the challenge is frivolous or has not been made in good faith, he shall direct that the deposit made under sub-rule(1) be forfeited to Government and in any other case he shall return it to the challenger at the conclusion of the inquiry.

43. Safeguards against personation

- (1) Every voter about whose identity the presiding officer or the polling officer, as the case may be, is satisfied, shall allow his left forefinger to be inspected by the presiding officer or polling officer and an indelible ink mark to be put on it as far as possible just below the root of the nail so that the ink also spreads on the ridge between the skin and the root of the nail.
- (2) If any voter refuses to allow his left forefinger to be inspected or marked in accordance with sub-rule(1) or has already such a mark on his left forefinger or does any act with a view to remove the ink mark, he shall not be supplied with any ballot paper or allowed to vote.
- (3) Any reference in this rule to the left forefinger of an voter shall, in the case where the voter has his left forefinger missing be construed as a reference to the forefinger or any other finger of his left hand, and shall in the case where all his fingers of his left hand are missing be construed as a reference to the forefinger or any other finger of his right hand, and shall in the case where all his fingers of both the hands are missing be construed as a reference to such extremity of his left or right arm as he possesses.

44. Issue of ballot papers to electors

- (1) Every ballot paper before it is issued to an elector, and the counterfoil attached thereto shall be stamped on the back with such distinguishing mark as the State Election Commission may direct, and every ballot paper, before it is issued, shall be signed in full on its back by the presiding officer.
- (2) at the time of issuing a ballot paper to an elector, the polling officer shall,
 - (a) record on its counterfoil the voter list number of the elector as entered in the marked copy of the list of voters;
 - (b) obtain the signature or thumb impression of the elector on the said counterfoil and

- (c) mark the name of the elector in the marked copy of the list of voters to indicate that a ballot paper has been issued to him, without, however, recording therein the serial number of the ballot paper issued to that elector.

Provided that no ballot paper shall be delivered to an elector unless he has put his signature or thumb impression on the counterfoil of that ballot paper.

(3) It shall not be necessary for any presiding officer or any polling officer or any other officer to attest the thumb impression of the elector on the counterfoil.

(4) No person in the polling station shall note down the serial numbers of the ballot papers issued to particular electors.

45. Voting Procedure

(1) Every voter, to whom a ballot paper has been issued under rule 44 or under any other provision of these rules, shall maintain secrecy of voting within the polling station and for that purpose observe the voting procedure hereinafter laid down.

(1A) The voter on receiving the ballot paper shall forthwith;

- (a) proceed to one of the voting compartments;
- (b) there make a mark on the ballot paper with instrument supplied for the purpose on or near the symbol of the candidate for whom he intends to vote;
- (c) fold the ballot paper so as to conceal his vote;
- (d) if required show to the presiding officer the distinguishing mark on the ballot paper;
- (e) insert the folded ballot paper into the ballot box; and
- (f) Quit the polling station.

(2) Every elector shall vote without undue delay.

(3) No voter shall be allowed to enter a voting compartment when another elector is inside it.

(4) If a voter to whom a ballot paper has been issued, refuses, after warning given by the presiding officer, to observe the procedure as laid down, in sub-rule (1A), the ballot paper issued to him shall, whether he has recorded his vote thereon or not, be taken back from him by the presiding officer or a polling officer under the direction of the presiding officer.

(5) After the ballot paper has been taken back, the presiding officer shall record on its back the words “cancelled; voting procedure violated” and put his signature below those words.

- (6) All the ballot papers on which the words “cancelled: voting procedure violated” are recorded, shall be kept in a separate cover which shall bear on its face the words “ballot papers: voting procedure violated”.
- (7) Without prejudice to any other penalty to which an elector from whom a ballot paper has been taken back under sub-rule (5) may be liable, the vote, if any, recorded on such ballot paper shall not be counted.

46. Recording of votes of blind or infirm electors

- (1) If the presiding officer is satisfied that owing to blindness or other physical infirmity an elector is unable to recognize the symbols on the ballot paper or to make a mark thereon without assistance, the presiding officer shall permit the elector to take with him a companion of not less than eighteen years of age to the voting compartment for recording the vote on the ballot paper on his behalf and in accordance with his wishes, and, if necessary, for folding the ballot paper so as to conceal the vote and inserting it into the ballot box;

Provided that no person shall be permitted to act as the companion of more than one elector at any polling station on the same day;

Provided further that before any person is permitted to act as the companion of an elector on any day under this rule the person shall be required to declare that he will keep secret, the vote recorded by him on behalf of the elector and that he has not already acted as the companion of any other elector at any polling station on that day.

- (2) The presiding officer shall keep a record in Form 15A of all cases under this rule.

47. Tendered Votes

- (1) If a person representing himself to be a particular voter applies for a ballot paper after another person has already voted as such voter, he shall on satisfactorily answering such questions relating to his identity as the presiding officer may ask, be entitled, subject to the following provisions of this rule, to mark a ballot paper (hereinafter in these rules referred to as a “tendered ballot paper”) in the manner as any other voter.
- (2) Every such person shall, before being supplied with a tendered ballot paper, sign his name against the entry relating to him in a list in Form 16.
- (3) A tendered ballot paper shall be same as the other ballot papers used at the polling except that it shall be
 - (a) serially the last in the bundle of ballot papers issued for use at the polling station; and

- (b) endorsed on the back with the words 'tendered ballot paper' by the presiding officer in his own hand and signed by him.
- (4) The voter, after marking a tendered ballot paper in the voting compartment and folding it, shall instead of putting it into the ballot box, give it to the presiding officer, who shall place it in a cover specially kept for the purpose.

48. Closing of poll

- (1) The presiding officer shall close the polling station at the hour fixed in that behalf and shall not thereafter admit any voter into the polling station.

Provided that all voters present at the polling station before it is closed shall be allowed to cast their votes.

- (2) if any question arises whether an elector was present at the polling station before it was closed, it shall be decided by the presiding officer and his decision shall be final.

49. Sealing of ballot boxes after the poll

- (1) As soon as practicable after closing of the poll, the presiding officer shall close the slit of the ballot box, and where the box does not contain any mechanical device for closing the slit, he shall seal up the slit and also allow any polling agent present to affix his seal.
- (2) The ballot box shall thereafter be sealed and secured.
- (3) Where it becomes necessary to use a second ballot box by reason of the first ballot box getting full, the first ballot box shall be closed, sealed and secured as provided in sub-rules (1) and (2) before any other ballot box is put into use.

50. Account of ballot papers

- (1) The presiding officer shall at the close of the poll prepare a ballot paper account in Form 17 and enclose it in a separate cover with the words "Ballot paper Account" super scribed thereon.
- (2) The presiding officer shall furnish to every polling agent present at the close of the poll a true copy of the entries made in the ballot paper account after obtaining a receipt from the said polling agent there for and shall also attest it as a true copy.

50A. Spoilt and returned ballot papers

- (1) An elector who has inadvertently dealt with his ballot paper in such manner that it cannot be conveniently used as a ballot paper may on returning it to the presiding officer and on satisfying him of the inadvertence be given another ballot paper and the ballot paper so returned and the counterfoil of such ballot paper shall be marked "Spoilt: Cancelled" by the presiding officer.

- (2) If an elector after obtaining a ballot paper decides not to use it, he shall return it to the presiding officer, and the ballot paper so returned and the counterfoil of such ballot paper shall be marked as “Returned: Cancelled” by the presiding officer.
- (3) All ballot papers cancelled under sub-rule (1) or sub-rule (2) shall be kept in a separate packet.

51. Sealing of other packets

- (1) The presiding officer shall then make into separate packets-
 - (a) the marked copy of the list of voters;
 - (b) the counterfoils of the used ballot papers;
 - (c) The ballot paper signed in full by the presiding officer but not issued to the voters.
 - (d) Any other ballot papers not issued to the voters.
 - (e) the ballot papers cancelled for violation of voting procedure under rule 54;
 - (f) Any other cancelled ballot papers.
 - (g) the cover containing the tendered ballot papers and the list in Form-16;
 - (h) the list of challenged votes; and
 - (i) Any other papers directed by the State Election Commission to be kept in a sealed packet.
- (2) Each such packet shall be sealed with the seal of the presiding officer and with seal either of the candidate or of his election agent or of his polling agent who may be present at the polling station and may desire to affix his seal thereon.

52. Transmission of ballot boxes, etc to the returning officer.

- (1) The presiding officer shall then deliver or cause to be delivered to the returning officer at such place as the returning officer may direct-
 - (a) the ballot boxes;
 - (b) the ballot paper account;
 - (c) the sealed packets referred to in rule 51; and
 - (d) all other papers used at the poll
- (2) The returning officer shall make adequate arrangements for the safe transport of all ballot boxes, packets and other papers and for their safe custody until the commencement of the counting of votes;

53. Procedure on Adjournment of Poll

- (1) If the poll at any polling station is adjourned under rule 32, the provisions of Rules 49 to 52 shall, as far as practicable, apply as if the poll was closed at the hour fixed in that behalf under rule 8(2).
- (2) When an adjourned poll is recommended under sub-rule (2) of rule 32, the voters who have already voted at the poll so adjourned shall not be allowed to vote again.
- (3) The returning officer shall provide the presiding officer at the polling station at which such adjourned poll is held, with the sealed packet containing the marked copy of the list of voters and a new ballot box.
- (4) The presiding officer shall open the sealed packet in the presence of the polling agents present and use the marked copy of the list of voters for marking the names of the voters to whom the ballot papers are issued at the adjourned poll, without however recording there in the serial number thereof.
- (5) The provisions of rules 35 to 52 shall apply in relation to the conduct of an adjourned poll as they apply in relation to the poll before it was so adjourned.

54. Right to Vote

- (1) No person whose name is not entered in the electoral roll of any ward shall be entitled to vote in that ward.
- (2) No person shall vote at an election if he is subject to any of the disqualifications referred in section 16 of the Representation of peoples Act, 1950.
- (3) No person shall vote in more than one ward notwithstanding his name may have been registered in the list of voters of more than one ward and if a person votes in more than one ward, his votes in all such wards shall be void.
- (4) No person shall at any election vote in the same ward more than once, notwithstanding that his name may have been registered in the list of voters for that ward more than once, and if he does so vote, all his votes in that ward shall be void.
- (5) No person shall vote at any election if he is confined in a prison, whether under a sentence of imprisonment or otherwise or is in the lawful custody of the police;

Provided that nothing in this sub-rule shall apply to a person subject to preventive detention under any law for the time being in force.

55. Procedure of counting of votes

At every election where a poll is taken, votes shall be counted by, or under the supervision and direction of the returning officer and each contesting candidate, his election agent and his counting agent shall have a right to be present at the time of counting.

56. Time and place for counting of votes

The returning officer shall at least one week before the date or the first of the dates, fixed for the poll, appoint a place or places where the counting of votes will be done and the date and time at which the counting will commence and shall give notice of the same in writing to each candidate or his election agent.

Provided that if for any reason the returning officer finds it necessary so to do, he may alter the date, time and place or places so fixed or any of them, after giving notice of the same in writing to each candidate or his election agent.

57. Admission to the place fixed for counting

(1) The returning officer shall exclude from the place fixed for counting of votes all persons except-

(a) Such persons to be known as counting supervisors and counting assistants as he may appoint to assist him in the counting;

(b) Persons authorized by the State Election Commission or by the Deputy Commissioner

(c) Public servants on duty in connection with the election; and

(d) Candidates, their election agents and counting agents.

(2) No person who has been employed by or on behalf of, or has been otherwise working for a candidate in or about the election shall be appointed under clause (a) of sub-rule (1).

(2A) The returning officer shall decide which counting agent or agents shall watch the counting at any particular counting table or group of counting tables.

(3) Any person who during the counting of votes misconduct himself or fails to obey the lawful directions of the returning officer may be removed from the place where the votes are being counted, by the returning officer or by any police officer on duty or by any person authorized in this behalf by the returning officer.

58. Maintenance of Secrecy of voting

The returning officer shall, before he commences the counting read out the provisions of Section 30 to such persons as may be present

58A. Counting of votes received by post

(1) The returning officer shall first deal with postal ballot papers in the manner hereinafter provided.

- (2) No cover in Form 14 E received by the returning officer after the expiry of the time fixed in this behalf shall be opened and no vote contained in any such cover shall be counted.
- (3) The other covers shall be opened one after another and as each cover is opened, the returning officer shall first scrutinize the declaration in Form 14 C contained there in.
- (4) If the said declaration is not found or has not been duly signed and attested or is otherwise substantially defective or if the serial number of the ballot papers as entered in it differs from the serial number endorsed on the cover in Form 14D, that cover shall not be opened and after making an appropriate endorsement thereon the returning officer shall reject the ballot paper therein contained.
- (5) Each cover so endorsed and the declaration received with it shall be replaced in the cover in Form 14 E, and all such covers in Form 14 E shall be kept in a separate packet which shall be sealed and on which shall be recorded the name of the ward, the date of counting and a brief description of its contents.
- (6) The returning officer shall then place all the declarations in Form 14C which he has found to be in order in a separate packet which shall be sealed before any cover in Form 14D is opened and on which shall be recorded the particulars referred to in sub-rule (5)
- (7) The covers in Form 14D not already dealt with under the foregoing provisions of this rule shall then be opened one after another and the returning officer shall scrutinize each ballot paper and decide the validity of the vote recorded thereon.
- (8) a Postal ballot paper shall be rejected-
 - (a) if it bears any mark (other than the mark to record the vote) or writing by which the elector can be identified; or
 - (b) if no vote is recorded there on, or
 - (c) If votes are given on it in favour of more candidates than the candidates to be elected, or
 - (d) If it is a spurious ballot paper, or
 - (e) if it is so damaged or mutilated that its identity as a genuine ballot paper cannot be established or
 - (f) if it is not returned in the cover sent along with it to the elector by the returning officer.

- (9) A vote recorded on the postal ballot paper shall be rejected if the mark indicating the vote is placed on the ballot paper in such manner as to make it doubtful to which candidate the vote has been given.
- (10) A vote recorded on a postal ballot paper shall not be rejected merely on the ground that the mark indicating the vote is indistinct or made more than once, if the intention that the vote shall be for a particular candidate clearly appears from the way the paper is marked.
- (11) The returning officer shall count all the valid votes given by postal ballot in favour of each candidate, record the total thereof in the result sheet in Form 18 and announce the same.
- (12) Thereafter all the valid ballot papers and all the rejected ballot papers shall be separately bundled and kept together in a packet which shall be sealed with the seal of the returning officer and of such of the candidates, their election agents or counting agents as may desire to affix their seals thereon and on the packets so sealed shall be recorded the name of the ward the date of counting and a brief description of its contents.

59. Scrutiny and opening of ballot boxes

- (1) The returning officer shall open or cause to be opened simultaneously the ballot boxes used at more than one polling station of a ward and shall have the total number of ballot papers found in such boxes counted and recorded in Form 17.
- (2) Discrepancy, if any, between the total number of such ballot papers recorded as aforesaid and the total number of ballot papers issued to voters as shown in part I of the said Form 17 minus the number of ballot paper cancelled as shown in item 4 and the number of ballot papers used as tendered ballot papers as shown in that part, shall also be recorded in part II of Form 17.
- (3) Before any ballot box is opened at a counting table, the counting agents present at that table shall be allowed to inspect the paper seal or such other seal as might have been affixed thereon and to satisfy themselves that it is intact.
- (4) The returning officer shall satisfy himself that none of the ballot boxes has in fact been tampered with.
- (5) If the returning officer is satisfied that any ballot box has in fact been tampered with, he shall not count the ballot papers contained in that box and shall follow the procedure laid down in rule 33 in respect of that polling station.

60. Counting of Votes

- (1) subject to such general or special directions, if any, as may be given by the State Election Commission in this behalf the ballot papers taken out of all boxes used in a

ward shall be mixed together and then arranged in convenient bundles and scrutinized.

- (2) The returning officer shall reject a ballot paper.
- (a) if it bears any mark or writing by which the elector can be identified or
 - (b) if it bears no mark at all or to indicate the vote or it bears a mark elsewhere than on or near the symbol of the candidate on the face of the ballot paper or if it bears a mark made otherwise than with the instrument supplied for the purpose; or
 - (c) if votes are given on it in favour of more candidates than the candidates to be elected.
 - (d) If the mark indicating a vote thereon is placed in such manner as to make it doubtful to which candidate vote has been given, or
 - (e) if it is a spurious ballot paper or
 - (f) if it is so damaged or mutilated that its identity as a genuine ballot paper cannot be established, or
 - (g) if it bears a serial number, or is of a design, different from the serial numbers or design, as the case may be, of the ballot papers authorized for use at the particular polling station, or
 - (h) if it does not bear both the mark and the signature which it should have borne under the provisions of the sub-rule (1) of rule 44,

Provided that where the returning officer is satisfied that any such defect as is mentioned in clause (g) or clause (h) has been caused by any mistake or failure on the part of a presiding officer or polling officer, the ballot paper shall not be rejected merely on the ground of such defect.

Provided further that a ballot paper shall not be rejected merely on the ground that the mark indicating the vote is indistinct or made more than once, if the intention that the vote shall be for a particular candidate clearly appears from the way the paper is marked.

- (3) Before rejecting any ballot paper under sub-rule (2) the returning officer shall allow each counting agent present a reasonable opportunity to inspect the ballot paper but shall not allow him to handle it or any other ballot paper.
- (4) The returning officer shall endorse on every ballot paper which he rejects the word 'rejected' and the grounds of rejection in abbreviated form either in his own hand or by means of a rubber stamp and shall initial such endorsement.
- (5) All ballot papers rejected under this rule shall be bundled together.

(6) Every ballot paper which is not rejected under this rule shall be counted.

Provided that no cover containing tendered ballot paper shall be opened and no such ballot paper shall be counted.

(7) After the counting of all ballot papers contained in all the ballot boxes used in a ward has been completed, the returning officer shall make the entries in a result sheet in Form 18 and announce the particulars.

61. Omitted

62. Counting to be continuous

The returning officer shall as far as practicable proceed continuously with the counting and shall during any intervals when the counting has to be suspended keep the ballot papers, packets and all other papers relating to the election sealed with his own seal and the seals of such candidates or election agents or counting agents as may desire to affix their seals and take sufficient precaution for their safe custody during such intervals.

62A. Recount of votes.

(1) After the completion of the counting the returning officer shall record in the result sheet in Form 18 the total number of votes polled by each candidate and announce the same.

(2) After such announcement has been made, a candidate or in his absence his election agent or any of his election agent may apply in writing to the returning officer to recount the votes either wholly or in part stating the grounds on which he demands such recount.

(3) On such an application being made the returning officer shall decide the matter and may allow the application in whole or in part or may reject it in toto if it appears to him to be frivolous or unreasonable.

(4) Every decision of the returning officer under sub-rule (3) shall be in writing and contain the reasons therefor.

(5) If the returning officer decides under sub-rule (3) to allow a recount of the votes either wholly or in part he shall,

(a) do the recounting in accordance with the rules applicable for counting.

(b) amend the result sheet in Form 18 to the extent necessary after such recount, and

(c) announce the amendments so made by him

(6) After the total no. of votes polled by each candidate has been announced under sub-rule (1) or sub-rule (5) the returning officer shall complete and sign the result sheet in Form 18 and no application for recount shall be entertained thereafter.

Provided that no step under this sub-rule shall be taken on the completion of the counting until the candidates and election agents present at the completion thereof have been given a reasonable opportunity to exercise the right conferred by sub-rule(2).

62B. Sealing of used ballot papers

The valid ballot papers of each candidate and the rejected ballot papers shall thereafter be bundled separately and the several bundles made into a separate packet which shall be sealed with the seals of the returning officer and of such of the candidates, their election agents or counting agents as may desire to affix their seals thereon; and on the packets so sealed shall be recorded the following particulars, namely

- (a) the name of the ward
- (b) the date of counting

63. Equality of votes

If after the counting of the votes is completed, an equality of votes is found to exist between any candidates, and the addition of the vote will entitle any of those candidates to be declared elected, the returning officer shall forthwith decide between those candidates by lot, and proceed as if the candidate on whom the lot falls had received an additional vote.

64. Recommencement of counting after fresh poll

(1) If a fresh poll is held under rule 33, the returning officer shall after completion of that poll, recommence the counting of votes on the date and at the time and place which have been fixed by him in that behalf and on which notice has previously given to the candidates and their election agents.

(2) The provisions of rule 60 shall apply so far as may be to such further counting.

VOTING BY ELECTRONIC VOTING MACHINES

64A. Application of new rules 64A to 64 ZD and Design of Electronic Voting Machines

(1) The provisions of rules 64A to 64ZD shall apply wherever electronic voting machine is used for conduct of elections.

(2) Every electronic voting machine (hereinafter referred to as the voting machine) shall comprises of two units, there shall be a control unit and a balloting unit and shall be of such designs as may be approved by the State Election Commission.

64B. Preparation of voting machine by the returning officer

(1) The balloting unit of the voting machine shall contain such particulars in Kannada language or languages as the State Election Commission may specify.

(2) The names of the candidates shall be arranged on the balloting unit in the same order in which they appear in the list of contesting candidates.

(3) If two or more candidates bear the same name, they shall be distinguished by the addition of their father's name or residence or in some other manner.

(4) Subject to the foregoing provisions of this rule, the returning officer shall,-

(a) fix the label, containing the names and symbol of the contesting candidates in the balloting unit and secure that unit with his seal and the seals of such of the contesting candidates or their election agents present as are desirous of affixing the same.

(b) set the number of contesting candidates and close the candidate set section in the control unit and secure it with his seal and seals of such of the contesting candidates or their election agents present as are desirous of affixing the same.

64C. Arrangements at the polling stations

(1) Outside each polling station there shall be displayed prominently-

(a) a notice specifying the polling area, the electors of which are entitled to vote at the polling station and, when the polling area has more than one polling station, the particulars of the electors so entitled: and

(b) a copy of the list of contesting candidates.

(2) At each polling station there shall be set up one or more voting compartments in which the electors can record their votes free from observation.

(3) The returning officer shall provide at each polling station one voting machine and copies of relevant part of the electoral roll and such other election material as may be necessary for taking the poll.

(4) Without prejudice to the provisions of sub-rule (3), the returning officer may, with the previous approval of the State Election Commission, provide one common voting machine for two or more polling stations located in the same premises.

64D. Admission to polling stations

The presiding officer shall regulate the number of electors, to be admitted at any one time inside the polling station and shall exclude there from all persons other than

(a) polling officers;

(b) public servants on duty in connection with the election;

(c) persons authorised by the State Election Commission

(d) candidates, their election agents and subject to the provisions of Rule 23, one polling agent of each candidate;

(e) a child in arms accompanying an elector;

(f) a person accompanying a blind or infirm elector, who cannot move without help, and,

(g) such other person as the returning officer or the presiding officer may employ under sub-rule (2) of rule 64G or sub-rule (1) of 64H.

64E. Preparation of voting machine for poll

(1) The control unit and balloting unit of every voting machine used at polling station shall bear a label marked with-

- (a) the serial number, if any, and the name of the constituency;
- (b) the serial number and name of the polling station or stations as the case may be;
- (c) the serial number of the unit; and
- (d) the date of poll.

(2) Immediately before the commencement of the poll, the presiding officer shall demonstrate to the polling agents and other persons present that no vote has been already recorded in the voting machine and it bears the paper seal referred to in sub-rule (4).

(3) A paper seal shall be used for securing the control unit of the voting machine, and the presiding officer shall affix his own signature on paper seal and obtain thereon the signature of such of the polling agents as are desirous of affixing the same.

(4) The presiding officer shall thereafter fix the paper seal so signed in the space meant there for in the control unit of the voting machine and shall secure and seal the same.

(5) The seal used for securing the control unit shall be fixed in such manner that after the unit has been sealed, it is not possible to press the “result button” without breaking the seal.

(6) The control unit shall be closed and secured and placed in full view of the presiding officer and the polling agents and the balloting unit placed in the voting compartment.

64F. Marked copy of the electoral roll

Immediately before the commencement of the poll, the presiding officer shall also demonstrate to the polling agents and others present that the marked copy of the electoral roll to be used during the poll does not contain,-

- (a) any entry other than that made in pursuance of rule 41C; and
- (b) any mark other than the mark made in pursuance of clause (b) of sub rule (2) of rule 41E.

64G. Facilities for women electors

(1) Where a polling station is for both men and women electors, the presiding officer may direct that they shall be admitted to the polling station alternatively in separate batches.

(2) The returning officer or the presiding officer may appoint a woman to serve as an attendant at any polling station to assist women electors and also to assist the presiding officer generally in taking the poll in respect of woman electors, and in particular, to help frisking any woman elector in case it becomes necessary.

64H. Identification of electors

(1) The presiding officer may employ at the polling station such persons as he thinks fit to help in the identification of the electors or to assist him otherwise in taking the poll.

(2) As each elector enters the polling station, the presiding officer or the polling officer authorized by him in this behalf shall check the elector's name and other particulars with the relevant entry in the electoral roll and then call out the serial number, name and other particulars of the elector.

(3) Where the polling station is situated in a ward electors of which have been supplied with identity cards under the provisions of the Registration of Electors Rules, 1960 made under the Representation of People Act, 1950, (Central Act 43 of 1950) the elector shall produce his identity card before the presiding officer or the polling officer authorized by him in this behalf.

(4) In deciding the right of a person to cast his vote, the presiding officer or the polling officer, as the case may be, shall over-look merely clerical or printing errors in any entry in the electoral roll if he is satisfied that such person is identical with the elector to whom such entry relates.

64 I. Facilities for public servants on election duty

(1) The provisions of rule 64H shall not apply to any person who produces at the polling station an election duty certificate in Form 14A and seeks permission to cast his vote at that polling station although it is different from the one where he is entitled to vote.

(2) On production of such certificate, the presiding officer shall,-

(a) obtain thereon, the signature of the person producing it;

(b) have the person's name and electoral roll number as mentioned in the certificate entered at the end of the marked copy of the electoral roll; and

(c) permit him to cast his vote in the same manner as an elector is entitled to vote at that polling station.

64 J. Challenging the identity

(1) Any polling agent may challenge the identity of a person claiming to be a particular elector by first depositing a sum of Two rupees in cash with the presiding officer for each such challenge.

(2) On such deposit being made, the presiding officer shall,-

(a) warn the persons challenged of the penalty for impersonation;

(b) read the relevant entry in the electoral roll in full and ask him whether he is the person referred to in that entry;

(c) enter his name and address in the list of challenged votes in Form 15; and

(d) require him to affix his signature in the said list.

(3) The presiding officer shall thereafter hold a summary inquiry into the challenge and may for that purpose,-

(a) require the challenger to adduce evidence in proof of the challenge and the person challenged to adduce evidence of proof of his identity.

(b) put to the person challenged any questions necessary for the purpose of establishing his identity and require him to answer them on oath; and

(c) administer an oath to the person challenged and any other person offering to give evidence.

(4) If, after the inquiry, the presiding officer considers that the challenge has not been established he shall allow the person challenged to vote; and if he considers that the challenge has been established, he shall debar the person challenged from voting.

(5) If the presiding officer is of the opinion that the challenge is frivolous or has not been made in good faith, he shall direct that the deposit made under sub-rule (1) be forfeited to Government and in any other case, returned to the challenger at the conclusion of the inquiry.

64 K. Safeguards against impersonation

(1) Every elector about whose identity the presiding officer or the polling officer, as the case may be, is satisfied, shall allow his left forefinger to be inspected by the presiding officer or the polling officer and an indelible ink mark to be put on it.

(2) If any elector-

(a) refuse to allow his left forefinger to be inspected or marked in accordance with sub-rule (1) or has already such a mark on his left forefinger or does any act with a view to removing the ink mark, or

(b) fails or refuses to produce his identity card as required by sub-rule (3) of rule 64H he shall not be allowed to vote.

(3) Where a poll is taken simultaneously in a Parliamentary Constituency and or Assembly Constituency and a ward, an elector whose left finger has been marked with indelible ink or who has produced his identity card at one such election, shall not withstanding anything contained in sub-rules (1) and (2) be permitted to cast his vote for the other election.

(4) Any reference in this rule to the left forefinger of an elector shall, in the case where the elector has his left forefinger missing, be construed as a 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 forefinger or any other finger of his right hand, and shall in the case where all his fingers of both the hands are missing be construed as a reference to such extremity of his left or right arm as he possesses.

64 L. Procedure for voting by voting machines

(1) Before permitting an elector to vote, the polling officer shall,-

- (a) record the electoral roll number of the elector as entered in the marked copy of the electoral roll in a register of voters in form 20A.
- (b) obtain the signature or the thumb impression of an elector on the said register of voters; and
- (c) mark the name of the elector in the marked copy of the electoral roll to indicate that he has been allowed to vote:

Provided that no elector shall be allowed to vote unless he has put his signature or thumb impression on the register of voters.

(2) Notwithstanding anything contained in sub-rule (1), it shall be necessary for any presiding officer or polling officer or any other officer to attest the thumb impression of the elector on the register of voters.

64 M. Maintenance of secrecy of voting by electors within the polling station and voting procedures

(1) Every elector who has been permitted to vote under rule 64L shall maintain secrecy of voting within the polling station and for that purpose observe the voting procedure hereinafter laid down.

(2) Immediately on being permitted to vote the elector shall proceed to the presiding officer or the polling officer in charge of the control unit of the voting machine who shall, by pressing the appropriate button on the control unit, activate the balloting unit; for recording of elector's vote.

(3) The elector shall thereafter forthwith-

(a) proceed to voting compartment;

(b) record his or her vote by pressing the button on the balloting unit against the name and symbol of the candidate for whom he or she intends to vote; and

(c) come out of the voting compartment and leave the polling station.

(4) Every elector shall vote without undue delay.

(5) No elector shall be allowed to enter the voting compartment when another elector is inside it.

(6) If an elector who has been permitted to vote under 64L or 64P refuses after warning given by the presiding officer to observe the procedure laid down in sub-rule

(3), the presiding officer or a polling officer under the direction of the presiding officer shall not allow such elector to vote.

(7) Where an elector is not allowed to vote under sub-rule (6), a remark to the effect that voting procedure has been violated shall be made against the elector's name in the register of voters in Form 20A by the presiding officer under his signature.

64 N. Recording of votes of blind or infirm electors

(1) If the presiding officer is satisfied that owing to the blindness or other physical infirmities an elector is unable to recognize the symbol on the balloting unit of the voting machine or unable to record his or her vote by pressing the appropriate button thereon without assistance, the presiding officer shall permit the elector to take with him or her a companion of his not less than eighteen years of age to the voting compartment for recording the vote on his behalf and in accordance with his wishes:

Provided that no person shall be permitted to act as the companion of more than one elector at any polling station on the same day:

Provided further that before any person is permitted to act as the companion of an elector on any day under this rule that person shall be required to declare that he will keep secret the vote recorded by him on behalf of the elector and that he has not already acted as the companion of any other elector at any other polling station on that day.

(2) The presiding officer shall keep a record in Form 15A of all cases under this rule.

64 O. Elector deciding not to vote

If an elector, after his electoral roll number has been duly entered in the register of voters in Form 20A and has put his signature or thumb impression thereon as required under sub-rule (1) of rule 64L, decides not to record his or her vote, a remark to this effect shall be made against the said entry in Form 20A by the presiding officer and the signature or thumb impression of the elector shall be obtained against such remark.

64 P. Tendered votes

(1) If a person representing himself to be a particular elector seeks to vote after another person has already voted as such elector, he shall, on satisfactorily answering such questions relating to his identity as the presiding officer may ask, be instead of being allowed to vote through the balloting unit, supplied with a tendered ballot paper, which shall be of such design, and the particulars of which shall be in kannada or languages as the State Election Commission may specify.

(2) Every such elector shall before being supplied with tendered ballot paper write his or her name against the entry relating to him or her in Form 19B

(3) Every voter receiving the ballot paper shall forthwith,-

- (a) proceed to the voting compartment;
 - (b) record there his or her vote on the ballot paper by placing a cross mark 'X' with the instrument or article supplied for the purpose on or near the symbol of the candidate for whom he intends to vote;
 - (c) fold the ballot paper so as to conceal his vote;
 - (d) show to the presiding officer, if required, the distinguishing mark on the balloting paper;
 - (e) give it to the presiding officer who shall place it in a cover specially kept for the purpose; and
 - (f) leave the polling station.
- (4) If owing to blindness or physical infirmities, such elector is unable to record his vote without assistance, the presiding officer shall permit him to take with him a companion, subject to the same condition and for following the same procedure as laid down in rule 64 N for recording the vote in accordance with his wishes.

64 Q. Presiding Officer's entry in the voting compartment during poll

- (1) The presiding officer may whenever he considers it necessary so to do, enter the voting compartment during poll and take such steps as may be necessary to ensure that the balloting unit is not tampered or interfered with in any way.
- (2) If the presiding officer has reason to suspect that an elector who has entered the voting compartment is tampering or otherwise interfering with the balloting unit has remained inside the voting compartment for unduly long period, he shall enter the voting compartment and take such steps as may be necessary to ensure the smooth and orderly progress of the poll.
- (3) Whenever the presiding officer enters the voting compartment under this rule, he shall permit the polling agents present to accompany him if they so desire.

64 R. Closing of the poll

- (1) The presiding officer shall close a polling station at the hour fixed in that behalf under rule 48 and shall not thereafter admit any elector into the polling station.

Provided that all the electors present at the polling station before it is closed shall be allowed to cast their votes.

- (2) If any question arises whether an elector was present at the polling station before it was closed it shall be decided by the presiding officer and his decision shall be final.

64 S. Account of votes recorded

(1) The presiding officer shall at the close of the poll prepare an account of votes recorded in Form 17A(EVM) and enclose it in a separate cover with the words “Account of Votes Recorded” super scribed thereon.

(2) The presiding officer shall furnish to every polling agent present at the close of the poll a true copy of the entries made in Form 17A(EVM) after obtaining receipt from the said polling agent there for and shall attest it as a true copy.

64 T. Sealing of voting machine after poll

(1) As soon as practicable after the closing of the poll, the presiding officer shall close the control unit to ensure that no further votes can be recorded and shall detach the balloting unit from the control unit;

(2) The control unit and the balloting shall thereafter be sealed, and secured separately in such manner as the State Election Commission may direct and the seal used for securing them shall be so affixed that it will not be possible to open the units without breaking the seals.

(3) The Polling agents present at the polling station, who desire to affix their seals shall also be permitted to do so.

64 U. Sealing of other packets

(1) The presiding officer shall then make into separate packet,-

(a) the marked copy of the electoral roll;

(b) the register of voters in Form 20A;

(c) the cover containing the tendered ballot papers and the list in Form 19B; _

(d) the list of challenged votes; and

(e) any other papers directed by the State Election Commission to be kept in a sealed packet.

(2) Each packet shall be sealed with the seal of the presiding officer and with the seal either of the candidate or his election agent or his polling agent who may be present at the polling station and may desire to affix his seal thereon.

64 V. Transmission of voting machines, etc., to the returning officer

(1) The presiding officer shall then deliver or cause to be delivered to the returning officer at such place, as the returning officer may direct.-

(a) the voting machine;

(b) the account of votes recorded in Form 17A(EVM).

(c) the sealed packets referred to in Rule 64U.

(d) all other papers used at the poll.

(2) The returning officer shall make adequate arrangements for the safe transport of the voting machine, packets and other papers for the safe custody until the commencement of the counting of votes.

64 W. Procedure on adjournment of poll

(1) If the poll at any polling station is adjourned under rule 32 or 32A, provision of rules 64S to 64V shall, as far as practicable, apply as if the poll was closed at the hour fixed in that behalf under rule 48

(2) When an adjourned poll is recommended under rule 53 the electors who have already voted at the poll so adjourned shall not be allowed to vote again.

(3) The returning officer shall provide the presiding officer of the polling station at which such adjourned poll is held, with the sealed packet containing the marked copy of the electoral roll, register of voters in Form 20A and a new voting machine.

(4) The presiding officer shall open the sealed packet in the presence of the polling agents present and use the marked copy of the electoral roll for marking the names of the electors who are allowed to vote at the adjourned poll.

(5) The provisions of rule 64A to 64V shall apply in relation to the conduct of an adjourned poll before it was so adjourned.

64 X. Closing of voting machine in case of booth capturing

Where the presiding officer is of the opinion that booth capturing is taking place at a polling station or at a place fixed for the poll, he shall immediately close the controlling unit of the voting machine to ensure that no further votes can be recorded and shall detach the balloting unit from the control unit.

64 Y. Scrutiny and inspection of voting machines

(1) The returning officer may have the control units of the voting machines used at more than one polling station taken up for scrutiny and inspection and votes recorded in such units counted simultaneously.

(2) Before the votes recorded in any control unit of voting machine are counted under sub-rule (1), the candidate or his election agent or his counting agent present at the counting table shall be allowed to inspect the paper seal and such other vital seals as might have been affixed on the unit and to satisfy themselves that the seals are intact.

(3) The returning officer shall satisfy himself that none of the voting machines has in fact been tampered with.

(4) If the returning officer is satisfied that any voting machine has in fact been tampered with, he shall not count the votes recorded in that machine and shall follow

the procedure laid down in rule 32, 32A or rule 33 as may be applicable in respect of the polling station or stations where that machine was used.

64 Z. Counting of votes where electronic voting machines have been used

(1) In relation to the counting of votes at a polling station, where voting machine has been used the provisions of rule 24, 56 to 58A shall mutatis mutandis apply.

(2) After the returning officer is satisfied that a voting machine has in fact not been tampered with, he shall have the votes recorded therein counted by pressing the appropriate button marked “Result” provided in the control unit whereby the total votes polled and votes polled by each candidate shall be displayed in respect of each such candidate on the display panel provided for the purpose in the unit.

(3) As the votes polled by each candidate are displayed on the control unit, the returning officer shall have,-

- (a) the number of such votes recorded separately in respect of each candidate in Part-II of Form 17A(EVM).
- (b) Part-II of Form 17A(EVM) completed in all respects and signed by the counting supervisor and also by the candidates or their election agents or their counting agents present; and corresponding entries made in a result sheet in Form 17B (EVM) and the particulars so entered in the result sheet announced.

64 ZA. Scrutiny and inspection of voting machines

(1) The returning officer may have the control units of the voting machines used at more than one polling station taken up for scrutiny and inspection and votes recorded in such units counted simultaneously.

(2) Before the votes recorded in any control unit of voting machine are counted under sub-rule (1), the candidate or his election agent or his counting agent present at the counting table shall be allowed to inspect the paper seal and such other vital seals as might have been affixed on the unit and to satisfy themselves that the seals are intact.

(3) The returning officer shall satisfy himself that none of the voting machines has in fact been tampered with.

(4) If the returning officer is satisfied that any voting machine has in fact been tampered with, he shall not count the votes recorded in that machine and shall follow the procedure laid down in rule 32, 32A or rule 33 as may be applicable in respect of the polling station or stations where that machine was used.

64 ZB. Sealing of voting machines after ascertaining result

(1) After the result of voting recorded in a control unit has been ascertained candidate-wise and entered in Part II of Form 17A(EVM) and Form 17B(EVM) under Rule 58A(11), 60(7) and 62A(1)(5)(6) the returning officer shall reseal the unit with his seal and the seals of such of the candidates or their election agents present who may desire to affix the seals thereon so however that the result of voting recorded in the unit is not obliterated and the unit retains the memory of such result.

(2) The controlling unit so sealed shall be kept in specially prepared boxes on which the returning officer shall record the following particulars, namely:-

(a) the name of the ward

(b) the particulars of the polling station or stations where the control unit has been used;

(c) serial number of the control unit;

(d) date of poll; and

(e) date of counting;

(3) the provisions of rules 62 to 62B shall, so far as may be, apply in relating to voting by voting machines and any reference in those rules to.-

(a) ballot paper shall be construed as including a reference to such voting machine;

(b) any rule shall be construed as a reference to the corresponding rules 3 to 65 or rule 64Y or 64Z as the case may be.

64 ZC. Custody of voting machines and papers relating to election

(1) All voting machines used at an election shall be kept in such custody as the commissioner, State Election Commission, Karnataka may direct.

(2) All voting machines used at an election shall be kept in the custody of the concerned district election officer.

(3) The district election officer shall keep in safe custody,-

(a) the packets of unused postal ballot papers with counter foils attached thereto;

(b) the packets of used postal ballot papers whether valid, tendered or rejected;

(c) the packets of counter foils of used postal ballot papers;

(d) the packets of the marked copy of the electoral roll or, as the case may be;

(e) the packets containing register of voters in Form 20A, including voters' slip;

(f) the packets of the declarations by electors and the attestation of their signatures.

64 ZD. Applicability of Central Rules, statutory orders, etc.,

Without prejudice to the foregoing provision, wherever no specific provisions are made in these rules, the provisions of the Conduct of Elections Rules, 1961 made under the Representation of People Act, 1951 as amended from time to time and instructions, statutory orders and clarifications issued by the Election Commission of India shall mutatis mutandis apply for the cases under these rules.

65. Declaration of result of election and return of election

The returning officer shall, subject to the provisions of section 20

- (a) Declare in Form-19 the candidate to whom the largest number of valid votes has been given to be elected and send signed copies thereof to the Government, the State Election Commission and the Deputy Commissioner.
- (b) Complete and certify the returns of election in Form 19A and send signed copies thereof to the Government, and the State Election Commission, the Commissioner and the Deputy Commissioner.

66. Publication of the results of election

On receipt of the return of election in Form 19, the Deputy Commissioner, shall publish the name of the persons elected in the official gazette.

67. Elections to more than one ward in a Municipal council

- (1) If any person is elected to a municipal council or Town Panchayat from more than one ward, he shall by notice in writing signed by him and delivered to the Deputy Commissioner within seven days from the date of publication in the official gazette, that he has been so elected, or if such publications has been made on different dates, within seven days from the later of such dates choose any one of the wards which he shall serve and the choice shall be final.
- (2) If the person does not make the choice within the period specified in sub rule (1), the Deputy Commissioner shall determine by lot and notify the ward which such person shall serve.
- (3) Such person shall be deemed to have been elected only for the ward so chosen or notified, as the case may be and the vacancy or vacancies thereby raising in respect of the other ward or wards shall be filled up by election as if they were casual vacancies under section 19.

68. Grant of Certificate of Election to returned Candidates.

As soon as may be after a candidate has been declared by the returning officer under the provisions of rules 29 or 65 to be elected, the returning officer shall grant to such candidate a certificate of election in Form 20 and obtain from the candidate an acknowledgement for its receipt duly signed by him and immediately send the acknowledgement by registered post to the Deputy Commissioner.

69. Fee to be paid on an election petition

Every election petition shall be accompanied by a Government treasury receipt showing that a deposit of one hundred rupees has been made by the petitioner either in the Reserve Bank of India or in a Government Treasury or in any branch of the State Bank of India in favour of the Deputy Commissioner.

70. Custody of ballot boxes and papers relating to election.

- (1) All ballot boxes used at an election shall be kept in such custody as the State Election Commission may direct.
- (2) The returning officer shall keep in safe custody.
 - (a) The packets of unused ballot papers with counterfoils attached thereto;
 - (b) The packets of used ballot papers whether valid, tendered or rejected,
 - (c) The Packets of counterfoils of used ballot papers;
 - (d) The packets of the marked copy of the electoral roll; and
 - (e) The packets of the declaration by voters and the attestation of their signatures, and
 - (f) All other papers relating to election.

71. Production and inspection of election papers

- (1) While in the custody of the returning officer,
 - (a) The packets of unused ballot papers with counterfoil attached thereto.
 - (b) The packets of used ballot papers whether valid, tendered or rejected,
 - (c) The Packets of counterfoils of used ballot papers
 - (d) The packets of the marked copy of the list of voters and
 - (e) The packets of the declaration by voters and the attestation of their signatures.

Shall not be opened and their contents shall not be inspected by or produced before, any person or authority except under the orders of a competent court or tribunal.
- (2) Subject to such conditions and to the payment of such fees as the State Election Commission may direct.
 - (a) All other papers relating to the election shall be open to public inspection; and
 - (b) Copies thereof shall on application be furnished.
- (3) Copies of the returns by the returning officer forwarded under rule 6 shall be furnished by the returning officer on payment of a fee of two rupees for each such copy.

72. Disposal of election papers

Subject to any directions to the contrary given by the State Election Commission or by a competent Court or Tribunal,

- (a) The packets of unused ballot papers shall be retained for a period of six months and shall thereafter be destroyed in such manner as the State Election Commission may direct,

(b) The other packets, referred to in sub-rule (1) of rule 71 shall be retained for a period of one year and shall thereafter be destroyed.

Provided that packets containing the counterfoils of used ballot papers shall not be destroyed except with the previous approval of the State Election Commission.

(c) All other papers relating to the election shall be retained for such period as the State Election Commission may direct.

73. Return or forfeiture of candidate's deposit.

(1) The deposit made under rule 17 shall either be returned to the person making it or his legal representative or be forfeited to the Municipal council or Town Panchayat as the case may be.

(2) Except in cases mentioned in this rule the deposit shall be returned as soon as practicable after the result of the election is declared.

(3) If the candidate is not shown in the list of contesting candidates or if he dies before the commencement of the poll, the deposit shall be returned as soon as practicable after the publication of the list or after the death, as the case may be.

(4) Subject to the provisions of sub-rule (3) the deposit shall be forfeited if at an election where a poll has been taken the candidate is not elected and the number of valid votes polled by him does not exceed one-sixth of total number of valid votes polled by the number of members to be elected.

Provided that in a ward in which the seat is reserved for Backward Classes, Scheduled Castes, Scheduled Tribes or Women the deposit shall not be forfeited unless the number of votes polled does not exceed one-sixteenth of the total number of votes polled.

(5) Notwithstanding anything in sub-rules (2), (3) and (4) if a candidate is contesting in more than one ward, not more than one of the deposits shall be returned and the others shall be forfeited.

74. Report of casual vacancy

When a casual vacancy occur due to the disablement, death, resignation, disqualification, absence without leave or removal of councillor of a Municipal Council or Town Panchayat, Municipal Commissioner, or the Chief Officer shall give notice of such vacancy within seven days from the date of its occurrence, to the Deputy Commissioner as well as the State Election Commission. The Deputy Commissioner with the approval of the State Election Commission shall thereupon take action in the manner provided in these rules for the election of a councillor in such vacancy.

75. Omitted

76. Punishment for contravention of rules.

Any person who contravenes any of these rules shall, on conviction be punished with fine which may extend to five hundred rupees

77. Assistance to the Returning Officer

The Municipal Commissioner, the Chief Officer and all other officers and servants of Municipal Council or Town Panchayat shall render such assistance to the Returning Officer as may be required by him in the conduct of elections.

78. Omitted

79. Omitted

80. Repeal

The Karnataka Municipalities (Election of Councillors) Rules, 1965 are hereby repealed.

Form 1

[See Rule 8(1)]

(For use in the case of elections to City Municipal Council / Town Municipal Council / Town Panchayat)

NOTIFICATION

No.

Date:

Whereas elections are to be held:

(1) to fill the seats of the elected councillors of the City Municipal Council / Town Municipal Council / Town Panchayat of the city / Town of established under the provisions of the Karnataka Municipalities Act , 1964, from the various wards of the said City Municipal Council / Town Municipal Council / Town Panchayat, details of which are mentioned in the Annex to this Notification.,

(2) To fill the vacancy caused by * the death of / resignation of/ election ofhaving been declared void, seat of.....# ward having become/ having been declared vacant,

Now therefore in pursuance of Rule 8 of Karnataka Municipalities Rules, I Deputy Commissioner District hereby fix the following calendar of events in respect of the said elections.

- a. Last date for making nominations
date and day
- b. The date for the scrutiny
of nominations
date and day
- c. The last date for withdrawal of
Candidatures
date and day
- d. The date on which a poll
shall if necessary be taken
date and day
- e. The date before which the
election shall be Completed
date and day

Deputy Commissioner

Seal

* Score out the clause not applicable

Appropriate particulars of the election to be inserted here.

Annex to Form 1

Sl. No.	Name of the ward	Category/Reservation
1	2	3
1.		
2.		
3.		
4.		
5.		
6.		
etc		

Deputy Commissioner

Form 1 A

[See Rule 8 (3) (a)]

Notice of Election

Notice is hereby given that :

1. An election will be held to elect a Councillor to *City Municipal Council/Town Municipal Council/Town Panchayat of the City/Town-----
---- from ward* reserved for Backward Classes A/B**/ Scheduled Castes/ Scheduled Tribes and Women.

2. Forms of nomination paper may be obtained at the office of the Returning officer between 11 AM to 3 PM. On any day other than a public holiday from (date) to (date)

3. Nomination papers may be delivered by a candidate or his proposer to the Returning officer between 11 AM to 3 AM. On any day other than a public holiday not later than the date.

4. The nomination papers will be taken up for scrutiny at (Time) on (date) at (place).

5. Notice of withdrawal of candidature may be delivered by a candidate/ his or her proposer of his/her Election Agent to the returning officer at his office before 3 P.M on the (date)

6. In the event of the election being contested, the poll will be taken on (date) between the hours and

Place :

Date :

Returning Officer

* Appropriate particulars of the election to be inserted here.

** Strike off the inappropriate alternative

Form-2
[Sec Rule 15(1)]
NOMINATION PAPER

Election of councillors to the City Municipal Council / Town Municipal Council/ Town Panchayat of the city/town of----- from-----
 -----ward

We *nominate Sri/Smt----- as a candidate for election of councillors to the City Municipal Council / Town Municipal Council / Town Panchayat of the city/town----- from----- ward, reserved for Backward Class(A) or (B)/Schedule Caste/Schedule Tribe/Women

Candidate's Name: Sri/Smt-----

His/her father's/Husband's name:-----

Postal Address:-----

Affix
 Passport
 Size photo
 Of candidate here

His/her name is entered at Sl.no----- in part No----- of the electoral roll for----
 -----ward

Our names are entered in the electoral roll as mentioned here under

Sl. No	Name of proposer	Age	Ward No. Part No/ Sl. No (as entered in electoral Roll)	Signature	Passport Size photograph
1					
2					
3					
4					
5					

*** No. of proposers required for contesting the election is :-**

Sl.No	Urban Local Body	No. of proposers required to contest	
		As a recognized party candidate	As an Independent candidate
1	City Municipal Council	ONE	FIVE
2	Town Municipal Council	ONE	FOUR
3	Town Panchayat	ONE	THREE

(To be filled by the candidate)

I, the above mentioned candidate assent to the nomination and hereby declare

- (a) That I have completed----- years of age
 (b) That I am a woman
 (c) That I am a member of -----

----- Class/Caste/Tribe which is a Backward Class(A) or (B) **Scheduled Caste/Scheduled Tribe of the State of Karnataka. A copy of the Backward Class(A)/ (B)/Scheduled Caste/Scheduled Tribe certificate issued in my favour by the competent authority is enclosed.

+ (d) That I am set up at this election by-----recognized/registered party

(e) That the symbols I have chosen in the order of preference are

- (i)-----
 (ii)----- and
 (iii)-----

Date

Signature of candidate

+ Score out the clause if not applicable

(To be filled by Returning Officer)

Sl.No. of nomination paper-----

This nomination was delivered to me at my office at----- (hour) on-----
 (date) by the candidate/proposer Sri/Smt----- (Name)

Date

Returning Officer

*Score out the alternative not applicable

**Strike off the inappropriate alternative

Decision of the Returning Officer

Accepting or rejecting the Nomination Paper

I have examined this nomination paper in accordance with Rule 15 of the Karnataka Municipalities (Election of Councillors) Rules 1977 and decide as follows.

Date

Returning Officer

----- Perforation-----

Receipt for nomination paper and notice of scrutiny
(to be handed over to the person presenting the nomination paper)

Serial number of the Nomination paper----- The nomination paper of----- a candidate for election from----- *ward to the City Municipal Council / Town Municipal Council/ Town Panchayat of the City of----- was delivered to me at my office at----- (hours) on----- (date) by the candidate/proposer. **Sri/Smt-----

All nomination papers will be taken up for scrutiny at----- (hour) on----- (date) at----- (place).

Date

Returning Officer

Form 3
(See Rule 18)
Notice of Nomination

Election of Councillors to the City Municipal Council/Town Municipal Council/Town Panchayat of the City /Town of from..... *ward reserved for Backward Classes (A) or (B) **/ Scheduled Castes/ Scheduled Tribes / Women.

Notice is hereby given that the following nominations in respect of the above election have been received up to 3 P.M today.

Sl.No. No. of Nomination Papers	Name of the candidate	Name of the father/ husband	Age of Candidate	Address	Party Affiliation	Particulars of Backward Class(A)/ (B)**/ SC/ST in respect of candidates belonging BC(A) or (B) SC/ST.	Part No. of the Elec total Roll and Sl.No. of Candidate	Name & Part No. of the Electoral Roll and Sl.No. of the proposer of the candidate
1	2	3	4	5	6	7	8	9

Place :.....

Date :

Returning Officer

* Appropriate particulars of the Election to be inserted.

** Strike off the inappropriate alternative

Form 4
[See Rule 19(8)]
List of validly nominated candidates

Election of Councillors to the City Municipal Council/Town Municipal Council/Town Panchayat of the City/Town of from *ward Reserved for Backward Classes (A) or (B) **/ Scheduled Castes/ Scheduled Tribes/ Women.

Sl No.	Name of the Candidate	Name of the father/ husband	Address of the candidate
1	2	3	4

Place :

Date :

Returning Officer

* Appropriate particulars of the election to be inserted here.

** Strike off the inappropriate alternative

Form 5
[See Rule 20(1)]
Notice of Withdrawal

Election of Councillor to the City Municipal Council/Town Municipal Council/Town Panchayat of the City/Town of..... from the *ward reserved for a Backward Classes (A) or (B) **/ Scheduled Castes/ Scheduled Tribes/ Women.

To :

The Returning Officer,

.....
.....
.....

I, a candidate validly nominated at the above election do hereby given that I withdraw my candidature.

Place :

Date :

Signature of the Candidate

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

Place :

Date :

Returning Officer

Receipt of Notice of Withdrawal

(To be handed over to the person delivering the notice)

The notice of withdrawal of candidature by a validly nominated candidate at the election to the* ward was delivered to me by the +..... At my office..... (hour) on (date)

Place.....

Date.....

Returning Officer

* Appropriate particulars of the election to be inserted here.

** Strike off the inappropriate alternative

+ Here insert one of the following alternatives as may be appropriate

(1) Candidate

(2) Candidate's proposer who has been authorized in writing by the Candidate to deliver it.

(3) Candidate's election agent who has been authorized in writing by the Candidate to deliver it.

Form 6
[See Rule 20(3)]
Notice of withdrawal of Candidature

Election of the councillors to the City Municipal Council/Town Municipal Council/Town Panchayat of the City/Town of..... from the *ward reserved for Backward Classes (A) or (B) **/ Scheduled Castes/ Scheduled Tribes/ Women.

Notice is hereby given that the following candidate/ candidates at the above election withdrew his/ her candidature/ their candidatures ** today :

Sl. No.	Name of the Candidate	Address of the Candidate	Remarks
1	2	3	4
1.			
2.			
3.			
4.			

Place :

Date :

Returning Officer

* Appropriate particulars of the election to be inserted here.

** Strike off the inappropriate alternative

Form 7
[See Rule 21(1)]
List of Contesting Candidates

Election of Councillors to the City Municipal Council/Town Municipal Council/Town Panchayat of the City/Town of..... from *ward reserved for Backward Classes (A) or (B) **/ Scheduled Castes/ Scheduled Tribes/ Women.

Sl. No.	Name of the Candidate	Address of the Candidate	Symbol allotted
1	2	3	4

1.

2.

3.

4.

5.

Place :

Date :

Signature of Returning Officer

* Appropriate particulars of the election to be inserted here.

** Strike off the inappropriate alternative

Form 8
[See Rule 22(1)]
Appointment of Election Agent

Election of Councillors to the City Municipal Council/Town Municipal Council/Town Panchayat of the City/Town of from the*ward

To :

The Returning Officer,

.....
.....
.....

I, a Candidate at the above election do hereby appoint Sri (Name and Address) as my election agent from this day at the above election.

Place :

Date :

Signature of Candidate

I accept the above appointment

Place :

Date :

Signature of Election Agent

* Appropriate particulars of the election to be indicated here.

Form 9
[See Rule 22(2)]
Revocation of Appointment of Election Agent

Election of Councillors to the City Municipal Council/Town Municipal Council/Town Panchayat of the City/Town of from the*ward

To :

The Returning Officer,

.....

.....

.....

I, a Candidate at the above election do hereby revoke the appointment of my Election agent.

Place :

Date :

Signature of Candidate

* Appropriate particulars of the election to be indicated here.

Form 10

[See Rule 23(1)]

Appointment of Polling Agent*

Election of Councillors to the City Municipal Council/Town Municipal Council/Town Panchayat of the City/Town of from the**ward

I, a Candidate/*** the Election Agent of who is a candidate at the above election do hereby appoint (Name and address) as a Polling Agent to attend Polling Station No at (Place) Fixed for poll at (time)

Place :

Date :

Signature of Candidate /*** Election Agent

I agree to act as Polling Agent.

Place :

Date :

Signature of Polling Agent

Declaration of Polling Agent to be signed before the Presiding Officer.

I hereby declare that at the above election, I will not do anything forbidden by section 30 of the Karnataka Municipalities Act, 1964 which I have read/ has been read over to me.

Signature of Polling Agent

Signed before me

Date :

Presiding Officer

* To be handed over to the polling agent for production at the polling station or at the place fixed for the poll.

**Appropriate particulars of the election to be inserted here.

***Score off inappropriate alternative.

Section 30 of the Karnataka Municipalities Act, 1964

“Maintenance of secrecy of voting- (1) Every officer, clerk, agent or other person who performs any duty in connection with the recording or counting of votes at an election under this Act shall maintain and aid in maintaining, the secrecy of the voting and shall not, except for some purpose authorized by or under any law, communicate to any person any information calculated to violate such secrecy.

(2) Any person who contravenes the provision of sub-section (1) shall be punishable with imprisonment for a term which may extend to three months or with fine or with both.”

Form-11
(See Rule 24 (2))
Appointment of Counting Agent

Election of Councillors to the City Municipal Council/Town Municipal
Council/Town Panchayat of the City/Town of
.....from*Ward.

To: The Returning Officer:

.....
.....

I,..... a
Candidate/ **the Election Agent ofwho
is a candidate at the above election hereby appoint the following persons as
my/his** counting agents to attend the counting of votes at
.....

Name of the Counting Agent	Address of the Counting Agent
----------------------------	-------------------------------

- 1.
- 2.
- 3.
- Etc.

.....
.....

Place:

Date: Signature of the Counting Agents.

We agree to act as such Counting Agents.

- 1.
- 2.
- 3.
- Etc.

Place:

Date: Signature of the Candidate/Election Agent

Declaration of the Counting agents

(To be signed before the Returning Officer)

We hereby declare that at the above election, we will not do anything forbidden by section 30 of the Karnataka Municipalities Act, 1964 which we have read/ has been read over to us.

- 1.
- 2.
- 3.

Signature of Counting Agents
Signed before me

Date :
Officer

Signature of the Returning

*Appropriate particulars of the election to be inserted here.

**Score off inappropriate alternative.

Section 30 of the Karnataka Municipalities Act. 1964

“Maintenance of secrecy of voting- (1) Every officer, clerk, agent or other person who performs any duty in connection with the recording or counting of votes at an election under this Act shall maintain and aid in maintaining, the secrecy of the voting and shall not, except for some purpose authorized by or under any law, communicate to any person any information calculated to violate such secrecy.

(2) Any person who contravenes the provision of sub-section (1) shall be punishable with imprisonment for a term which may extend to three months or with fine or with both.”

Form 11A
(See rule 22A(1))

PART - 1

1	Name of the Candidate and address	:	
2	Ward Number and Name of the Ward	:	
3	Name of the CMC/TMC/PP	:	
4	Details of Election	:	General/Bye Election
5	Date of announcement of Election	:	
6	Name of the Election Agent and address	:	
7	Whether you belong to a political party	:	Yes/No
8	If yes, name of the political party	:	
9	Whether the political party is a recognised political party	:	
10	If recognised, whether it is a national/state party	:	National Party/State Party
11	Whether your political party is meeting your election expenses officially?	:	Yes/No
12	Whether any other organisation/Society/Individual is meeting your election expenses? If yes name and complete address of the same	:	Yes/No
		(1)	
		(2)	
		(3)	
		(4)	

PART - 2
REGISTER OF DAILY EXPENSES

1. Name of the Candidate and address:
2. Name of the political party if he/she belongs to:
3. Name of the ward where he/she is contesting
4. Name of the CMC/TMC/PP
5. Date of election of result:
6. Name of the election agent and address:

DETAILS OF DAILY EXPENSES

Date of expenditure	Item of expenditure	Name and address of individual/political party/organization/society	Amount	Name and address of receiver of amount	Voucher number where amounts are paid	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)

Instructions:

- (1) This register should be entered every day and the same should be produced to any officer for inspection authorised by the State Election Commission at any time.
- (2) Extract of entries of these registers after the election should be submitted along with an affidavit to the returning officer within thirty days from the date of announcement of the result.
- (3) Vouchers should be prescribed under sub rule (2), (3) and (4) of Rule 22A shall be produced without fail.
- (4) Details of expenses shall be signed by the candidate himself/herself.
- (5) It is not necessary to include the details of travel expenses made by the leaders of political parties campaigning for the candidate as the same cannot be construed as expenditure of the candidate.
- (6) Apart from details of expenditure incurred by the candidate himself or herself or by his or her election agent, the details of expenditure by any individual/society/organization for the election of the candidate shall be provided in the register.

PART - 3

Abstract statement of expenditure by the candidate, his or her election agent, political party, organisation, society and individuals on the candidate for election purposes

Details of expenditure	Particulars of individual/s/political party/society/organisation			Total expenditure incurred
	Candidate and his/her election agent	Political party which has recognised the candidate	Other society/organisations and individual/s	
(1)	(2)	(3)	(4)	(5)
	Rs.	Rs.	Rs.	Rs.

Sl No	Items of expenditure	Amount
1	Public functions, processions etc.	
2	Pamphlets, Posters, banners, video and audio cassettes, loudspeakers and other campaign materials	
3	Electronic/print media (including cable network)	
4	Vehicles used and expenses of fuel on these vehicles	
5	Erection of Gates, gantries, cut outs, archs and banners for election campaign.	
6	Programme of visit of leaders	
7	Programme of visit of other office bearers	
8	Other expenditure	
	Total Expenditure	

Details of financial assistance received

Sl No	Particulars	Amount received
1.	Political party	
2	Other society/organisation (name and address to be provided)	
3.	Other individuals (name and address to be provided)	

PART - 4

Details of expenditure on vehicles used

(Details of expenditure on vehicles used for campaigning should be given. This should include details of vehicles used by political party, other societies/organisations/individuals (excluding star campaigners of political parties)

Vehicle No	Type of vehicle	Dates of use	Expenses on fuel, maintenance, hire charges/drivers salary		
			Candidate/ Election agent	Political Party	Other societies/organisation
(1)	(2)	(3)	(4)	(5)	(6)
Total (column 4 + 5 + 6) Rs.					

PART - 5

Details of expenditure on public meetings

Date of meeting	Place of meeting	Authority which has granted permission to the meeting	Hire charges for erection of pendal and furniture	Hire charges for public announcement system	Other expenditure	Total
(1)	(2)	(3)	(4)	(5)	(6)	(7)
Parts of amount shown in column (7)						
Candidate/Election Agent		Political Party			Other societies/organisation/individuals	
(8)		(9)			(10)	
Total of columns (8 + 9 + 10)						
(11)						

PART - 6

Details of expenditure of travel by leaders of political parties

Sl No	Name of leader	Details of arrival			Details of stay	
		Date of arrival in ward	Mode of travel	Travel expenditure paid (if known)	Period of stay in ward	Expenditure for local movements
(1)	(2)	(3)	(4)	(5)	(6)	(7)
Total expenditure:						

DECLARATION OF CANDIDATE

Details of statements made in Part 1 to Part 6 are true to the best of my knowledge and belief.

CANDIDATE

Note : Any incomplete or false information furnished or any information is suppressed by the candidate will attract penalty under Indian Penal Code.

DECLARED BEFORE ME ON.....

RETURNING OFFICER

Form 11B
(See rule 22 A(5))
FORMAT OF AFFIDAVIT

While lodging expenditure statement by the candidate

Sworn before the Returning Officer, Ward,

I, Sri/Smt.....bin
aged..... years residing at do
hereby solemnly affirm and state on oath as follows:

I submit that after going through the records, I have acquainted myself with the facts of the case.

1. I am a candidate contesting for election toward of and results of election is declared on
2. I have maintained register of details of election expenses from the date of nomination till the declaration of the result (both days inclusive).
3. I have maintained the details of expenditure in the formats and registers prescribed by the State Election Commission and have submitted the same along with vouchers and bills.
4. Details of expenditure furnished by me includes in relation to myself, my election agent and political party and others as prescribed and I have not left or suppressed any expenditure that is incurred.
5. Election expenses statement made in Part 2 includes the expenditure incurred by myself, my election agent and political party which supported me.

DEPONENT

Place :

Date :

Declared before me on _____

Returning Officer

Place :

Date:

Form 11C
(See rule 22 A(5))

RECEIPT

Received accounts of expenditure incurred on the election from Sri/Smt, from the candidate. The result of election of councillor forward is declared on

RETURNING OFFICER

..... WARD

Place :

Date

Form 12
[See Rule 25(1)]
Revocation of Appointment of Polling Agent

Election of Councillors to the City Municipal Council/Town Municipal Council/Town Panchayat of the City/Town of from the*ward

To :

The Presiding Officer,

.....
.....
.....

I, a Candidate/ Election Agent **ofat the above election hereby revoke the appointment of Polling Agent at the Polling Station No at.....(Place)

Place :

Date :

Signature of Candidate / Election Agent**

* Appropriate particulars of the election to be inserted.

** Score off the inappropriate alternative

Form 13
[See Rule 25(2)]
Revocation of Appointment of Counting Agent

Election of Councillors to the City Municipal Council/Town Municipal Council/Town Panchayat of the City/Town of from the*ward

To :

The Returning Officer,

.....
.....
.....

I, a Candidate/ **Election Agent ofa candidate at the election hereby revoke the appointment ofmy /** his/her Counting Agent.

Place :

Date :

Signature of Candidate / Election Agent

* Appropriate particulars of the election to be inserted.

** Score off the inappropriate alternative

Form 13 A

[See Rule 29(2)]

Declaration of Result of Elections

(To be used when the seat is uncontested)

Election of Councillors to the City Municipal Council/Town Municipal Council/Town Panchayat of the City/Town of from the *ward reserved for Backward Classes (A) or (B)**/ Scheduled Castes/Scheduled Tribes/Women.

In pursuance of the provisions contained in Rule 29(2) of the Karnataka Municipalities (Election of Councillors) Rules, 1977, I declare that

Name:

Address:.....

.....

.....

.....

+ Sponsored by(name of the recognized/registered political party) has been duly elected to fill the vacancy to the said City Municipal Council/Town Municipal Council/Town Panchayat from the above ward.

Place :

Date :

Signature of Returning Officer

* Appropriate particulars of the election to be inserted.

** Score off the inappropriate alternative

+ Strike off the clause not applicable.

Form 13 B

[See Rule 29(2) and 29 (3)]

Declaration of Result of Elections

(For use in Election of Councillors to City Municipal Council/Town Municipal Council/Town Panchayat to fill casual vacancy when the seat is uncontested).

Election of Councillors to the City Municipal Council/Town Municipal Council/Town Panchayat of the City/Town of from the *ward reserved for Backward Classes (A) or (B)**/ Scheduled Castes/Scheduled Tribes/Women.

In pursuance of the provisions contained in Rule 29(2) of the Karnataka Municipalities (Election of Councillors) Rules, 1977, I declare that

Name:

Address:.....

.....

.....

.....

+ Sponsored by(name of the recognized/registered political party) has been duly elected to fill the vacancy caused in that City Municipal Council/Town Municipal Council/Town Panchayat by the

+ Resignation of

+ Death of

+ Election of been declared void,

Seat ofWard having become vacant/having been declared vacant.

Place :

Date :

Signature of Returning Officer

* Appropriate particulars of the election to be inserted.

** Score off the inappropriate alternative

+ Strike off the clause not applicable.

Form 14
[See Rule 41 A(1)]
Application for Election Duty Certificate

To :

The Returning Officer

.....
.....
.....

Sir,

I intend to cast my vote at the ensuing election of Councillors to the City/Municipal Council/Town Municipal Council/Town Panchayat of the City/Town of from the *ward.

I have been posted on election duty to a polling station other than the one at which I am entitled to Vote.

My name is entered at Sl.No in Part No. of the Electoral roll for * ward.

I request that Election Duty Certificate in Form No. 14 A may be issued to enable me to vote at the polling station where I may be on duty on the polling day. It may be sent to me at the following address.

.....
.....
.....

Place :

Date :

Yours faithfully,

Signature

* Appropriate particulars to be inserted.

Form 14 A
[See Rule 41 A (2) (a)]
Election Duty Certificate

Certified that S/o, D/o, W/o
..... is an elector in the *ward, his
electoral roll number being..... that by
reason of his being on election duty, he is unable to vote at the polling
station, where he is entitled to vote and as such is hereby authorized to vote
at any polling station, he may be on duty on the date of poll.

Place :

Date :

Signature of Returning Officer

Seal

* Appropriate particulars to be inserted.

Form 14 B
[See Rule 41 (C)]
**Letter of Intimation to Returning Officer requesting
for a Postal Ballot Paper**

To :

The Returning Officer

.....
.....
.....

Sir,

I intend to cast my vote by post at the ensuing election of Councillors to the City Municipal Council/Town Municipal Council/Town Panchayat of the City/Town of from *ward.

My name is entered at Sl.No in Part No. of the electoral roll of * ward.

The ballot paper may be sent to me at the following address.

.....
.....
.....

Place :

Date :

Yours faithfully

Signature

* Appropriate particulars of the Election to be inserted.

Form 14 C
[See Rule 41 E (1) (a)]
Declaration by Elector

(This side to be used only when the elector signs the declaration himself)

Election of Councillors to the City Municipal Council/Town Municipal Council/Town Panchayat of the City/Town of.....from the *ward.

I hereby declare that I am the elector to whom the postal ballot paper bearing serial number has been issued at the above election.

Signature of the Elector
Address :

.....

.....
.....
.....
.....

Date :

ATTESTATION OF SIGNATURE

The above has been signed in my presence by (elector) who is personally known to me/ has been identified to my satisfaction by (identifier) who is personally known to me.

Signature of the Identifier, If any

Signature of the Attesting Officer

Address:.....
.....
.....
.....

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

(This side is to be used when the elector cannot sign himself)

I hereby declare that I am the elector to whom the postal ballot paper bearing Serial number has been issued at the above election.

Date :
Signature of Attesting Officer
on behalf of Elector
Address of Elector
.....

CERTIFICATE

- I hereby certify that –
- (1) the above named elector is personally known to me/ has been identified to my satisfaction by (identifier) who is personally known to me;
 - (2) I am satisfied that the elector is illiterate/ suffers from (infirmity) and is unable to record his vote himself or sign his declaration ;
 - (3) I was requested by him to mark the ballot paper and to sign the above declaration on his behalf; and
 - (4) the ballot paper was marked and the declaration signed by me on his behalf in his presence and in accordance with his wishes.

Signature of the Identifier, If any
Address:.....
.....
.....
.....

Signature of the Attesting
Officer
Designation
Address
:.....
.....
Date :

Appropriate particulars of the Elections to be inserted.

Form 14 D
[See Rule 41 E (1) (b)]

COVER 'A'

NOT TO BE OPENED BEFORE COUNTING

Election of Councillors to the City Municipal Council/Town Municipal
Council/Town Panchayat of the City/Town of
..... from the
*Ward

POSTAL BALLOT PAPER

Serial number of ballot paper

Form 14 E
[See Rule 41 E (1) (c)]

COVER –B

To be used at an election of Councillors to the City Municipal Council/Town Municipal Council/Town Panchayat of the City/Town of from*ward

COVER 'B'

SERVICE UNPAID

Every Officer under whose care or through whom a postal ballot is sent shall ensure its delivery to the address without delay- [Rule 41 E (3)]

ELECTION – IMMEDIATE

POSTAL BALLOT PAPER

For * ward of City Municipal Council/Town Municipal Council/Town Panchayat of the City/Town of

(NOT TO BE OPENED BEFORE COUNTING)

To :
The Returning Officer,
**
.....
.....

Signature of the Sender.....

* Returning Officer to insert here the appropriate particulars of the ward.
** Returning Officer to mention here the full address.

Form 14 F

[See Rule 41 E (1) (d)]

Instructions for the Guidance of Electors

Election of Councillors to the City Municipal Council/Town Municipal Council/Town Panchayat of the City/Town of from *ward.

The persons whose names are printed on the ballot paper sent herewith are candidates at the above election. If you desire to vote you should record your vote in accordance with the directions given in part-I below and then follow the instructions detailed in Part-II

PART-I

DIRECTIONS TO ELECTORS

1. The number of members to be elected is one.
 2. You have only one vote.
 3. You must not vote for more than one Candidate. If you do so your ballot paper will be rejected.
 4. Record the vote by placing clearly a mark opposite the name of the candidate to whom you wish to give that vote.
 5. The mark should be so placed as to indicate clearly and beyond doubt to which candidate you are giving your vote. If the mark is so placed as to make it doubtful to which candidate you have given the vote, that vote will be invalid.
 6. Do not put your signature or write any word or make any mark, sign or writing whatsoever on the ballot paper other than the mark which you are required to make thereon in accordance with paragraph-4.
 7. An elector shall obtain the attestation of his signature on the declaration in Form 14 C by a magistrate or a Gazetted officer or
 - (a) If he is a member of the armed forces of the union, or of an armed police force of the State but is serving outside that state, by such officer as may be appointed in this behalf by the Commanding Officer of the unit, ship or establishment in which the voter or her husband, as the case may be, is employed;
 - (b) If he is on election duty, by any gazetted officer or by the presiding officer of the polling station in which he is on election duty ; and
 - (c) If he holds an office declared to be an office to which the provisions of sub-section (4) of Section 20 of the Representation of the peoples Act, 1950 apply by an officer not below the rank of a Deputy Secretary to Government ; and
 - (d) If he is under preventive detention, by the Superintendent of the Jail of the Commandant of the Detention camp in which he is under detention.
-

PART-II
INSTRUCTIONS FOR ELECTORS

- (a) After you have recorded your vote on the ballot, place the ballot paper in the smaller cover marked 'A' sent herewith. Close the cover and secure it by seal or otherwise.
- (b) You have then to sign the declaration in Form 14 C also sent herewith in the presence of a magistrate or any other officer competent to attest your signature (See direction 7 above). Take the declaration to any such officer and sign it in his presence after he has been satisfied about your identity. The officer will attest your signature and return the declaration to you. You must not show your ballot paper to the attesting officer nor tell him how you have voted.
- (c) If you are unable to mark the ballot paper and sign the declaration yourself in the manner indicated above by reason of illiteracy, blindness or other infirmity you are entitled to have your vote marked and the declaration signed on your behalf by any officer referred to in item(b). Such an officer will at your request mark the ballot paper in your presence and in accordance with your wishes. He will also complete the necessary certificate in this behalf.
- (d) After your declaration has been signed and your signature has been attested, in accordance with item (b) or item (c) place the declaration in Form 14 C as also the smaller cover marked 'A' containing the ballot paper, in the larger cover marked 'B' After closing the larger cover, send it to the Returning Officer by post or by messenger. You have to give your full signature in the space provided on the cover marked 'B' No postage stamp need be affixed by you.
- (e) You must ensure that the cover reaches the Returning officer before
** on **
- (f) Please note that
 - (i) If you fail to get your declaration attested or certified in the manner indicated above, your ballot paper will be rejected; and
 - (ii) If the cover reaches the Returning Officer after On the date your vote will not be counted.

* Appropriate particulars of the Election to be inserted.

**Here specify the hour and date fixed for the commencement of counting of Votes.

Form-15
 [See Rule 42 (2) (c)]
List of Challenged Votes

Election of Councillors of the City Municipal Council/Town Municipal Council/Town Panchayat of the City/Town
 of From *ward.
 Number and Name of the Polling Station.....

Sl. No.	Name of Elector	Part No. of Electoral roll	Sl.No. of the Elector's name in that part	Signature/ thumb impression of the person challenged	Address of the person challenged	Name of identifier, if any	Name of challenger	Order of Presiding Officer	Signature/ Thumb impression of the challenger on receiving refund of deposit
1	2	3	4	5	6	7	8	9	10

Signature of presiding officer

Appropriate particulars of the Election to be inserted.

Form 15 A
 [See Rule 46 (2)]
List of Blind and Infirm voters

Election of Councillors of the City Municipal Council/Town Municipal
 Council/Town Panchayat of the City/Town
 of..... from *ward.
 Number and name of the polling station

Part No. and Sl. No. of the elector	Full name of elector	Full name of companion	Address of companion	Signature of companion
1.	2.	3.	4.	5.

Date :

Signature of Presiding officer

*Appropriate particulars of the Election to be mentioned.

Form -16
[See Rule 47 (2)]
List of Tendered Votes

Election of Councillors of the City Municipal Council/Town Municipal Council/Town Panchayat of the City/Town of from*ward.

Number and name of polling station :.....

Part No. & Sl.No. and name of Elector	Address of Elector	Serial Number Of Tendered Ballot paper	Sl. Number of Ballot paper issued to the person who has already voted	Signature or thumb impression of person tendering vote.
1.	2.	3.	4.	5.

Date :

Signature of Presiding Officer

*Appropriate particulars of the Election to be inserted.

Form 17
[See Rule 50 (1)]
PART-I

Ballot Paper Account

Election of Councillors to City Municipal Council/Town Municipal Council/Town Panchayat of the City/Town of from *ward.

Number and name of polling station :

	<u>Serial Numbers</u>		Total
	From	To	
1. Ballot paper received			
2. Ballot papers (not issued to voters):-			
(a) With the signature of presiding officer			
(b) Without the Signature of Presiding Officer			
Total (a + b)			
3. Ballot papers used at the polling station (1-2=3)			
4. Ballot paper used at the polling station but not INSERTED INTO THE BALLOT BOX			
(a) Ballot papers Cancelled for violation of voting procedure under Rule 45			
(b) Ballot papers cancelled for other reasons			
(c) Ballot papers used as tendered ballot papers			
Total (a + b + c)			
5. Ballot papers to be found in the ballot box (3-4=5)			
<u>(Serial numbers need not be given)</u>			

Date :

Signature of Presiding Officer

PART-II
RESULT OF INITIAL COUNTING

1. Total number of ballot papers found in the ballot box/ boxes used at the polling station

2. Discrepancy, if any, between the total number as shown against item 1 above and the total number of ballot papers to be found in the ballot box (es) shown in item 5 of Part-I of Ballot paper account :

Date :

Signature of Counting Supervisor

Signature of the Returning Officer

* Appropriate particulars of the Election to be inserted.

FORM 17 A (EVM)

(see rule 64 S and 64 V)

(see SEC Order No. RaChuA/14/EUB/2017, dated: 10-03-2017)

PART I.

ACCOUNT OF VOTES RECORDED

Election to the Councillor of CMC/TMC/PP from
..... ward

No. and Name of Polling Station

Identification No. of Voting Control Unit.....

Identification No. of Voting Ballot Unit.....

Machine used at the Polling Station Balloting Unit:-

1. Total No. of electors assigned to the Polling Station
2. Total No. of voters as entered in the Register for Voters (Form 20 A)
3. No. of voters deciding not to record votes under rule 64-O
4. No. of voters not allowed to vote under Rule 64 M.
5. Total No. of votes recorded as per the voting machine.
6. Whether the total No. of votes as shown against item 5 tallies with the Total No. of voters as shown against item 2 minus Nos. of voters deciding not to record votes as against item 3 minus No. of voters as against 4 (2-3-4) or any discrepancy noticed.
7. No. of voters to whom tendered ballot papers were issued under rule 64 P.
8. No. of tendered ballot papers

(a) received for use		
(b) issued to electors		
(c) not used and returned		

9. Account of paper seals

From	To	Signature of Polling agents
1. Sl. No's of paper seals supplied		
From.....	To.....	1.....
2. Total numbers supplied		
		2.....
3. Number of paper seals used		
		3.....
4. Number of unused paper seals		
returned to Returning Officer (deduct item 3 from 2)		4.....
5. Serial number of damaged		
paper seal if any		5.....

Date.....

Signature of the Presiding Officer

Place.....

Polling Station No.....

PART II. RESULT OF COUNTING

Sl. No.	Name of Candidate	No. of votes recorded
1.		
2.		
3.		
4.		
5.		
6.		
	NOTA	
Total		

Whether the total numbers of votes shown above tallies with the total number of votes shown against item 5 of Part I or any discrepancy noticed between the two totals:

Place :

Signature of the Counting Supervisor

Date:

Sl. No.	Name of Candidate/ Election Agent/ Counting Agent	Full Signature
1		
2		
3		
4		

Place:

Signature of the Returning Officer

Date:

FORM 17 B (EVM)

[See rule 64 Z]
(see SEC Order No. RaChua/14/EUB/2017, dated: 10-03-2017)

FINAL RESULT SHEET

(To be used for recording the result of voting at polling stations other than notified polling stations)

Election to the Councillor of CMC/TMC/PP from
..... ward

Name of the ward :

Total Number of electors in ward

SL. No. of Polling Station	No. of valid votes cast in favour of						Total valid votes	No. of rejected votes	Total No. of tendered votes
	A	B	C	D	E	NOTA			
(1)									
(2)									
(3)									

TOTAL No. of votes recorded at Polling Stations.

No. of votes recorded on postal ballot papers.
(To be filled in the case of election from a ward)

TOTAL votes polled.

Place.....

Date.....

Returning Officer

FORM 18

[See rule 60 (7)]

FINAL RESULT SHEET

(To be used for recording the result of voting at polling stations in wards where procedure of mixing of ballot papers is adopted)

Election of Councillors to City Municipal Council/Town Municipal Council/Town Panchayat of the City/Town of from*ward

Name of the ward :

Total Number of electors in ward

Polling Station Number	Total Votes in the ballot boxes	No. of tendered votes
------------------------	---------------------------------	-----------------------

(1)		
(2)		
(3)		
(4)		
(5)		
and so on		

.....

.....

Total

TOTAL No. of valid votes recorded for candidates and or rejected ballot papers

Details	Valid votes Secured by Candidates	Total valid votes	Number of rejected ballot papers	Total valid & rejected votes (3+4)
.....				
.....				
(1)	(2)	(3)	(4)	(5)
.....				
.....	A B C D E F	(A+B+C+D+E+F)		

.....

.....

First round

Second round

Third round

Fourth round

And so on
Total Number of
Valid votes recorded on
Postal ballot
Papers for
Candidates and
Of rejected postal ballot
Papers

.....

.....

Grand Total

.....

.....

Place:

Date:

Returning Officer

.....

.....

- Appropriate Particulars of the Election to be inserted.

Form 19

[See Rule 65 (a)]

Declaration of Result of Election

(To be used when a seat is contested)

Election of Councillors to City Municipal Council/Town Municipal Council/Town Panchayat of the City/Town of.....
from *ward reserved for Backward Classes (A) or (B) **/ Scheduled Castes/ Scheduled Tribes/ Women.

In pursuance of the provisions contained in Rules 68 of the Karnataka Municipalities (Election of Councillors) Rules, 1977, I declare that :

Sri/ Smt (Name)

..... (Address)

.....

+ Sponsored by recognised/ registered Political party have been duly elected to fill the seat from the above ward.

Returning Officer

* Appropriate particulars of the election to be inserted

** Strike off the inappropriate alternative

+ Score off the clause if not applicable

Form 19 (A)
[See Rule 65 (b)]
Return of Election

(See SEC Order No. RathuA/14/EUB/2017, dated 10-3-2017)

Election of Councillors to City Municipal Council/Town Municipal Council/Town Panchayat of the City/Town of
from *ward

Return of Election

Sl. No.	Name of Candidate	Party affiliation	Number of valid votes polled
1			
2			
3			
	NOTA		
Total			

Total number of Electors :
Total number of valid votes polled
(Including NOTA) :
Total number of rejected votes :
Total number of tendered votes :

Place :
Date :

Returning Officer

* Appropriate particulars of the election to be inserted here

FORM 19B
(see rule 64 P)

List of tendered votes

Election to the councillor of CMC/TMC/PP from
.....Ward

No. and Name of the Polling Station

Part No. of Electoral roll.....

Sl No	Name of elector	Sl. No. of elector in electoral roll	Sl. No. in Register of voters (Form 20A) of persons who has already voted in place of elector	Signature/Thumb impression of elector
1.				
2.				
3.				
4.				
5.				
6.				
.				
.				
etc				

Date.....

Signature of the Presiding Officer

Form 20
[See Rule 68]
Certificate of Election

I, Returning officer for the election of Councillors to the City Municipal Council/Town Municipal Council/Town Panchayat of the City/Town City/Town from * ward hereby certify that I have on day of..... 20..... declare Sri/ Smt..... S/o, W/o, D/o..... sponsored by** recognized/ registered political party to have been duly elected by * ward to be the Councillor from the said ward and that in a token thereof, I have granted to him/ her this Certificate of Election.

Place :
Date :

Returning Officer

-
- * Appropriate particulars of the election to be inserted here
 - ** Strike off the inappropriate alternative

FORM 20 A
(see rule 64 L(1) (a))

Register of voters

Election to the Councillor of CMC/TMC/PP from
Ward No. and Name of Polling station Part No. of Electoral
Roll.....

Sl No	Sl No of elector in the electoral roll	Signature/Thumb impression of elector	Remarks
1.			
2.			
3.			
4..			
etc.			

Date:

Signature of the Presiding Officer