



GOVERNMENT OF KARNATAKA

**THE KARNATAKA PANCHAYAT RAJ
(CONDUCT OF ELECTION)
RULES, 1993**

(Amendments upto 16-11-2010 incorporated)

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The Karnataka Panchayat Raj (Conduct of Election) Rules, 1993

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¹THE KARNATAKA PANCHAYAT RAJ (CONDUCT OF ELECTION) RULES, 1993

Whereas the draft of the Karnataka Panchayat Raj (Conduct of Election) Rules, 1993 was published as required by sub-section (1) of Section 311 of the Karnataka Panchayat Raj Act, 1993 (Karnataka Act 14 of 1993) in Notification No. RDP 251 ZPS 93, dated 13th September, 1993 in Part IV, Section 2-C(ii) of the Karnataka Gazette (Extraordinary) inviting objections and suggestions from all persons likely to be affected thereby before 29th September, 1993;

And whereas, the said Gazette was made available to the public on 13th September, 1993;

And whereas no objections or suggestions have been received in respect of the said draft by the State Government;

Now, therefore, in exercise of the powers conferred by Sections 2, 5, 7, 10, 14, 120, 126, 130, 131, 159, 165, 170 and 271 read with Section 311 of the Karnataka Panchayat Raj Act, 1993 (Karnataka Act 14 of 1993), the Government of Karnataka makes the following rules namely:-

Chapter I

Preliminary

1. Title and Commencement.- (1) These rules may be called the Karnataka Panchayat Raj (Conduct of Election) Rules, 1993.

(2) They shall come into force at once.

2. Definitions.- In these rules, unless the context otherwise requires;

(1) “Act” means the Karnataka Panchayat Raj Act, 1993 (Karnataka Act 14 of 1993);

(2) “**Chavadi**” includes a place which is directed to be a chavadi for the purpose of the Karnataka Land Revenue Act, 1964;

(3) “**Deputy Commissioner**” means the Deputy Commissioner of the District in which the Grama Panchayat or Taluk Panchayat or Zilla Panchayat is situated;

(4) “**Form**” means of form appended to these rules;

1. Published in the Karnataka Gazette, dated 7-10-1993, vide Notification No. RDP 251 ZPS 93, dated 7-10-1993.

(5) **“Presiding Officer”** means any person appointed under Rule 9 as Presiding Officer and includes any Polling Officer performing any of the functions of a Presiding Officer under Rule 11;

(6) **“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);

(7) **“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 thereunder;

(8) **“Reserved seat”** means a seat reserved for Scheduled Castes, Scheduled Tribes, Backward Classes and Women under Sections 5, 123 and 162 of the Act;

[8-ಎ) “ಜಾತಿ ಪ್ರಮಾಣ ಪತ್ರ” ಎಂದರೆ ಕರ್ನಾಟಕ ಪಂಚಾಯತ್ ರಾಜ್ ಸಂಸ್ಥೆಗಳ ಚುನಾವಣೆಗೆ ಸ್ಪರ್ಧಿಸುವ ಅಭ್ಯರ್ಥಿಯು ಯಾವ ತಾಲ್ಲೂಕಿನ ವ್ಯಾಪ್ತಿಗೆ ಒಳಪಟ್ಟಿರುತ್ತಾನೋ, ಅದೇ ತಾಲ್ಲೂಕಿನ ತಹಶೀಲ್ದಾರರು ಅಭ್ಯರ್ಥಿಯು ಯಾವ ಜಾತಿಗೆ ಸೇರಿರುತ್ತಾನೆ ಎಂಬುದರ ಬಗ್ಗೆ ನೀಡಿದ ಜಾತಿ ಪ್ರಮಾಣ ಪತ್ರ ಒಳಗೊಳ್ಳುತ್ತದೆ. ಸಂಬಂಧಿಸಿದ ತಾಲ್ಲೂಕಿನ ವ್ಯಾಪ್ತಿಗೆ ಸೇರಿದ ತಹಶೀಲ್ದಾರರು ಸದರಿ ಜಾತಿ ಪ್ರಮಾಣ ಪತ್ರ ನೀಡಲು ಸಕ್ಷಮ ಪ್ರಾಧಿಕಾರಿಯಾಗಿರುತ್ತಾರೆ. ಇದು ಕರ್ನಾಟಕ ಪರಿಶಿಷ್ಟ ಜಾತಿ ಹಾಗೂ ಪರಿಶಿಷ್ಟ ಪಂಗಡ ಮತ್ತು ಇತರೆ ಹಿಂದುಳಿದ ವರ್ಗದ (ಮೀಸಲಾತಿ ಇತರೆ) ಅಧಿನಿಯಮ, 1999ರಲ್ಲಿ ನೀಡಲಾದ ಜಾತಿ ಪ್ರಮಾಣ ಪತ್ರವನ್ನು ಚುನಾವಣೆಯ ಸಂದರ್ಭಕ್ಕೂ ಸಹ ಒಳಗೊಳ್ಳುತ್ತದೆ;]

(9) **“Returning Officer”** means any person appointed under Rule 6 as Returning Officer and includes an Assistant Returning Officer performing any of the functions of a Returning Officer;

(10) **“Section”** means a section of the Act;

(11) **“State Election Commission”** means the State Election Commission constituted under Section 308 of the Act.

Chapter II

Conduct of Election of Zilla Panchayat, Taluk Panchayat and Grama Panchayat

3. Conduct of Election: (1) Election to the Zilla Panchayat, Taluk Panchayat and Grama 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 shall coordinate and supervise all work in the district in connection with the conduct of elections to the Zilla Panchayat, Taluk Panchayat and Grama 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.

4. Electoral Roll.- (1) The Electoral Roll for each Zilla Panchayat constituency shall be split into one or more parts taking into consideration the area within the constituency wherein the voters to be included, in each part belong to a named area, street or road within the constituency and the Electoral Roll so split up in respect of the several parts of the constituency will together constitute the Electoral Roll for such constituency.

(2) A copy of such Electoral Roll in respect of each constituency shall be kept open for inspection in the office of the Deputy Commissioner, Tahsildar, Zilla Panchayat, Taluk Panchayat and Grama Panchayat and in the chavadi.

5. List of voters.- (1) ¹[The concerned Tahsildar] shall split up the list of voters for each Grama Panchayat constituency, or as the case may be, each Taluk Panchayat constituency, into one or more parts taking into consideration the area within the constituency wherein the voters to be included in each part belong to a named area, street or road within the constituency, and the list of voters split up in respect of the several parts of the constituency will together constitute the list of voters for each constituency.

(2) ²[The concerned Tahsildar] shall authenticate the list of voters for each constituency by affixing his seal on the list. He shall, subject to sub-section (2) of

1. Substituted for the words "Secretary of Grama Panchayat or the officer authorized under sub-Section (3) of Section 10 of the Act in the case of Grama Panchayat and the Executive Officer or an officer authorized under sub-Section (3) of Section 126 of the Act in the case of Taluk Panchayat" by Notification No. RDP 113 ZPS 98, dated 20-11-1998.

2. Substituted for the words "The Secretary or the Officer authorized under sub-section (3) of Section 10 in the case of Grama Panchayat and Executive Officer or an officer authorized under sub-section (3) of Section 126 in the case of Taluk Panchayat" by Notification No. RDP 113 ZPS 98, dated 20-11-1998.

Section 10 and sub-Section (2) of Section 126, from time to time carry out in the authenticated copy of each such list any amendment, transposition or deletion of any entry in the Electoral Roll of the Zilla Panchayat constituency and initial against each such amendment, transposition or deletion so made.

(3) A copy of such list of voters in respect of each constituency shall be kept open for inspection in the office of the Grama Panchayat, Taluk Panchayat and the Tahsildar and in the chavadi.

6. Returning Officer.- (1) For every constituency, for every General Election of the members of Grama Panchayat or Taluk Panchayat or Zilla 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 Government or of a local authority;

Provided that if more than one Returning Officer is nominated or designated the Deputy Commissioner shall specify the constituency or constituencies 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 Government or of a local authority to assist the Returning Officer in the performance of his functions.

(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.

7. 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.

8. Polling Stations.- The Returning Officer shall with the approval of the Deputy Commissioner provide sufficient number of Polling Stations for each constituency 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 Commission may direct.

9. Appointment of Presiding Officers for Polling Stations.- (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, under these rules.

(3) If the Presiding Officer, owing to illness or other unavoidable cause, is obliged to absent himself from the Polling Station, his functions shall be performed by such Polling Officer as has been previously authorized by the Deputy Commissioner to perform such functions during any such absence.

10. Duties of the Presiding Officers.- It shall be the general duty of the Presiding Officer at a Polling Station to keep order thereat and to see that the poll is fairly taken.

11. Duties of the Polling Officers.- It shall be the duty of Polling Officers at a Polling Station to assist the Presiding Officer for such station in the performance of his functions.

12. Notification of election.- (1) Subject to the provisions of the Act all vacancies of members in Zilla Panchayat, Taluk Panchayat and Grama Panchayat shall be filled by elections. The Deputy Commissioner shall with the approval of the State Election Commission fix the date of such election.

(2) For the above purpose the Deputy Commissioner shall by a notification in form 1 or 2 as may be appropriate fix :-

- (i) the last date for the making nominations which shall be the seventh day after the date of publication of the notification or if that day is a public holiday the next succeeding day which is not a public holiday.
- (ii) the date for the scrutiny of nominations which shall be the day immediately following the last date of making nominations or if that day is a public holiday the next succeeding day which is not a public holiday.
- (iii) the last date for 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.
- 1[(iv) ಮತದಾನವನ್ನು ನಡೆಸತಕ್ಕ ದಿನಾಂಕ ಅಥವಾ ದಿನಾಂಕಗಳು: ಇದು, ಉಮೇದುವಾರಿಕೆಗಳನ್ನು ಹಿಂತೆಗೆದುಕೊಳ್ಳುವ ಕೊನೆಯ ದಿನಾಂಕದ ತರುವಾಯ, ಗ್ರಾಮಪಂಚಾಯಿತಿಗಳಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ 3 ದಿನಕ್ಕಿಂತ ಮುಂಚಿತವಲ್ಲದ ಹಾಗೂ ತಾಲ್ಲೂಕು ಮತ್ತು ಜಿಲ್ಲಾ ಪಂಚಾಯಿತಿಗಳಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ 7 ದಿನಕ್ಕಿಂತ ಮುಂಚಿತವಲ್ಲದ ದಿನಾಂಕವಾಗಿರತಕ್ಕದ್ದು ಮತ್ತು ಮತದಾನವನ್ನು ನಡೆಸುವ ವೇಳೆ ಅದರ ಒಟ್ಟು ಅವಧಿಯು 8 ಗಂಟೆಗಳಿಗಿಂತ ಕಡಿಮೆಯಾಗಿರತಕ್ಕದ್ದಲ್ಲ.]
- (v) the date before which the election shall be completed.

- 3(a) On the issue of a notification under sub-rule (2) the returning officer shall give a public notice of the intended election in Form 3 by displaying it on the notice board in his office and in the offices of Zilla Panchayat, Taluk Panchayats and Grama Panchayats 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 of 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).

13. Nomination of candidates for election.- Any person may be nominated as a candidate to fill a seat in any of the constituencies of Zilla Panchayat, Taluk Panchayat/Grama Panchayath if he is qualified to be chosen to fill that seat under the provisions of the Act.

14. Presentation of nomination papers.- (1) On or before the date appointed under rule 12 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 issued under rule 12, a nomination paper completed in Form 4 or Form 5 as may be appropriately signed by the candidate and by an elector of ¹[the Grama Panchayat] as proposer:

Provided that no nomination paper shall be delivered to the returning officer on a day which is a public holiday.

- (2) (a) In a constituency if any seat is reserved for the Backward Classes, the Scheduled Castes or the Scheduled Tribes, 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 the particular class, caste or tribe of which he is a member and the said class, caste or tribe is a Backward Class, Scheduled Caste or Scheduled Tribe:
- (b) If the seat is reserved for women the nomination paper shall contain a declaration that the candidate is a woman.

1. Substituted for the words "constituency" by Notification No. RDP 127 ZPS 98, dated 23-10-1998 w.e.f. 26-10-1998.

(3) 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 Electoral Roll:

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 Electoral Roll or the nomination paper and no clerical, technical or printing error in regard to the Electoral Roll numbers of any such person in the Electoral Roll or the nomination paper shall affect the full operation of the Electoral Roll or nomination paper with respect to such person or place in any case where the description in regard to the name or 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 Electoral Roll or in the nomination paper shall be overlooked.

(4) Nothing in the rule shall prevent any candidate from being nominated by more than one nomination paper, provided that such nominations shall not exceed four.

1[14A. **Receiving nomination in case of seats reserved under the proviso to sub-section (2) of Section 5.**- Notwithstanding anything contained in these rules, where a seat is reserved.-

- (i) for persons belonging to the Scheduled Caste and the proviso to sub-section (2) of Section 5, the Returning Officer may receive nomination papers both from persons belonging to the Scheduled Castes and Scheduled Tribes but shall return the nomination paper filed by a person belonging to the Scheduled Tribes along with the deposit made in case nomination paper is received from any person belonging to the Scheduled Caste before last the date and time fixed for making nomination, so however, he may proceed to consider the nomination paper filed by a candidate belonging to the Scheduled Tribes any when no nomination paper is received from a person belonging to the Scheduled Castes before the date and time fixed for making nomination.
- (ii) for persons belonging to the Scheduled Tribes under the proviso to sub-section (2) of Section 5, the Returning Officer may receive nomination papers both from persons belonging to the Scheduled Castes and Scheduled Tribes but shall return the nomination paper filed by a person belonging to the Scheduled Castes along with the deposit made in case nomination paper

is received from any person belonging to the Scheduled Tribes before the last date and time fixed for making nomination so however, he may proceed to consider the nomination paper filed by a candidate belonging to the Scheduled Castes only when no nomination paper is received from a person belonging to the Scheduled Tribes before the date and time fixed for making nomination.]

15. Deposit.- (1) A candidate shall not be deemed to be duly nominated for election from a constituency unless he deposits or causes to be deposited:-

- (a) in the case of an election from a Taluk Panchayat or Zilla Panchayat constituency a sum of ¹[five hundred] rupees or where the candidate is a member of a Scheduled Caste or Scheduled Tribe or Backward Class or a woman a sum of ²[Two hundred] and fifty rupees; and
- (b) In the case of an election from a Grama Panchayat constituency a sum of rupees ³[Two hundred] or where the candidate is a member of a Scheduled Caste or Scheduled Tribe or Backward Class or a Women a sum of ⁴[One hundred] rupees;

Provided that where a candidate has been nominated by more than one nomination paper for election in the same constituency not more than one deposit shall be required of him under the sub-rule.

(2) Any sum required to be deposited under sub-rule (1) shall not be deemed to have been deposited under that sub-rule unless at the time of delivery of nomination paper under rule 14 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 his behalf in the Government treasury.

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- 1. Substituted for the words "two hundred and fifty" by notification No. RDP 131 TPS 96, dated 23-3-1998, w.e.f. 23-3-1998.
 - 2. Substituted for the words "one hundred and twenty" by Notification No. RDP 131 TPS 96, dated 23-3-1998, w.e.f. 23-3-1998.
 - 3. Substituted for the words "one hundred" by Notification No. RDP 131 TPS 96, dated 23-3-1998, w.e.f. 23-3-1998.
 - 4. Substituted for the word "fifty" by Notification No. RDP 131 TPS 96, dated 23-3-1998, w.e.f. 23-3-1998.

16. Notice of nominations and the time and place for the scrutiny.- The Returning Officer shall on receiving the nomination paper under Rule 14 inform the person 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 affixed in some conspicuous place in his office a notice of the nomination in Form 6 containing description similar to those contained in the nomination paper both of the candidate and of the proposer.

17. Scrutiny of nominations.- (1) On the date fixed for scrutiny of nominations under Rule 12, 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 14.

(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, namely:-

- (a) that on the date fixed for the scrutiny of nomination the candidate either is not qualified or is disqualified for being chosen to fill the seat under the provisions of the Act;
- (b) that there has been a failure to comply with any of the provisions of the Act or these rules;
- (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 authorise the rejection of the 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 Rule 12 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 an 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 such 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 purposes of this rule a certified copy of an entry in the Electoral Roll for the time being in force of a constituency shall be conclusive evidence of the fact that the person referred to in that entry is an elector for that constituency.

(8) Immediately after all the nomination papers have been scrutinised and decision accepting or rejecting the same have been recorded, the Returning Officer shall prepare a list of validly nominated candidates in Form 7, that is to say, candidates whose nominations have been found valid, and affix it on the notice board of his office.

18. Withdrawal of candidature.- (1) Any candidate may withdraw his candidature by notice in writing in Form 8 delivered before three O' clock in the afternoon on the date fixed under Rule 12 to the Returning Officer either by such candidate in person or by his proposer or Election Agent who has been authorised in this behalf in writing by such candidate.

(2) On receipt of such notice under sub-rule (1) the Returning Officer shall note thereon the date and time at which it was delivered.

(3) No person who has given notice of withdrawal of his candidature under sub-rule (1) shall be allowed to cancel the said notice.

(4) 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 9 to be affixed on the notice board of his office.

19. Publication of list of contesting candidates.- (1) Immediately after the expiry of the period within which candidatures may be withdrawn under Rule 18 the Returning Officer shall prepare and publish in Kannada Language, a list of contesting candidates, that is to say, candidates who are included in the list of validly nominated candidates, and who have not withdrawn their candidature within the said period:

Provided that the 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 22.

(4) The allotment of any symbol to a candidate 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 list of contesting candidates shall be in Form 10.

20. Recognition of Political Parties.- Every political party recognised 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 the recognised political parties for the purpose of election to Taluk Panchayats and Zilla Panchayats.

21. Publication of a list of recognised Political parties and Symbols.- For the purpose of these rules the State Election Commission shall publish by notification,

(i) in the case of elections to Taluk Panchayat and Zilla Panchayat.

(a) a list of recognised political parties and symbol reserved to each such recognised political party; and

(b) a list of free symbols;

¹[(c) a list of unrecognised political parties in the State.]

(ii) in the case of election to Grama Panchayat, a list of free symbols.

22. Allotment of Symbols.- (1) A candidate set up by a recognised Political party in the election shall choose, and shall be allotted, symbol reserved for that party and no other symbol.

(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.

1. Clause (c) substituted by Notification No. RDP 217 ZPS 2005, dated 26-11-2005, w.e.f. 26-11-2005.

2. Proviso and Explanation inserted by Notification No. RDP 200 ZPS 94, dated 23-3-1994.

(3) Any candidate other than the candidate set up by recognised 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.

²["Provided that in the case of a candidate set up by an unrecognised 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 unrecognised political parties choose the same free symbol, the Returning Officer shall decide by lot to which of those candidates set up by such unrecognised 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.

[ವಿವರಣೆ.- ನಿಯಮದ ಉದ್ದೇಶಕ್ಕಾಗಿ ಮಾನ್ಯತೆ ಪಡೆಯದ ರಾಜಕೀಯ ಪಕ್ಷ ಎಂದರೆ (Representation of the People Act, 1951) ಪ್ರಜಾಪ್ರತಿನಿಧ್ಯ ಕಾಯ್ದೆ, 1951ರ ಪ್ರಕರಣ 29-ಎ ಅಡಿಯಲ್ಲಿ ಕೇಂದ್ರ ಚುನಾವಣಾ ಆಯೋಗದಲ್ಲಿ ನೋಂದಾಯಿತವಾಗಿದ್ದು, ಕರ್ನಾಟಕ ರಾಜ್ಯದಲ್ಲಿ ನೋಂದಾಯಿತ ಕಛೇರಿ ಅಥವಾ ಶಾಖಾ ಕಛೇರಿಯನ್ನು ಹೊಂದಿರುವ ಮತ್ತು 1968ರ ಚುನಾವಣಾ ಚಿಹ್ನೆ (ಮೀಸಲಾತಿ ಹಾಗೂ ಹಂಚಿಕೆ) ಆದೇಶದ ಅರ್ಥ ವ್ಯಾಪ್ತಿಯೊಳಗೆ ರಾಷ್ಟ್ರೀಯ ಪಕ್ಷ ಅಥವಾ ಕರ್ನಾಟಕ ರಾಜ್ಯದಲ್ಲಿ ರಾಜ್ಯ ಪಕ್ಷವೆಂದು ಮಾನ್ಯತೆ ಪಡೆಯದೆ ಇರುವ ರಾಜಕೀಯ ಪಕ್ಷ.]

(4) Where any free symbol ²[other than the one chosen by a candidate setup by un-recognised 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.

(5) Where the same free symbol ³[other than the one chosen by a candidate setup by un-recognised 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 allowed 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 relating 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,

1. Explanation substituted by Notification No. RDP 166 ZPS 2005, dated 21-10-2005, w.e.f. 21-10-2005.

2. Inserted by Notification No. RDP 200 ZPS 94, dated 23-3-1994

3. Inserted by Notification No. RDP 200 ZPS 94, dated 23-3-1994

- (a) the candidate has made a declaration to that effect in his nomination paper;
- (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 ⁴[submission of nominations]; 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 authorised 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 constituency and to the State Election Commission. In the case of a national party the authorisation may be made by the ⁵[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.]

23. Publication of list of contesting candidates.- (1) The Returning Officer shall immediately after the preparation of the list of contesting candidates under Rule 19 cause a copy thereof to be affixed on the notice board of his office.

(2) If a poll becomes necessary the Returning Officer shall supply to each candidate or his Election Agent,-

- (a) a copy of the list of contesting candidates; and
- (b) specimen of the picture of the symbol allotted.

24. Appointment of Election Agent.- (1) A candidate at an election may appoint an Election Agent in Form 11 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.

(2) A person who is for the time being disqualified under the Act for being a member of the Zilla Panchayat, Taluk Panchayat or Grama Panchayat, shall, so long as the disqualification subsists, also be disqualified for being appointed as an Election Agent under sub-rule (1).

4. Substituted for the words "withdrawal of candidature" by Notification No. RDP 324 ZPS 97, dated 4-4-1998.

5. Substituted for the words "President of the party's unit at the State Level" by Notification No. RDP 200 ZPS 94, dated 20-2-1995.

(3) The revocation of appointment of an Election Agent shall be made in Form 12.

(4) In the event of such a revocation or death of an Election Agent the candidate may at any time before the election is over make a fresh appointment in the manner specified in sub-rule (1).

25. Appointment of Polling Agents.- (1) A contesting candidate or his Election Agent may appoint one Polling Agent and two relief agents to act as such on his behalf in each Polling Station.

(2) Every such appointment shall be made in Form 13 and shall be made over to the Polling Agent for production at the Polling Station.

(3) 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 (2) after duly completing and signing before the Presiding Officer the declaration contained therein.

(4) The revocation of the appointment of a Polling Agent shall be in Form 14.

(5) In the event of any such revocation or the death of a Polling Agent the candidate or his Election Agent may, at any time before the poll is closed make a fresh appointment in the manner specified in sub-rule (2).

26. Attendance of a contesting candidate or his Election Agent at Polling Stations, and performance by him of the functions of a Polling Agent or Counting Agent.- (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 provided under Rule 8 for the taking of the poll.

(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 authorised by or under this act 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 the purpose shall not, if the act or thing is otherwise duly done invalidate the act or thing done.

28. Death of candidate before the poll.- If a candidate, set up by a recognized political party.

(a) dies at any time after 11 A.M. on the last date for making nominations and his nomination is found valid on scrutiny under Rule 17; or

(b) whose nomination has been found valid on scrutiny under Rule 17 and who has not withdrawn his candidature under Rule 18, 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 19; 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 18 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 those seats in Forms 15 or 16 as may be appropriate.

(3) If the number of such candidates is less than the number of seats to be filled in that constituency the Returning Officer shall forthwith declare all such candidates to be duly elected in Forms 15 or 16 as may be appropriate and the Deputy Commissioner shall with the approval of the State Election Commission, by notification call upon the constituency to elect a person or persons to fill the remaining seat or seats.

(4) Notwithstanding anything contained in the foregoing sub-rules in the case of election to a Grama Panchayat constituency where seats are reserved for Scheduled Castes, Scheduled Tribes, Backward Classes or women, as the case may be:-

- (a) if the number of contesting candidates for the reserved seat or seats is equal to or less than the number of reserved seats to be filled, the Returning Officer shall declare all such candidates to be duly elected in Forms 17 or 18 as may be appropriate and where the number of the contesting candidates for the non-reserved seats is more than the number of seats to be filled a poll shall be taken for election to fill only such non-reserved seats in such constituency;
- (b) if the number of contesting candidates for the reserved seat or seats is more than the number of seats to be filled, but the total number of candidates contesting for the election in the constituency is equal to or less than the number of seats to be filled, the Returning Officer shall first select, by lot to be drawn in such manner as he may determine the candidates to be declared elected to the reserved seats out of the candidates qualified to be chosen to fill those seats and then declare the candidates so elected to be duly elected to fill the reserved seats and thereafter declare the remaining candidates to be duly elected to fill the non-reserved seats. The declaration shall be in Forms 17 or 18 as may be appropriate;
- (c) if the number of contesting candidates qualified to be chosen to fill the reserved seats exceeds the number of such seats and the total number of contesting candidates also exceeds the total number of seats to be filled a poll shall be taken and after the poll has been taken the Returning Officer shall first declare those who are qualified to be chosen to fill the reserved seats by securing the largest number of votes to be duly elected to fill the reserved seats and then declare such of the remaining candidates as have secured the largest number of votes to be duly elected to fill the remaining unreserved seats.

30. Adjournment of poll in emergency.- (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 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.

(2) Whenever a poll is adjourned under sub-rule (1), the returning officer shall immediately report the circumstances to the Deputy Commissioner and 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 recommence from the stage at which it was left immediately before the adjournment 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 constituency 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).

31. Procedure on adjournment of poll.- (1) If the poll at any Polling Station is adjourned under Rule 30, the provisions of Rules 58, 59, 61 and 62 shall, as far as practicable apply as if the poll was closed at the hour fixed in that behalf under Rule 12.

(2) When an adjourned poll is recommenced under sub-rule (2) of Rule 30, 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 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 Electoral Roll for marking the names of the electors to whom the ballot papers are issued at the adjourned poll, without however recording therein the serial number thereof.

(5) The provisions of Rules 35 to 41 and 49 to 62 shall apply in relation to the conduct of an adjourned poll as they apply in relation to the poll before it was so adjourned.

32. 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 day, 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 constituency.

Explanation.- For the purposes 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 Polling Station or a place fixed for the poll 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, 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 constituency cannot be ascertained; or

(b) any such error 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) Thereupon 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 fresh poll at that Polling Station and notify the day so appointed and the hours so fixed in such a manner as it may deem fit; or
- (b) if satisfied that the result of a fresh poll at that Polling Station will not, in any way, affect the results of the election of that constituency 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) Provisions of the Act and these rules made thereunder shall apply to every fresh poll under sub-rule (2) 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. 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 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.

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

37. Arrangement 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 Officer 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 and distinguishing mark on the ballot papers and articles

necessary for electors 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 electors to be admitted at anyone time inside the Polling Station and shall exclude therefrom all persons other than:

- (a) Polling Officers;
- (b) public servants on duty in connection with the election;
- (c) persons authorised by the Deputy Commissioner and the State Election Commission;
- (d) candidates, their Election Agents and 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 persons as the Returning Officer or the Presiding Officer may employ for the purpose of election.

39. Facilities for women electors.- (1) Where a Polling Station is both for men and women electors, 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 Officer may appoint a woman to serve as an attendant at any Polling Station to assist women electors and also to assist Presiding Officer generally in taking the poll in respect of women electors, and in particular to help in searching any woman elector in case it becomes necessary.

40. Identification of electors.- (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 elector enters the Polling Station, the Presiding Officer or the Polling Officer authorised 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) In deciding the right of a person to obtain a ballot paper the Presiding Officer or the Polling Officer as the case may be, shall overlook merely clerical or printing errors in an entry in the Electoral Roll if he is satisfied that such person is identical with the elector to whom such entry relates.

41. 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 19 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 a Polling Station other than the one in which he is a voter he shall issue a postal ballot paper of such constituency.

(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 19 to the Returning Officer so as to reach him 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 the applicant an Election Duty Certificate in Form 20;
- (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 47, shall not apply to any person who produces at the Polling Station an Election Duty Certificate in Form 20 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 thereon 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 an elector entitled to vote at that Polling Station.

42. 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 People Act, 1950 (Central Act 43 of 1950) apply;

(b) voters on election duty in a Polling Station other than the one in which he is entitled to vote; and

(c) electors subject to Preventive Detention.

43. Electors under Preventive Detention.- (1) The 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).

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

45. 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 21;
- (b) a cover in Form 22;
- (c) a large cover addressed to the Returning Officer in Form 23; and
- (d) instructions for the guidance of the elector in Form 24:

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 addressed without delay.

46. Recording of vote.- (1) An elector who has received a postal ballot paper and desires to vote shall record his vote on the ballot paper in accordance with the directions contained in Part 1 of Form 24 and then enclose it in the cover in Form 23.

(2) The elector shall sign the declaration in Form 21 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 falling under clause (a) of Rule 42 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.

47. 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 of 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.

48. Right to vote.- (1) No person whose name is not entered in the Electoral Roll of any constituency shall be entitled to vote in that constituency.

(2) No person shall vote at an election if he is subject to any of the disqualification referred to in Section 16 of Representation of the People Act, 1950.

(3) No person shall vote in more than one constituency notwithstanding his name may have been registered in the Electoral Roll of more than one constituency and if a person votes in more than one constituency his votes in all such constituencies shall be void.

(4) No person shall at any election vote in the same constituency more than once, notwithstanding that his name may have been registered in the Electoral Roll for that constituency more than once, and if he does so vote, all his votes in that constituency 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.

49. Preparation of ballot boxes for poll.- (1) Immediately before the commencement of the poll, the Presiding Officer shall demonstrate to the Polling Agents that the ballot box is empty and bears the labels referred to in sub-rule (7).

(2) The ballot box shall then be closed, sealed and secured and placed in full view of the Presiding Officer and the Polling Agent.

(3) 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 signature of such of the Polling Agents present who are desirous of affixing the same.

(4) The Presiding Officer shall thereafter fix the paper seal so signed in the space meant therefore 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 into remains open.

(5) The seals 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.

(6) 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 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.

(7) 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 constituency;
- (b) the serial number and name of the Polling Station;
- (c) the 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.

50. Marked copy of the Electoral Roll.- 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 Electoral Roll to be used during the poll and supplied by the Returning Officer.

51. Challenging of 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 person challenged of the penalty of 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 25;
- (d) require him to affix his signature or left thumb impression 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 in proof of his identity;
- (b) put to the person challenged any question for the purpose of establishing his identity and require him to answer him on oath; and
- (c) administer the 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 the Government and in any other case he shall return it to the challenger at the conclusion of the inquiry.

52. Safeguards against personation.- (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 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 elector 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 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 fingers 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.

53. 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 Electoral Roll number of the elector as entered in the marked copy of the Electoral Roll;
- (b) obtain the signature or thumb impression of that elector on the said counterfoil; and
- (c) mark the name of the elector in the marked copy of the Electoral Roll 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 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.

54. Maintenance of secrecy of voting by electors within the Polling Station and voting procedure.- (1) Every elector to whom a ballot paper has been issued under Rule 53 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.

(2) The elector 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 the 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.

(3) Every elector shall vote without undue delay.

(4) To elector shall be allowed to enter a voting compartment when another elector is inside it.

(5) If an elector 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 (2), 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.

(6) 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.

(7) 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".

(8) 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.

55. 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 recognise 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 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 26 of all cases under this rule.

56. Tendered votes.- (1) If a person representing himself to be a particular elector applies for a ballot paper 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 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 elector.

(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 27.

(3) A tendered ballot paper shall be the same as the other ballot papers used at the polling except that-

- (a) such tendered ballot paper shall be serially the last in the bundle of ballot papers issued for use at the Polling Station; and
- (b) such tendered ballot paper and its counterfoil shall be endorsed on the back with the words "tendered ballot paper" by the Presiding Officer in his hand signed by him.

(4) The elector, 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.

57. 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 elector into the Polling Station:

Provided that all 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.

58. Sealing of ballot box after poll.- (1) As soon as practicable after the 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 to affix his seal.

(2) The ballot box shall thereafter be sealed and secured.

(3) Where it becomes necessary to use a second 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.

59. Account of ballot paper.- (1) The Presiding Officer shall at the close of the poll prepare a ballot paper account in Form 28 and enclose it in a separate cover with the words "Ballot Paper Account" superscribed 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 therefore and shall also attest it as a true copy.

60. Spoilt and returned ballot paper.- (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.

61. Sealing of other packets.- (1) The Presiding Officer shall then make into separate packet:

(a) the marked copy of the Electoral Roll;

- (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 paper;
- (g) the cover containing the tendered ballot papers and the list in Form 27;
- (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 seals of the Presiding Officer and with the seals 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 seals thereon.

62. 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 61; 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.

63. Appointment of 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 constituency in which he is a candidate.

(2) Every such appointment shall be made in Form 29 and a copy thereof shall be forwarded to the Returning Officer, another copy shall be made over to the Counting Agent for the 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.

(4) The revocation of an appointment of a Counting Agent shall be made in Form 30 lodged with the Returning Officer.

(5) In the event of any such revocation before the commencement of the counting of votes, the candidate or his Election Agent may make a fresh appointment in accordance with sub-rule (2).

64. Time and place for counting of votes.- The Returning Officer shall at least one week before the date 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.

65. 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 authorised by the State Election Commission or 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).

(3) The Returning Officer shall decide which Counting Agent or agents shall watch the counting at any particular counting table or group of counting tables.

(4) Any person who during the counting of votes misconducts 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 authorised in this behalf by the Returning Officer.

66. Maintenance of secrecy of voting.- The Returning Officer shall, before he commences the counting read out the provisions of Section 29 to such persons as may be present.

67. 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 23 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 scrutinise the declaration in Form 21 contained therein.

(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 paper as entered in it differs from the serial number endorsed on the cover in Form 22 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 23 and all such covers in Form 23 shall be kept in separate packet which shall be sealed and on which shall be recorded the name of the constituency, the date of counting and a brief description of its contents.

(6) The Returning Officer shall then place all the declarations in Form 21 which he has found to be in order in a separate packet which shall be sealed before any cover in Form 22 is opened and on which shall be recorded the particulars referred to in sub-rule (5).

(7) The covers in Form 22 not already dealt with under the foregoing provisions of this rule shall then be opened one after another and the Returning Officer shall scrutinise 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 thereon, 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 a postal ballot shall be rejected if the mark indicating the vote is placed on the ballot paper in such a 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 31 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 seals of the Returning Officer and of such of the candidates, their Election Agents as may desire to affix their seals thereon and on the packets so sealed shall be recorded the name of the constituency, the date of counting and a brief description of its contents.

68. 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 constituency and shall have the total number of ballot papers found in such boxes counted and recorded in Part II of Form 28.

(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 item 3 of Part I of the said Form 28 minus the number of ballot papers used as tendered ballot papers as shown in item 5 of that part, shall also be recorded in Part II of Form 28.

(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.

69. 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 each ballot box shall be arranged in convenient bundles and scrutinised.

(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 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 number, or design, as the case may be, of the ballot papers authorised 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 provision of the sub-rule (1) of Rule 53:

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 the constituency has been completed, the Returning Officer shall make the entries in a result sheet in Form 31 and announce the particulars.

¹[(8) Where then State Election Commission given any general or special direction order sub-rule (1) to mix the ballot papers before commencing the counting of ballot papers, the Returning Officer shall, in lieu of Forms 28 and 31, use Forms 28-A and 31-A respectively.]

70. 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 as may desire to affix their seals and take sufficient precaution for their safe custody during such intervals.

71. Recount of votes.- (1) After the completion of the counting, the Returning Officer shall record in the result sheet in Form 31 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 Counting Agents 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.

1. Sub-rule (8) inserted by Notification No. RDP 200 ZPS 94, dated 7-3-1995.

(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 31 to the extent necessary after such recount; and
- (c) announce the amendments so made by him.

(6) After the total number 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 31 and no application for recount shall be entertained thereafter:

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

72. 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 constituency and
- (b) the date of counting.

73. 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 one vote will entitle any of those candidates to be declared elected, the Returning Officer shall forthwith decide between these candidates by lot and proceed as if the candidate on whom the lot falls had received an additional vote.

74. Declaration of result of election and. return of election.- The Returning Officer shall be subject to Rule 73.-

- (i) in the case of election from a Zilla Panchayat and Taluk Panchayat constituency.-

- (a) declare in Form 32 or 33 as may be appropriate, 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, the Commissioner and the Deputy Commissioner,
 - (b) complete and certify the returns of election in Form 36 and send signed copies thereof to Government, State Election Commission, the Commissioner and the Deputy Commissioner.
- (ii) in the case of election from a Grama Panchayat constituency;
- (a) where there are only non-reserved seats declare in Form 34 or 35 as may be appropriate such number of candidate equal to the number of seats in the constituency as have secured the highest number of votes in the descending order, to be duly elected;
 - (b) where the seats to be filled include one or more seats reserved for the Scheduled Castes, the Scheduled Tribes, the Backward Classes or the women, first declare in that order in the Form 34 or 35 as may be appropriate such candidate or candidates qualified to be chosen to fill the reserved seat or seats, who have secured the largest number of votes, to be duly elected to the reserved seat or seats as the case may be, and thereafter declare from among the remaining candidates (including those who are qualified to be chosen for the reserved seat or seats) such of the candidates as have secured the highest number of votes in the descending order to be duly elected to non-reserved seats; and
 - (c) complete and certify the return of election in Form 36 and send signed copies thereof to the State Election Commission and the Deputy Commissioner.

75. 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 Rule 29 or 74 to be elected, the Returning Officer shall grant to such candidate a Certificate of Election in Form 37 and obtain from the candidate an acknowledgement of its receipt duly signed by him and immediately send the acknowledgement by Registered Post to the Deputy Commissioner.

76. Publication of names of members elected to Grama Panchayat.- The Deputy Commissioner shall, as soon as conveniently may be, publish the list containing the names of the members elected or deemed to have been elected to Grama Panchayat by causing such list to be affixed on the notice board of his office, office of the Tahsildar, concerned Grama Panchayat and in the chavadi.

77. 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 the counterfoils attached thereto;
 - (b) the packets of used ballot papers whether valid, tendered or rejected;
 - (c) the packets of the counterfoils of used ballot papers;
 - (d) the packets of the marked copy of the Electoral Roll;
 - (e) the packets of the declarations by electors and the attestation of their signatures; and
 - (f) all other papers relating to election.

78. Production and inspection of election papers.- (1) While in the custody of the Returning Officer,-

- (a) the packets of issued 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;

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.

(2) Subject to such conditions and to the payment of such fee 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 that the Returning Officer forwards under Rule 74 shall be furnished by the Returning Officer on payment of a fee of five rupees for each such copy.

79. Disposal of election papers.- Subject to any directions to the contrary given by the State Election Commission or by a competent court:-

- (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 78 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.

80. Return or forfeiture of candidate's deposit.- (1) The deposit made under Rule 15 shall either be returned to the person making it or his legal representative or be forfeited to the Zilla Panchayat or Taluk Panchayat or Grama 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 the total number of valid votes polled by all the candidates or in the case of election of more than one member at the election one-sixth of the total number of valid votes so polled divided by the number of members to be elected:

Provided that in case of a candidate belonging to the Scheduled Castes, the Scheduled Tribes, the Backward Classes or women, the deposit shall not be forfeited unless the number of valid votes is less than one sixteenth of the total number of valid votes polled.

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

81. 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.

82. Notice to choose constituency.- (l) The time within which a person elected by more than one constituency may choose the constituency which he shall serve by delivering a notice to the Deputy Commissioner under Section 14, 131 or 170 shall be,-

- (a) seven days from the date on which he is declared to be elected; or
- (b) where the dates of such declaration are different in respect of different seats, seven days from the last of those dates.

83. Report of a casual vacancy in a Zilla Panchayat, Taluk Panchayat or Grama Panchayat.- When any vacancy occurs due to the disablement, death, resignation, disqualification, absence without leave or removal of member of the Grama Panchayat or Taluk Panchayat or Zilla Panchayat, the Secretary of the Grama Panchayat or the Executive Officer of Taluk Panchayat or the Chief Executive Officer of Zilla Panchayat, as the case may be, shall give notice of such vacancy within seven days from the date of its occurrence, to the Deputy Commissioner as well as State Election Commission. The Deputy Commissioner with the approval of State Election Commission shall thereupon take action in the manner provided in these rules for the election of a member in such vacancy.

84. Manner of serving the order of requisition of premises, vehicles, etc.- An order of requisition under Section 271 shall be served:-

- (a) where the person to whom such order is addressed is a corporation or firm, in the manner provided for the service of summons in Rule 2 of Order XXIX or Rule 3 of Order XXX, as the case may be, in the First Schedule to the Code of Civil Procedure, 1908 (Act V of 1908); and
- (b) where the person to whom such order is addressed is an individual- _
 - (i) personally by delivering or tendering the order; or
 - (ii) by Registered Post; or
 - (iii) if the person cannot be found, by leaving an authentic copy of the order with any adult member of his family or by affixing such copy to some conspicuous part of the premises in which he is known to have last resided or carried on business or personally worked for gain.

¹ [CHAPTER III**VOTING BY ELECTRONIC VOTING MACHINES**

85. Application of provisions of this Chapter and Design of Electronic Voting Machines.- (1) The provisions of this Chapter shall apply wherever electronic voting machine is used during the conduct of elections to the Zilla Panchayat, Taluk Panchayat and Grama Panchayat.

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

86. 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, as the State election commission may specify.

(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 such 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.

87. Arrangements at the polling stations.- (1) In 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 to vote; and

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

1. Chapter III and Rules 85 to 114 inserted by Notification No. RDP 180 ZPS 2010, dated 16-11-2010, w.e.f. 18-11-2010

(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 parts of the electoral roll and such other election material as may be necessary for 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.

88. 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 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 25, 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 91 or sub-rule (1) of Rule 92.

89. 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 the paper seal and obtain thereon, the signatures 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 therefor 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 so fixed that it is not possible to press the "result button" without breaking the seal after the unit has been sealed.

(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 shall be placed in the voting compartment, at the polling station.

90. 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 41; and

(b) any mark other than the mark made in pursuance of clause (b) of sub-rule (2) of Rule 41.

91. 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 the poll in respect of woman electors, and in particular, to help frisking any woman elector if necessary.

92. 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 otherwise to assist him during the poll.

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

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

93. Facilities for public servants on election duty.- (1) The provisions of Rule 92 shall not apply to any person who produces at the polling station an election duty certificate in Form 20 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.

94. 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 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 25; 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, return to the challenger at the conclusion of the inquiry .

95. Safeguards against personation.- (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 92 he shall not be allowed to vote.

(3) Where a poll is taken simultaneously in a Parliamentary Constituency 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 notwithstanding 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.

96. 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 38;
- (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 ally other officer to attest the thumb impression of the elector on the register of voters.

97. 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 96 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 all elector who has been permitted to vote under Rule 96 or Rule 100 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 all 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 38 by the presiding officer under his signature.

98. 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 recognise 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 26 of all cases under this rule.

99. Elector deciding not to vote.- If an elector, after his electoral roll number has been duly entered in the register of voters in Form 38 and has put his signature or thumb impression thereon as required under sub-rule (1) of Rule 96, decides not to record his or her vote, a remark to this effect shall be made against the said entry in Form 38 by the presiding officer and the signature or thumb impression of the elector shall be obtained against such remark.

100. 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 27-A(EVM).

(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 98 for recording the vote in accordance with his wishes.

101. Presiding Officer's entry in the voting compartment during poll.- (1) The presiding officer may whenever he considers it necessary to do so, 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 or 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.

102. Closing of the poll.- (1) The presiding officer shall close a polling station at the hour fixed in that behalf under Rule 12 read with Rule 57 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.

103. Account of votes recorded.- (1) The presiding officer shall at the close of the poll prepare an account of votes recorded in Form 28-B(EVM) and enclose it in a separate cover with the words "Account of Votes Recorded" superscribed 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 28-B(EVM) after obtaining receipt from the said polling agent there and shall attest it as a true copy.

104. 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 unit 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 is not 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.

105. 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 38;
- (c) the cover containing the tendered ballot papers and the list in Form 27-A(EVM);
- (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.

106. 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 28-B(EVM);

- (c) the sealed packets referred to in Rule 105;
- (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.

107. Procedure on adjournment of poll.- (1) If the poll at any polling station is adjourned under Rule 30, provisions of Rules 103 to 106 shall, as far as practicable, apply as if the poll was closed at the hour fixed in that behalf under Rule 57.

(2) When an adjourned poll is recommended under Rule 31, 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 38 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 2 and Rules 85 to 106 shall apply in relation to the conduct of an adjourned poll before it was so adjourned.

108. 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.

109. Counting of votes where electronic voting machines have been used.- In relation to the counting of votes at a polling station, where voting machine has been used the provisions of Rules 2 and 63 to 66 shall *mutatis mutandis* apply.

110. 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 or Rule 33 as may be applicable in respect of the polling station or stations where that machine was used.

111. Counting of votes.- (1) 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.

(2) 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 28-B(EVM);
- (b) Part II of Form 28-B(EVM) completed in other respects and signed by the counting supervisor and also by the candidates or their election agents or their counting agents present; and
- (c) corresponding entries made in a result sheet in Form 31-A(EVM) and the particulars so entered in the result sheet announced.

112. Sealing of voting machines.- (1) After the result of voting recorded in a control unit has been ascertained candidate-wise and entered in Part II of Form 28-B(EVM) and Form 31-A(EVM) under Rules 67(11), 69(7) and 71(1), (5) and (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 control 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 constituency;
- (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 70 to 72 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 rule in Chapter II or, as the case may be, to Rule 110 or 111.

113. 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.

(I-A) All voting machines used at an election shall be kept in the custody of the concerned District Election Officer.

(2) The District Election Officer shall keep in safe custody.-

- (a) the packets of unused postal ballot papers with counterfoils attached thereto;
- (b) the packets of used postal ballot papers whether valid, tendered or rejected;
- (c) the packets of counterfoils 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 38, including voters' slip;
- (f) the packets of the declarations by electors and the attestation of their signatures.

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

1[115. Repeal.- The Karnataka Zilla Parishads, Taluk Panchayat Samities, Mandal Panchayats and Nyaya Panchayats (Conduct of Election) Rules, 1985 are hereby repealed.]

1. Rule 85 renumbered as Rule 115 thereof by Notification No. RDP 180 ZPS 2010, dated 16-11-2010, w.e.f. 18-11-2010.

FORM 1
[See Rule 12(2)]

**(For use in the case of election to Taluk/Zilla Panchayat/s)
Notification**

No.

Date

Whereas elections are to be held

- ¹(1) To fill the seats of the elected members of the newly established Taluk Panchayat²/Zilla Panchayat District under the provisions of the Karnataka Panchayat Raj Act, 1993, from the various constituencies of the said Taluk Panchayat/Zilla Panchayat.
- ³(2) To⁴ Taluk Panchayat⁵/Zilla Panchayat from⁶ constituency⁷/constituencies to fill the seats of the out-going members on the expiry of their term of office.
- ⁸(3) To fill the vacancy caused by the death of / resignation of / election of having been declared void/seat of having become⁹/having been declared vacant.

Now therefore in pursuance of Rule 12 of Karnataka Panchayat Raj (Conduct of Election) Rules, 1993,

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

-
- 1) Score out the clause not applicable.
 - 2) Strike off the inappropriate alternative.
 - 3) Score out the clause not applicable.
 - 4) Appropriate particulars of the election to be inserted here.
 - 5) Strike off the inappropriate alternative.
 - 6) Appropriate particulars of the election to be inserted here.
 - 7) Strike off the inappropriate alternative.
 - 8) Score out the clause not applicable.
 - 9) Appropriate particulars of the election to be inserted here.

FORM 2
[See Rule 12(2)]

(For use in the case of elections to Grama Panchayat)
Notification

No.

Date

Whereas elections are to be held

- ¹(1) To fill the seats of the newly established Grama Panchayats District under the provisions of the Karnataka Panchayat Raj Act, 1993 from the various constituencies of the said Grama Panchayats.
- ²(2) To³ Grama Panchayat from Constituency ⁴/Constituencies to fill the seat of the out-going members on the expiry of their term of office.
- ⁵(3) To fill the vacancy caused by the death of Resignation of election of /having been declared void/ seat of having become⁶/having been declared vacant.

Now therefore in pursuance of Rule 12 of Karnataka Panchayat Raj (Conduct of Election) Rules, 1993.

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

-
- 1) Score out the clause not applicable.
2) Score out the clause not applicable.
3) Appropriate particulars of the election to be inserted here.
4) Strike off the inappropriate alternative.
5) Score out the clause not applicable.
6) Strike off the inappropriate alternative.

FORM 3
[See Rule 12(3)]
Notice of Election

Notice is hereby given that:-

1. An election will be held to elect member / s to ¹ Grama ²/Taluk/Zilla Panchayat from³ Constituency /Constituency reserved for Scheduled Castes⁴/Scheduled Tribes/Backward Classes and women.
2. Forms of nomination paper may be obtained at the office of the returning officer between 11 A.M. to 3 P.M. 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 A.M. and 3 P.M. 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 proposer or his 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 hoursand

¹The number of members from Grama Panchayat Constituency / and the seats reserved for Scheduled Castes⁶/Scheduled Tribes/and Backward Classes/Women are as indicated below:-

S1. No. of the Constituency	Name of the Constituency	Number of seats	No. of seats reserved		
			SC	ST	BC
1	2	3	4	5	6

No. of Seats reserved for Women			
S.C	S.T.	B.C	General
7	8	9	10

Place.....

Date

Returning Officer

-
- 1) Appropriate particulars of the election to be inserted here.
 - 2) Strike off the inappropriate alternative.
 - 3) Appropriate particulars of the election to be inserted here.
 - 4) Strike off the inappropriate alternative.
 - 5) Score out the paragraph if not applicable.
 - 6) Strike off the inappropriate alternative.

FORM 4
[See Rule 14(1)]

Nomination Paper

(For use in the case of election to the Taluk Panchayat/ Zilla Panchayat / s)

I nominate Sri/Smt.as a candidate for election to the¹ Taluk Panchayat²/Zilla Panchayat/ district from the³ Constituency/Constituency reserved for Scheduled Castes⁴/Scheduled Tribes/Backward Classes/Women.

Candidate's Name:

His/her father's/husband's name:

Postal Address:

His/her name is entered at Sl. Noin part No..... of the electoral roll for the constituency.

My name is and it is entered at Sl. Noin part No..... of the electoral roll for Constituency.

Date:.....

Signature of the proposer

(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.

⁵(b) That I am a Woman.

⁶(c) That I am a member of Caste/Tribe/Class which is a Scheduled Caste/Scheduled Tribe/Backward Class of the State of Karnataka. A copy of the Scheduled Caste/Scheduled Tribe/Backward Class certificate issued in my favour by the competent authority is enclosed.

⁷(ಡಿ) ಪಕ್ಷವು ಈ ಚುನಾವಣೆಯಲ್ಲಿ ನನ್ನನ್ನು ಅಭ್ಯರ್ಥಿಯಾಗಿ ನಿಲ್ಲಿಸಿದ್ದು, ಪಕ್ಷಕ್ಕೆ ಕಾಯ್ದಿರಿಸಿರುವ ಚಿಹ್ನೆಯನ್ನೇ ನನಗೆ ನೀಡಬೇಕೆಂದು ಕೋರುತ್ತೇನೆ.

-
- 1) Appropriate particulars of the election to be inserted here.
 - 2) Strike off the inappropriate alternative.
 - 3) Appropriate particulars of the election to be inserted here.
 - 4) Strike off the in appropriate alternative.
 - 5) Score out the clause not applicable.
 - 6) Score out the clause not applicable.
 - 7) Clauses (d) and (e) substituted by Notification No. RDP 130 ZPS 2004, dated 21-6-2005, w.e.f. 21-6-2005

(ಇ) ನಾನು ಆಯ್ಕೆ ಮಾಡಿದ ಚಿಹ್ನೆಗಳು, ಆದ್ಯತಾ ಕ್ರಮದಲ್ಲಿ ಹೀಗಿದೆ.

(1)

(2)

(3)

Date:.....

Signature of the Candidate

(To be filled by Returning Officer)

Serial number of nomination paper

This nomination was delivered to me at my office at (hour) on (date) by the candidate¹ proposer (Name)

Date

Returning Officer

Decision of the Returning Officer accepting or rejecting the nomination paper.

I have examined this nomination paper in accordance with Rule 17 of the Karnataka Panchayat Raj (Conduct of Election) Rules, 1993 and decide as follows.

Date:

Returning Officer

Receipt of nomination paper and notice of scrutiny

(To be handed over to the person presenting the nomination paper)

Serial Number of nomination paper

The nomination paper of a candidate for election to the²/Taluk Panchayat/Zilla Panchayat from the³..... constituency was delivered to me at my office at (Hour) (date) by the candidate⁴/proposer.

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

Date:

Returning Officer

-
- 1) Appropriate particulars of the election to be inserted here.
 - 2) Appropriate particulars of the election to be inserted here.
 - 3) Appropriate particulars of the election to be inserted here.
 - 4) Strike off the inappropriate alternative.

FORM 5
[See Rule 14(1)]
Nomination Paper

(For use in the case of election to the Grama Panchayat)

I nominate Sri/Smt. as a candidate for election to the¹Grama PanchayatDistrict from the² Constituency/Constituency reserved for Scheduled Castes³/ Scheduled Tribes/Backward Classes/Women.

Candidate's Name:-

His/Her Father's/Husband's name

Postal Address:-

His/her name is entered at Sl. No..... in Part No of the electoral roll for the Constituency.

My name isand it is entered at S1. No..... in Part No of the electoral roll for Constituency.

Date:

Signature of the proposer

(to be filled by the candidate)

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

(a) that I have completed..... years of age.

⁴(b) that I am a woman.

⁵(c) that I am a member ofCaste/Tribe/Class which is a Scheduled Caste/Scheduled Tribe/Backward Class of the State of Karnataka. A copy of the Scheduled Caste/Scheduled Tribe/Backward Class certificate issued in my favour by the competent authority is enclosed.

(d) that the symbols I have chosen are in the order of preference:-

(i)

(ii) And

(iii)

Date.....

Signature of Candidate

-
1. Appropriate particulars of the election to be inserted here.
 2. Appropriate particulars of the election to be inserted here.
 3. Strike off the inappropriate alternative.
 4. Score out the clause not applicable.
 5. Score out the clause not applicable.

(To be filled by Returning Officer)

Serial number of nomination paper I

This nomination was delivered to me at my office at (Hour)
On.....(date) by the candidate¹ proposer (Name)

Date:..... Returning Officer

Decision of the Returning Officer accepting or rejecting the nomination paper.

I have examined this nomination paper in accordance with Rule.....of the Karnataka Panchayat Raj (Conduct of Election) Rules, 1993 and decide as follows.

Date:..... Returning Officer

Receipt of nomination paper and notice of scrutiny

(To be handed over to the person presenting the nomination paper)

Serial number of nomination paper

The nomination paper of a candidate for election to the²..... Grama Panchayat from the³ Constituency was delivered to me at my office at (Hour) (date) by the candidate⁴/proposer.

All the nomination papers¹ will be taken up for scrutiny at (Hour) on (date) at (place).

Date:..... Returning Officer

-
1. Score out the clause if not applicable.
 2. Appropriate particulars of the election to be inserted here.
 3. Appropriate particulars of the election to be inserted here.
 4. Strike off the inappropriate alternative.

FORM 6
(See Rule 16)
Notice of Nomination

Election to the¹ Grama²/Taluk/Zilla Panchayat from the³.....
Constituency /Constituency reserved for Scheduled Caste⁴/ Scheduled Tribes/
Backward Classes/Women.

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

S1. No. of Nomination Paper	Name of the Candidate	Name of the Father⁵/Husband	Age of Candidate	Address
1	2	3	4	5

Party⁶ affiliation	Particulars of SC/ST / Backward Class in respect of candidates belonging to SC/ST/BC	Electoral roll No. of candidate	Name and Electoral No. of the proposer
6	7	8	9

Place:

Date:

Returning Officer

-
1. Appropriate particulars of the election to be inserted here.
 2. Strike off the inappropriate alternative.
 3. Appropriate particulars of the election to be inserted here.
 4. Strike off the inappropriate alternative ..
 5. Strike off the inappropriate alternative ..
 6. Not applicable in the case of. Grama Panchayat Elections.

FORM 7*[See Rule 17(8)]***List of validly nominated candidates**

Election to the¹/Grama²/Taluk/Zilla Panchayat from the³
 Constituency/Constituency reserved for Scheduled
 Castes⁴/Scheduled Tribes/Backward Classes/Women.

Serial Number	Name of the Candidate	Name of the Father/Husband	Address of the Candidate
1	2	3	4

Place:

Date:

Returning Officer

-
1. Appropriate particulars of the election to be inserted here.
 2. Strike off the inappropriate alternative.
 3. Appropriate particulars of the election to be inserted here.
 4. Strike off the inappropriate alternative.

FORM 8

**[See Rule 18(1)]
Notice of Withdrawal**

Election to the¹Grama²/Taluk/Zilla Panchayat from the³
..... Constituency/Constituency reserved for Scheduled Castes⁴
/Scheduled Tribes/Backward Classes/Women.

To:

The Returning Officer,

I,a candidate validly nominated at the above election do hereby give notice 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 the⁵ was delivered to me by the⁶ at my office (Hour) on..... (Date).

Place:

Date:

Returning Officer

-
- (1) Candidate
 - (2) Candidate's proposer who has been authorised 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.

-
- 1. Appropriate particulars of the election to be inserted here.
 - 2. Strike off the inappropriate alternative.
 - 3. Appropriate particulars of the election to be inserted here.
 - 4. Strike off the inappropriate alternative.
 - 5. Appropriate particulars of the election to be inserted here.
 - 6. Here insert one of the above-mentioned alternatives as may be appropriate.

FORM 9
[See Rule 18(4)]

Notice of Withdrawal of Candidature

Election to the¹...../Grama² /Taluk/ Zilla Panchayat from the
..... Constituency/Constituency reserved for Scheduled Castes³ /
Scheduled Tribes /Backward Classes /Women.

Notice is hereby given that the following candidate⁴/ candidates at
the above election withdrew his candidature⁵/ their candidatures today:

Serial Number	Name of the Candidate	Address of the Candidate	Remarks
1	2	3	4
1. 2. 3. 4.			

Place:

Date:

Returning Officer

-
1. Appropriate particulars of the election to be inserted here.
 2. Strike off the inappropriate alternative.
 3. Strike off the inappropriate alternative.
 4. Strike off the inappropriate alternative.
 5. Strike off the inappropriate alternative.

FORM 10*[See Rule 19(6)]***List of Contesting Candidates**

Election to the¹ Grama²/Taluk/Zilla Panchayat from the³.....
 Constituency/Constituency reserved for Scheduled Castes⁴/Scheduled
 Tribes/Backward Classes/Women.

Serial No.	Name of the Candidate	Address of the Candidate	Symbol Allotted
1	2	3	4
1.			
2.			
3.			

Place:

Date:

 Signature of Candidate
 Returning Officer

-
1. Appropriate particulars of the election to be inserted here.
 2. Strike off the inappropriate alternative.
 3. Appropriate particulars of the election to be inserted here.
 4. Strike off the inappropriate alternative.

FORM 11
[See Rule 24(1)]
Appointment of Election Agent

Election to the¹ Grama²/Taluk/Zilla Panchayat from the³
.....Constituency.

To

The Returning Officer

I of 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 the Election Agent

1. Appropriate particulars of the election to be inserted here.
2. Strike off the inappropriate alternative.
3. Appropriate particulars of the election to be inserted here.

FORM 12
[See Rule 24(3)]
Revocation of appointment of Election Agent

Election to the¹*Grama*² /Taluk/Zilla Panchayat from the³
..... Constituency.

To
The Returning Officer

I a candidate at the above election hereby revoke the
appointment of my election agent.

Place:

Date:

Signature of Candidate

1. Appropriate particulars of the election to be inserted here.
2. Strike off the inappropriate alternative.
3. Appropriate particulars of the election to be inserted here

FORM 13
[See Rule 25(2)]
¹Appointment of Polling Agent

Election to the² Grama³/Taluk/Zilla Panchayat from the Constituency.

I, a Candidate⁴/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 Candidate⁵/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 29⁶ of the Karnataka Panchayat Raj Act, 1993 which I have read/has been read over to me.

Signature of Polling Agent

Date:

Signed before me

Presiding Officer

-
1. To be handed over to the Polling Agent for production at the Polling Station or at the place fixed for the poll.
 2. To be handed over to the Polling Agent for production at the Polling Station or at the place fixed for the poll.
 3. Strike off the inappropriate alternative.
 4. Strike off the inappropriate alternative.
 5. Strike off the inappropriate alternative.
 6. Section 29 of the Karnataka Panchayat Raj Act, 1993 - Maintenance of Secrecy of voting - (1) Every officer, clerk, agent or other person who performs any duty in connection with recording or counting of votes at any election shall maintain and aid in maintaining the secrecy of the voting and shall not (except for some purpose authorised 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 14

[See Rule 25(4)]

Revocation of appointment of Polling Agent

Election to the¹.....Grama²/Taluk/Zilla Panchayat from the³
..... Constituency.

To

The Presiding Officer

.....

.....

I, a candidate/election agent ofat the above election
hereby revoke the appointment ofPolling Agentat the Polling
Station Noat(place).

Place:

Date:

Signature of the Candidate⁴/Election Agent

-
- 1. Appropriate particulars of the election to be inserted here.
 - 2. Strike off the inappropriate alternative.
 - 3. Appropriate particulars of the election to be inserted here.
 - 4. Strike off the inappropriate alternative.

FORM 15

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

Declaration of election when the seat is uncontested

(For use in General Election to Taluk/Zilla Panchayat when the seat is uncontested)

Election to the¹ Taluk²/Zilla Panchayat from the³
Constituency/Constituency reserved for Scheduled Castes⁴/Scheduled Tribes/Backward Classes/Women.

In pursuance of the provisions contained in Rule 29(2)⁵/29(3) of the Karnataka Panchayat Raj (Conduct of Election) Rules, 1993, I declare that:-

Name
Address
.....
.....

Sponsored by (name of the recognised/ registered political party) has been duly elected to fill the vacancy to the said Taluk⁶/Zilla Panchayat from the above constituency.

Place:

Date:

Signature:

Returning Officer:.....

-
1. Appropriate particulars of the election to be inserted here.
 2. Strike off the inappropriate alternative.
 3. Appropriate particulars of the election to be inserted here.
 4. Strike off the inappropriate alternative.
 5. Strike off the inappropriate alternative.
 6. Strike off the inappropriate alternative.

FORM 16*[See Rule 29(2)/29(3)]***(For use in Election to Taluk¹/Zilla Panchayat to fill casual vacancy when the seat is uncontested)**

Election to the²Taluk³/Zilla Panchayat from the⁴
 Constituency/Constituency reserved for Scheduled Castes⁵ /Scheduled
 Tribes/Backward Classes/Women.

In pursuance of the provisions contained in Rule 29(2)⁶/29(3) of the
 Karnataka Panchayat Raj (Conduct of Election) Rules, 1993, I declare
 that:-

Name

Address

.....

.....

Sponsored by (name of the recognised/political party) has
 been duly elected to fill the vacancy caused in that Taluk⁷/Zilla Panchayat by
 the

⁸Resignation of

⁹Death of

¹⁰Election of having been declared void

¹¹Seat of Having become vacant/having been declared
 vacant.

Place:

Date:

Signature of the
 Returning Officer:

-
1. Strike off the inappropriate alternative.
 2. Appropriate particulars of the election to be inserted here.
 3. Strike off the inappropriate alternative.
 4. Appropriate particulars of the election to be inserted here.
 5. Strike off the inappropriate alternative.
 6. Strike off the inappropriate alternative.
 7. Strike off the inappropriate alternative.
 8. Score out the clause if not applicable.
 9. Score out if inappropriate.
 10. Score out the clause if not applicable.
 11. Score out the clause if not applicable.

FORM 17

[See Rule 29(4)(a)/29(4)(b)]

Declaration of election when the seat is uncontested.

(For use in General Election to Grama Panchayat where the seat is uncontested)

Election to the¹ Grama Panchayat from the².....
Constituency/Constituency reserved for Scheduled Castes³/Scheduled Tribes/Backward Classes/Women.

In pursuance of the provisions contained in Rule 29(4)(a)⁴ /29(4)(b) of the Karnataka Panchayat Raj (Conduct of Election) Rules, 1993, I declare that:-

Name
Address
.....
.....

has been duly elected to fill the seat in that Grama Panchayat from the above Constituency.

Signature
Returning Officer

Place:.....
Date:.....

Name
Designation.....

-
- 1. Appropriate particulars of the election to be inserted here.
 - 2. Appropriate particulars of the election to be inserted here.
 - 3. Strike off the inappropriate alternative.
 - 4. Strike off the inappropriate alternative.

FORM 18

[See Rule 29(4)(a)/29(4)(b)]

(For use in elections to Grama Panchayat to fill casual vacancy when the seat is uncontested)

Election to the¹.....Grama Panchayat from the²..... .
Constituency/Constituency reserved for the Scheduled Castes³/Scheduled Tribes/Backward Classes/Women.

In pursuance of the provisions contained in Rule 29(4)(a)⁴/29(4)(b) of the Karnataka Panchayat Raj (Conduct of Election) Rules, 1993, I declare that:-

..... Name

..... Address

has been duly elected to fill the vacancy caused in that Grama Panchayat by

⁵Resignation of

⁶Death of

⁷Election of has been declared void.

⁸Seat of having become vacant⁹/having been declared vacant.

Place:

Signature.....

Date:

Returning Officer

-
- 1. Appropriate particulars of the election to be inserted here.
 - 2. Appropriate particulars of the election to be inserted here.
 - 3. Strike off the inappropriate alternative.
 - 4. Strike off the inappropriate alternative.
 - 5. Score out if inappropriate.
 - 6. Score out if inappropriate.
 - 7. Score out if inappropriate.
 - 8. Score out if inappropriate.
 - 9. Strike off the inappropriate alternative.

FORM 19
[See Rule 41(1) & 41(2)]
Application for Election Duty Certificate

To

The Returning Officer

1.....Grama Panchayat Constituency

2.....Taluk Panchayat Constituency

3.....Zilla Panchayat Constituency

Sir,

I intend to cast my vote at the ensuing election of member to the⁴.....
Grama⁵/Taluk/Zilla Panchayat from the⁶Constituency.

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 S1. Noin Part Noof the electoral roll
for⁷ Constituency.

I request that a postal ballot paper/Election Duty Certificate in
Form No. 20 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:

Yours faithfully

Date:

-
- 1. Appropriate particulars to be inserted here.
 - 2. Appropriate particulars to be inserted here.
 - 3. Appropriate particulars to be inserted here.
 - 4. Appropriate particulars to be inserted here.
 - 5. Strike off the inappropriate alternative.
 - 6. Appropriate particulars to be inserted here.
 - 7. Appropriate particulars to be inserted here.

FORM 20
[See Rule 41(2)(a)]
Election Duty Certificate

Certified that¹S/ois an elector in the²
..... Constituency, his electoral roll number being³that 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 authorised to vote at any
polling station, he may be on duty on the date of poll.

Place:

Date:

Signature:

Returning Officer

Seal

1. Appropriate particulars to be inserted here.
2. Appropriate particulars to be inserted here.
3. Appropriate particulars to be inserted here.

FORM 21
[See Rule 45(1)(a)]
Declaration by Elector

Note: (This side is to be used only when the Elector signs the declaration himself) Election to the¹ Grama²/Taluk/Zilla Panchayat from the Constituency.

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 the Elector

Address:

Attestation of Signature

The above has been signed in my presence byelector who is personally known to me³/has been identified to my satisfaction by..... (identifier) who is personally known to me.

Signature of the Attesting officer

Designation:

Address:

Signature of the identifier if any

Address:

Date:

-
1. Appropriate particulars of the election to be inserted here.
 2. Strike off the inappropriate alternative.
 3. Strike off the inappropriate alternative.

FORM 22
[See Rule 45(1)(b)]
Cover A

<p>Cover 'A'</p> <p>not to be opened before counting</p> <p>Election to the¹</p> <p>Grama²/Taluk/Zilla Panchayat from the³</p> <p>Constituency.</p> <p align="center">Postal Ballot Paper</p> <p>Serial number of ballot paper</p>
--

FORM 23
[See Rule 45(1)(c)]
Cover B

To be used at an election to the⁴ (Grama/Taluk/Zilla Panchayat) from⁵.....Constituency.

<p>Cover 'B'</p> <p>("Every Officer under whose care or through whom a postal ballot is sent shall ensure its delivery to the addressee without delay - Rule 45(3)")</p> <p align="center">Election - Immediate</p> <p align="center">Postal Ballot Paper</p> <p>Election to the⁶Grama⁷/Taluk/Zilla Panchayat from⁸Constituency.</p> <p align="center">Not to be opened before counting</p> <p>To</p> <p>⁹The Returning Officer</p> <p>.....</p> <p>.....</p> <p>Signature of the Sender</p>	<p align="center">Service Unpaid</p>
--	--------------------------------------

-
1. Appropriate particulars of the election to be inserted here.
 2. Strike off the inappropriate alternative.
 3. Appropriate particulars of the election to be inserted here.
 4. Appropriate particulars of the election to be inserted here.
 5. Returning Officer to insert here the appropriate particulars of the Constituency.
 6. Appropriate particulars of the election to be inserted here.
 7. Strike off the inappropriate alternative.
 8. Appropriate particulars of the election to be inserted here.
 9. Returning Officer to mention here the full address.

FORM 24*[See Rule 45(1)(d)]***Instructions for the guidance of Electors**

Election to the¹ Grama Panchayat²/Taluk Panchayat/Zilla Panchayat fromConstituency.

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
2. You have onlyvote/votes
3. You must not vote for more than candidates. 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.

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

2. Strike off the inappropriate alternative.

7. An elector shall obtain the attestation of his signature on the declaration in Form 21 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;
 - (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 People 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 or 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 sent herewith. Close the cover and secure it by seal or otherwise.
- (b) You have then to sign the declaration in Form 21 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 21 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 before¹.....on.....².
- (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 after³ on the your vote will not be counted.

1. Here specify the hour and the date fixed for the commencement of the counting of votes.
2. Appropriate particulars of the election to be inserted here.
3. Here specify the hour and the date fixed for the commencement of the counting of votes.

FORM 25
[See Rule 51(2)(c)]
List of challenged votes

Election to the¹ Grama/Taluk/Zilla Panchayat from the³ Constituency.

Polling station number and name of the polling station:

S1. No. of Entry	Name of Elector	Serial No. and part No. of Elector	Elector's name in that part	Signature or thumb impression of the person challenged
1	2	3	4	5

Address of the person challenged	Name of Identifier, if any	Name of the Challenger	Order of Presiding Officer	Signature of challenger on receiving refund of deposit
6	7	8	9	10

Place:

Signature of the Presiding Officer

Date:

FORM 26
[See Rule 55(2)]
List of blind and infirm voters

Election to the⁴ Grama⁵/Taluk/Zilla Panchayat from the⁶ Constituency.

Number and Name of Polling Station:

Part number & Serial No. of Elector	Full name of Elector	Full name of companion	Address of companion	Signature
1	2	3	4	5

Date:

Signature of the Presiding Officer

-
1. Appropriate particulars of the election to be inserted here.
 2. Strike off the inappropriate alternative.
 3. Appropriate particulars of the election to be inserted here.
 4. Appropriate particulars of the election to be inserted here.
 5. Strike off the inappropriate alternative.
 6. Appropriate particulars of the election to be inserted here.

FORM 27
[See Rule 56(2)]
List of tendered votes

Election to the¹..... Grama²/Taluk/Zilla Panchayat from the³
Constituency.

Number and Name of Polling Station:

Part number & Serial number and name of Elector	Address of Elector	Serial number of Tendered Ballot Paper	Serial 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 the Presiding Officer

⁴[FORM 27-A(EVM)]
[See Rule 100]

List of tendered votes

Election to the member ofGrama/Taluk/Zilla Panchayat from
Constituency

No. and Name of the Polling Station.....

Part No. of Electoral roll.....

S1. No.	Name of elector	S1.No. of elector in electoral roll	S1. No. in Register of voters (Form38) 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.

-
1. Appropriate particulars of the election to be inserted here.
 2. Strike off the inappropriate alternative.
 3. Appropriate particulars of the election to be inserted here.
 4. Form 27-A inserted by Notification No. RDP 180 ZPS 2010, dated 16-11-2010, w.e.f. 18-11-2010

FORM 28
[See Rule 59(1)]

Part I : Ballot Paper Account

Election to the¹ Grama²/Taluk/Panchayat from the³
.....Constituency .

Number and Name of Polling Station.....

	Sl.No.	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 <i>not inserted into the Ballot Box</i> .		
(a) Ballot Papers cancelled for violation of voting procedure under Rule 51		
(b) Ballot Papers cancelled for other reasons		
(c) Ballot Papers used as tendered Ballot Papers		
Total (a+b+c).....		
.....		
5. Ballot Paper who found in the Ballot Box (3-4=5) (Serial numbers need not be given)		

Date:

Signature of the Presiding Officer

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

2.Strike off the inappropriate alternative.

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

Part II - Result of counting

I	Name of Candidate	Number of valid votes cast
1		
2		
3		
4		
5		
Etc.		
II	Rejected Ballot Paper	
III	Total	

Whether the total number of ballot papers shown in Item No. III tallies with the total shown against Item No.5 of Part I or any discrepancy noticed between these two totals.

Place:

Date:

Signature of the Counting
Supervisor

Place:

Date:

Signature of the
Returning Officer

[FORM 28-A
[See Rule 69(8)]

Part I : Ballot Paper Account

Election to the² Grama³/Taluk/ Zilla
 Panchayat from the⁴ Constituency.

Number and Name of Polling station.....

	Serial Nos.	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 <i>inserted</i> into the Ballot Box		
(a) Ballot papers cancelled for violation		
of voting procedure under Rule 51		
(b) Ballot papers cancelled for other reasons		
(c) Ballot papers used as tendered Ballot papers		
Total (a + b + c)		_____

1. Form 28-A inserted by Notification dated 7-3-1995.
 2. Appropriate particulars of the election to be inserted here.
 3. Strike off the inappropriate alternative.
 4. Appropriate particulars of the election to be inserted here.

- 5. Ballot papers to be found in the Ballot Box
(3 - 4 + 5)
(Serial numbers need not be given)

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 from 1 of this part and the total number of Ballot papers to be found in the Ballot Box/Boxes shown in item 5 of Part I of Ballot paper account

Date:

Signature of Counting Supervisor

Signature of the Returning Officer

I[FORM 28-B(EVM)
[See Rules 103 and 106]

PART I

ACCOUNT OF VOTES RECORDED

Election to the member ofGrama/Taluk/Zilla Panchayat from
..... Constituency

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 38)
3. No. of voters deciding not to record votes under Rule 99.
4. No. of voters not allowed to vote under Rule 97.
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 100.
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. S1. 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

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

S1. No.	Name of Candidate	No. of votes recorded
1.		
2.		
3.		
4.		
5.		
6.		
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.

Signature of the Counting Supervisor

Place

Date

Name of candidate/election agent/counting agent Full signature

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.

Place:

Date:

Signature of the returning officer.]

FORM 29

[See Rule 63(2)]

Appointment of Counting Agent

Election to the¹ the Grama²/Taluk/Zilla Panchayat from the³ Constituency.

I, a candidate⁴/the Election agent of who is a candidate at the above election, do hereby appoint the following persons as my⁵/his counting agents to attend the counting of votes at .

Name of the Counting Agent	Address of the Counting Agent
1.	
2.	
3.	
etc.	

Signature of the Candidate⁶/
Election Agent.

We agree to act as such Counting Agents.

- 1.
- 2.
- 3.
- etc.

Place:

Date:

Signature of the Counting Agent

-
- 1. Appropriate particulars of the election to be inserted here.
 - 2. Strike off the inappropriate alternative.
 - 3. Appropriate particulars of the election to be inserted here.
 - 4. Strike off the inappropriate alternative.
 - 5. Strike off the inappropriate alternative.
 - 6. Strike off the inappropriate alternative.

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 29¹ of the Karnataka Panchayat Raj Act, 1993 which we have read²/has been read over to us.

- 1.
 - 2.
 - 3.
- etc.

Date:

Signature of the Counting Agents

Signed before me

Date:

Signature of the Returning Officer

-
1. Section 29 of the Karnataka Panchayat Raj Act, 1993; 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 any election under this Act shall maintain and aid in maintaining the secrecy of voting and shall not (except for some purpose authorised 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 on conviction be punished with imprisonment for a term which may extend to three months or with fine or with both.
 2. Strike off the inappropriate alternative.

FORM 30
[See Rule 63(4)]

Revocation of the appointment for Counting Agent

Election to the¹Grama²/Taluk/Zilla Panchayat from the³
..... Constituency.

To

The Returning Officer

.....

.....

I..... a candidate⁴/the Election Agent of
..... who is a candidate at the above election hereby revoke the
appointment of My⁵/his counting Agent.

Place:

Date:

Signature of the Candidate⁶/
Election Agent

-
1. Appropriate particulars of the election to be inserted here.
 2. Strike off the inappropriate alternative.
 3. Appropriate particulars of the election to be inserted here.
 4. Strike off the inappropriate alternative.
 5. Strike off the inappropriate alternative.
 6. Strike off the inappropriate alternative.

FORM 31
[See Rule 67(11)]

Final result sheet

(To be used for recording the result of voting at Polling Stations)

Election to¹Grama² / Taluk / Zilla Panchayat
from..... Constituency.

Serial of Polling Station No.	No valid votes cast in favour of candidates ABCD	Total of valid votes	No. of rejected votes	Total No. of valid and rejected votes	Total No. of tendered votes
1.					
2.					
3.					
etc.					
Total No. of votes recorded at Polling Stations					
No. of votes recorded on Postal Ballot Papers					
Total votes polled					

Place:

Date:

Returning Officer

-
1. Appropriate particulars of the election to be inserted here.
 2. Strike off the inappropriate alternative.

¹[FORM 31-A(EVM)]
[See Rule 111]
FINAL RESULT SHEET

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

Election to the member ofGrama/Taluk/Zilla Panchayat
 from.....Constituency

Name of the Constituency:

Total Number of electors in Constituency

S1. No. of Polling Station	No. of valid votes cast in favour of			Total of valid Votes	No. of rejected votes	Total No. of Tendered Votes
	A	B	C			
(1)						
(2)						
(3)						
(4)						
....						

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 Constituency)

TOTAL votes polled.

Place

Date:

Returning Officer]

FORM 31-A*[See Rule 69(8)]***(To be used for recording the result of voting at polling stations in Constituencies where procedure of mixing of Ballot papers is adopted)**

Election to the Grama/Taluk/Zilla Panchayat from Constituency.

Polling Station Number	Total votes found in the Ballot Box/Boxes	No. of tendered votes
(1)		
(2)		
(3)		
(4)		
(5)		
and so on		
Total		

Total Number of valid votes recorded for candidates and of rejected Ballot papers	Candidates valid votes							Valid votes Total	No. of rejected Ballot papers	Valid and rejected votes Total
	A	B	C	D	E	F	G			
1st round	-	-	-	-	-	-	-	-	-	-
2nd round	-	-	-	-	-	-	-	-	-	-
3rd round	-	-	-	-	-	-	-	-	-	-
4th 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

FORM 32

[See Rule 74(i) (a)]

**Declaration of the result under Rule 74(i)(a) of the Karnataka
Panchayat Raj (Conduct of Election) Rules, 1993**

**(For use in General Election to Taluk/Zilla Panchayat when
seat is contested)**

Election to the¹ Taluk²/Zilla Panchayat from the³
Constituency/Constituency reserved for Scheduled Castes⁴ / Scheduled
Tribes/Backward Classes/Women.

In the pursuance of the provisions contained in Rule 74(i)(a) of the Karnataka
Panchayat Raj (Conduct of Election) Rules, 1993, I declare that

..... (Name)

..... (Address)

Sponsored by⁵ (name of the recognized/registered Political
Party) has been duly elected to fill the seat in the said Taluk⁶/Zilla Panchayat from the
above Constituency.

Place:

Date:

Returning Officer

1. Appropriate particulars of the election to be inserted here.
2. Strike off the inappropriate alternative.
3. Appropriate particulars of the election to be inserted here.
4. Strike off the inappropriate alternative.
5. Appropriate particulars of the election to be inserted here.
6. Strike off the inappropriate alternative.

FORM 33
[See Rule 74(i) (a)]

Declaration of the result of Election under Rule 74(i)(a) of the Karnataka Panchayat Raj (Conduct of Election) Rules, 1993

(For use in Election to Taluk/Zilla Panchayat to fill casual vacancy when seat is contested)

Election to the¹ Taluk²/Zilla Panchayat from the³ Constituency/Constituency reserved for Scheduled Castes⁴/ Scheduled Tribes/Backward Classes/Women.

In the pursuance of the provisions contained in Rule 74(i)(a) of the Karnataka Panchayat Raj (Conduct of Election) Rules, 1993, I declare that

..... (Name)

..... (Address)

Sponsored by (name of the recognized/registered Political Party) has been duly elected to fill the vacancy caused in the Taluk⁵/Zilla Panchayat by the above Constituency.

⁶Resignation of

⁷Death of

⁸Election ofhave been declared void

⁹Seat of Having become¹⁰/having been declared vacant.

Place:

Date:

Signature of the Returning Officer

..... (Name)

..... (Designation)

1. Appropriate particulars of the election to be inserted here.
2. Strike off the inappropriate alternative.
3. Appropriate particulars of the election to be inserted here.
4. Strike off the inappropriate alternative.
5. Strike off the inappropriate alternative.
6. Score out if inappropriate.
7. Score out if inappropriate.
8. Score out if inappropriate.
9. Score out if inappropriate.
10. Strike off the inappropriate alternative.

FORM 34
[See Rule 74(ii)]

**Declaration of the result of Election under Rule 74(ii) of the
Karnataka Panchayat Raj (Conduct of Election) Rules, 1993**

(For use in General Election to Grama Panchayat when seat is contested)

Election to the¹Grama Panchayat for the²
Constituency/Constituency reserved for Scheduled Castes³/Scheduled
Tribes/Backward Classes/Women.

In pursuance of the provisions contained in Rule 74 (ii) of the Karnataka
Panchayath Raj (Conduct of Election) Rules, 1993, I declare that

..... (Name)

..... (Address)

has been duly elected to fill the seat in the- said- Grama Panchayat for the
above constituency.

Place:

Date:

Signature of the Returning Officer

..... (Name)

..... (Designation)

1. Appropriate particulars of the election to be inserted here.
2. Appropriate particulars of the election to be inserted here.
3. Strike off the inappropriate alternative.

FORM 35
[See Rule 74(ii)]

**Declaration of the result of election under Rule 74(ii) of the
Karnataka Panchayat Raj (Conduct of Election) Rules, 1993**

(For use in election to Grama Panchayat to fill casual vacancy when
seat is contested)

Election to the¹Grama Panchayat from the²
Constituency /Constituency reserved for Scheduled Castes³/Scheduled
Tribes/Backward Classes/Women.

In pursuance of the provisions contained in Rule 74 (ii) of the
Karnataka Panchayat Raj (Conduct of Election) Rules, 1993,

I declare that

..... (Name)

..... (Address)

has been duly elected to fill the vacancy caused in Grama Panchayat by the

⁴Resignation of

⁵Death of

⁶Election of have been declared void

⁷Seat of Having declared⁸/having been declared vacant.

Place:.....

Date:

Signature of Returning Officer

..... (Name)

..... (Designation)

-
- 1. Appropriate particulars of the election to be inserted here.
 - 2. Appropriate particulars of the election to be inserted here.
 - 3. Strike off the inappropriate alternative.
 - 4. Score out if inappropriate.
 - 5. Score out if inappropriate
 - 6. Score out if inappropriate.
 - 7. Score out if not applicable.
 - 8. Strike off the inappropriate alternative.

FORM 36
[See Rule 74 (c)]

Return of Election

Election to the¹Grama²/Taluk/Zilla Panchayat from the³
 Constituency/Constituency reserved⁴ for Scheduled Castes⁴/
 Scheduled Tribes/Backward Classes/Women.

Return of Election

Serial Number	Name of Candidate	Party ⁵ Affiliation	Number of valid votes polled
------------------	----------------------	-----------------------------------	---------------------------------

Total number of electors
 Total number of valid votes polled
 Total number of rejected votes
 Total number of tendered votes

I declare that Name of

Address has been duly elected to fill the seat.

Place:
 Date:

Returning Officer

(State Emblem)

-
1. Appropriate particulars of the election to be inserted here.
 2. Strike off the inappropriate alternative.
 3. Appropriate particulars of the election to be inserted here.
 4. Strike off the inappropriate alternative.
 5. Not applicable in the case of elections to Grama Panchayat.

FORM 37
(See Rule 75)
Certificate of Election

I, Returning Officer for the¹Grama² /Taluk/Zilla Panchayat Constituency, hereby certify that I have on the.....day of.....19declare Shri/Smt.....³Sponsored by recognised⁴/registered political party to have been duly elected by the said Constituency to be member of the Grama⁵/Taluk/Zilla Panchayat and that in token thereof I have granted to him this certificate of Election.

Place:

Returning Officer

Date:

Seal.

-
1. Appropriate particulars of the election to be inserted here.
 2. Strike off the inappropriate alternative.
 3. Score out if not applicable.
 4. Strike off the inappropriate alternative.
 5. Strike off the inappropriate alternative.

¹[FORM 38
[See Rule 96]
Register of voters

Election to the member ofGrama/Taluk/Zilla
 Panchayat from.....Constituency. Constituency No. and Name of
 Polling station.....Part No. of Electoral Roll

S1.No.	S1. No. of elector in the electoral roll	Signature/ Thumb impression of elector	Remarks
1.			
2.			
3.			
4.			
<i>etc.</i>			

Date:

Signature of the Presiding Officer

**THE KARNATAKA PANCHAYAT RAJ (CONDUCT OF ELECTION)
(AMENDMENT) RULES**

**¹THE KARNATAKA PANCHAYAT RAJ (CONDUCT OF ELECTION)
(AMENDMENT) RULES, 1994**

Whereas the draft of the Karnataka Panchayat Raj (Conduct of elections) (Amendment) Rules, 1994 to amend the Karnataka Panchayat Raj (Conduct of Election) Rules, 1993 was published as required by sub-section (1) of Section 311 of the Karnataka Panchayat Raj Act, 1993 (Karnataka Act 14 of 1993), in Notification No. RDP 200 ZPS 94, dated 19th February, 1994 in Part IV, Section 2(C)(i) of Karnataka Gazette, Extraordinary, inviting objections and suggestions from all persons likely to be affected thereby within thirty days from the date of publication of the draft in the Official Gazette.

And, whereas, the said Gazette was made available to the public on 21-2-1994.

And, whereas, no objections or suggestions have been received in respect of the said draft by the State Government.

Now, therefore, in exercise of the powers conferred by section (1) of Section 311 of Karnataka Panchayat Raj Act, 1993 the Government of Karnataka, makes the following rules:-

1. Short Title and commencement.- (1) These Rules may be called the **Karnataka Panchayat Raj (Conduct of Election) (Amendment) Rules, 1994.**

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Amendment of Rule 22.- In Rule 22 of the Karnataka Panchayat Raj (Conduct of Election) Rules, 1993.-

(i) in sub-rule (3), the following proviso and explanation shall be *inserted*, namely.-

"Provided that in the case of a candidate set up by an unrecognised 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 unrecognised political parties choose the same free symbol, the Returning Officer shall decide by lot to which of those candidates set up by such unrecognised 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, the expression "unrecognized political party" means a political party registered as a

1. Published in the Karnataka Gazette, Extraordinary, dated 23-3-1994, *vide* Notification No. RDP 200 ZPS 94, dated 23-3-1994.

party in the State of Karnataka under the Election Symbols (Reservation and Allotment) Order, 1968 and which is not a recognised political party within the meaning of the said order.”

- (ii) in sub-rule (4), after the words "free symbol" the words "other than the one chosen by a candidate set up by unrecognised political party" shall be *inserted*;
- (iii) in sub-rule (5), after the words "same free symbol" the words "other than the one chosen by a candidate set up by any unrecognised political party" shall be *inserted*.

**'THE KARNATAKA PANCHAYAT RAJ (CONDUCT OF ELECTION)
(AMENDMENT) RULES, 1995**

Whereas the draft of the Karnataka Panchayat Raj (Conduct of Election) (Amendment) Rules, 1995 to amend the Karnataka Panchayat Raj (Conduct of Election) Rules, 1993 was published as required by sub-section (1) of Section 311 of the Karnataka Panchayat Raj Act, 1993 (Karnataka Act 14 of 1993), in Notification No. RDP 200 ZPS 94, dated 13th February, 1995 in Part IV, Section 2(C)(i) of Karnataka Gazette, Extraordinary, inviting objections and suggestions from all persons likely to be affected thereby within seven days from the date of publication of the draft in the Official Gazette.

And, whereas, the said Gazette was made available to the public on 13th February, 1995.

And, whereas, no objections or suggestions have been received in respect of the said draft by the State Government.

Now, therefore, in exercise of the powers conferred by Section (1) of Section 311 of Karnataka Panchayat Raj Act, 1993 the Government of Karnataka, makes the following rules:

1. Short Title and Commencement.- (1) These Rules may be called the **Karnataka Panchayat Raj (Conduct of Election) (Amendment) Rules, 1995.**

(2) They shall come into force on date of their publication in the Official Gazette.

2. Amendment of Rule 22.- In Rule 22 of the Karnataka Panchayat Raj (Conduct of Election) Rules, 1993, in the explanation, in clause (c) for the words "President of the Party's unit at the State Level" the words "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" shall be *substituted*.

THE KARNATAKA PANCHAYAT RAJ (CONDUCT OF ELECTION) (SECOND AMENDMENT) RULES, 1995

Whereas the draft of the Karnataka Panchayat Raj (Conduct of Elections) (Second Amendment) Rules, 1995 further to amend the Karnataka Panchayat Raj (Conduct of Election) Rules, 1993 was published as required by sub-section (1) of Section 311 of Karnataka Panchayat Raj Act, 1993 (Karnataka Act 14 of 1993) in Notification No. RDP 200 ZPS 94, dated 25th February, 1995 in Part IV, Section 2(C)(i) of Karnataka Gazette, Extraordinary, inviting objections and suggestions from all persons likely to be affected thereby with in seven days from the date of publication of the draft in the Official Gazette.

And, whereas, the said Gazette was made available to the public on 25th February, 1995.

And, whereas, no objections or suggestions have been received in respect of the said draft by the State Government.

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 311 of Karnataka Panchayat Raj Act, 1993 the Government of Karnataka, makes the following rules.-

1. Short Title and commencement.- (1) These Rules may be called the **Karnataka Panchayat Raj (Conduct of Election) (Second Amendment) Rules, 1995.**

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Amendment of Rule 69.- In Rule 69 of the Karnataka Panchayat Raj (Conduct of Election) Rules, 1993 (hereinafter referred to as said rules) after sub-rule (7), the following shall be *inserted*, namely.-

"(8) Where then State Election Commission given any general or special direction order sub-rule (1) to mix the ballot papers before commencing the counting of ballot papers, the Returning Officer shall, in lieu of Forms 28 and 31, use Forms 28-A and 31-A respectively."

3. Insertion of new Form 28-A.- After Form 28 of the said rules, the following form shall be inserted, namely.-

[FORM 28-A
[See Rule 69(8)]

Part I : Ballot Paper Account

Election to the * Grama ** /Taluk/
Zilla Panchayat from the * Constituency.

1. Published in the Karnataka Gazette, dated 7-3-1995 vide Notification No. RDP 200 ZPS 94, dated 7-3-1995.

Number and Name of Polling station.....

	Serial Nos.	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 <i>inserted</i> into the Ballot Box		
(b) Ballot papers cancelled for violation		
of voting procedure under Rule 51		
(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)		
(Serial numbers need not be given)		

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 of this part and the total number of Ballot papers to be found in the Ballot Box/Boxes shown in item 5 of Part I of Ballot paper account

Date:

Signature of counting Supervisor

Signature of the Returning Officer.]

4. Insertion of new Form 31-A.- After Form 31 of the said rules, the following form shall be inserted, namely.-

1[FORM 31-A

[See Rule 69(8)]

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

Election to the Grama/Taluk/Zilla Panchayat from Constituency.

Polling Station Number		Total votes found in the Ballot Box/Boxes	No. of tendered votes
(1)			
(2)			
(3)			
(4)			
(5)			
and so on			
Total			

Total Number of valid votes recorded for candidates and of rejected Ballot papers	Candidates valid votes							Valid votes Total	No. of rejected Ballot papers	Valid and rejected votes Total
	A	B	C	D	E	F	G			
1st round	-	-	-	-	-	-	-	-	-	-
2nd round	-	-	-	-	-	-	-	-	-	-
3rd round	-	-	-	-	-	-	-	-	-	-
4th 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."

¹ಕರ್ನಾಟಕ ಪಂಚಾಯತ್ ರಾಜ್ (ಚುನಾವಣೆಯನ್ನು ನಡೆಸುವ) (ತಿದ್ದುಪಡಿ) ನಿಯಮಗಳು, 1998

ಕರ್ನಾಟಕ ಪಂಚಾಯತ್ ರಾಜ್ ಅಧಿನಿಯಮ, 1993 (1993ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 14), ಪ್ರಕರಣ 311ರ ಉಪ-ಪ್ರಕರಣ (1)ರಲ್ಲಿ ಅಗತ್ಯಪಡಿಸಿರುವಂತೆ 1993ರ ಕರ್ನಾಟಕ ಪಂಚಾಯತ್ ರಾಜ್ (ಚುನಾವಣೆಯನ್ನು ನಡೆಸುವ) (ತಿದ್ದುಪಡಿ) ನಿಯಮಗಳು, 1998ರ ಕರಡನ್ನು ಅಧಿಸೂಚನೆ ಸಂಖ್ಯೆ: ಗ್ರಾಅಪ 131 ಗ್ರಾಪಸ 96, ದಿನಾಂಕ: 17.1.1998ರ ಮೂಲಕ ಕರ್ನಾಟಕ ವಿಶೇಷ ರಾಜ್ಯಪತ್ರದ ಭಾಗ 4, ಸೆಕ್ಷನ್ 2-ಸಿ(i)ರಲ್ಲಿ ದಿನಾಂಕ: 17.1.1998ರಂದು ಪ್ರಕಟಿಸಿದ್ದು, ಆ ಮೂಲಕ ಬಾಧಿತರಾಗುವ ಸಂಭವವಿರುವ ವ್ಯಕ್ತಿಗಳಿಂದ 30 ದಿವಸಗಳೊಳಗಾಗಿ ಆಕ್ಷೇಪಣೆ ಮತ್ತು ಸಲಹೆಗಳನ್ನು ಆಹ್ವಾನಿಸಿ ಪ್ರಕಟಿಸಿರುವುದರಿಂದ;

ಮತ್ತು ದಿನಾಂಕ: 17.1.1998ರಂದು ಸದರಿ ರಾಜ್ಯಪತ್ರವನ್ನು ಸಾರ್ವಜನಿಕರಿಗೆ ಲಭ್ಯವಾಗುವಂತೆ ಮಾಡಿರುವುದರಿಂದ;

ಈಗ 1993ರ ಕರ್ನಾಟಕ ಪಂಚಾಯತ್ ರಾಜ್ ಅಧಿನಿಯಮ (ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 1993ರ 14)ರ ಪ್ರಕರಣ 311ರಲ್ಲಿ ಪ್ರದತ್ತವಾದ ಅಧಿಕಾರವನ್ನು ಚಲಾಯಿಸಿ, ಕರ್ನಾಟಕ ಸರ್ಕಾರವು ಈ ಕೆಳಕಂಡ ನಿಯಮಗಳನ್ನು ರಚಿಸುತ್ತದೆ, ಎಂದರೆ.-

1. ಹೆಸರು ಮತ್ತು ಪ್ರಾರಂಭ.- (1) ಈ ನಿಯಮಗಳನ್ನು ಕರ್ನಾಟಕ ಪಂಚಾಯತ್ ರಾಜ್ (ಚುನಾವಣೆಯನ್ನು ನಡೆಸುವ) (ತಿದ್ದುಪಡಿ) ನಿಯಮಗಳು, 1998 ಎಂದು ಕರೆಯತಕ್ಕದ್ದು.

(2) ಅದು ರಾಜ್ಯ ಸರ್ಕಾರವು ಸರ್ಕಾರಿ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಪ್ರಕಟಿಸಿದ ದಿನಾಂಕದಿಂದ ಜಾರಿಗೆ ಬರತಕ್ಕದ್ದು.

2. 15ನೇ ನಿಯಮದ ತಿದ್ದುಪಡಿ.- 1993ರ ಕರ್ನಾಟಕ ಪಂಚಾಯತ್ ರಾಜ್ (ಚುನಾವಣೆಯನ್ನು ನಡೆಸುವ) ನಿಯಮಗಳು, 15ನೇ ನಿಯಮದ (1)ನೇ ಉಪ-ನಿಯಮದ.-

(i) “ಎ” ಖಂಡದಲ್ಲಿ “ಎರಡು ನೂರ ಐವತ್ತು” ಮತ್ತು “ಒಂದು ನೂರ ಇಪ್ಪತ್ತು” ಎನ್ನುವ ಪದಗಳ ಬದಲಿಗೆ ಅನುಕ್ರಮವಾಗಿ “ಐದು ನೂರು” ಮತ್ತು “ಎರಡು ನೂರ ಐವತ್ತು” ಎಂದು ಪ್ರತಿಯೋಜಿಸತಕ್ಕದ್ದು; ಮತ್ತು

(ii) “ಬಿ” ಖಂಡದಲ್ಲಿ “ಒಂದು ನೂರು” ಮತ್ತು “ಐವತ್ತು” ಎನ್ನುವ ಪದಗಳ ಬದಲಿಗೆ ಅನುಕ್ರಮವಾಗಿ “ಎರಡು ನೂರು” ಮತ್ತು “ಒಂದು ನೂರು” ಎಂದು ಪ್ರತಿಯೋಜಿಸತಕ್ಕದ್ದು.

²ಕರ್ನಾಟಕ ಪಂಚಾಯತ್ ರಾಜ್ (ಚುನಾವಣೆಯನ್ನು ನಡೆಸುವ) (ತಿದ್ದುಪಡಿ) ನಿಯಮಗಳು, 1998

1993ರ ಕರ್ನಾಟಕ ಪಂಚಾಯತ್ ರಾಜ್ ಅಧಿನಿಯಮದ (1993ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 14) ಪ್ರಕರಣ 311ರ ಉಪ-ಪ್ರಕರಣ (1)ರಲ್ಲಿ ಅಗತ್ಯಪಡಿಸಿರುವಂತೆ ಕರ್ನಾಟಕ ಪಂಚಾಯತ್ ರಾಜ್ (ಚುನಾವಣೆಯನ್ನು ನಡೆಸುವ) (ತಿದ್ದುಪಡಿ) ನಿಯಮಗಳು, 1998ರ ಕರಡನ್ನು ಅಧಿಸೂಚನೆ ಸಂಖ್ಯೆ: ಗ್ರಾಅಪ 324 ಜಿಪಸ 97, ದಿನಾಂಕ: 23.1.1998ರ ಮೂಲಕ ಕರ್ನಾಟಕ ವಿಶೇಷ ರಾಜ್ಯಪತ್ರದ ಭಾಗ 4, ಸೆಕ್ಷನ್ 2-ಸಿ(ii)ರಲ್ಲಿ ದಿನಾಂಕ: 28.1.1998ರಂದು ಪ್ರಕಟಿಸಿದ್ದು, ಆ ಮೂಲಕ ಬಾಧಿತರಾಗುವ ಸಂಭವವಿರುವ ವ್ಯಕ್ತಿಗಳಿಂದ 30 ದಿವಸಗಳೊಳಗಾಗಿ ಆಕ್ಷೇಪಣೆ ಮತ್ತು ಸಲಹೆಗಳನ್ನು ಆಹ್ವಾನಿಸಿ ಪ್ರಕಟಿಸಿರುವುದರಿಂದ;

ಮತ್ತು ದಿನಾಂಕ: 28.1.1998ರಂದು ಸದರಿ ರಾಜ್ಯಪತ್ರವನ್ನು ಸಾರ್ವಜನಿಕರಿಗೆ ಲಭ್ಯವಾಗುವಂತೆ ಮಾಡಿರುವುದರಿಂದ;

ಮತ್ತು ಸದರಿ ಕರಡಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ರಾಜ್ಯ ಸರ್ಕಾರಕ್ಕೆ ನಿಗದಿತ ಅವಧಿಯೊಳಗೆ ಯಾವುದೇ ಆಕ್ಷೇಪಣೆ ಅಥವಾ ಸಲಹೆಗಳು ಬಾರದೇ ಇರುವುದರಿಂದ ;

ಈಗ 1993ರ ಕರ್ನಾಟಕ ಪಂಚಾಯತ್ ರಾಜ್ ಅಧಿನಿಯಮ (ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 1993ರ 14)ದ ಪ್ರಕರಣ 311ನೇ ಪ್ರಕರಣದೊಂದಿಗೆ ಓದಲಾದ ಸದರಿ ಅಧಿನಿಯಮದ ಪ್ರಕರಣಗಳು 130, 271, 170, 165, 181 ಮತ್ತು 5ರಲ್ಲಿ ಪ್ರದತ್ತವಾದ ಅಧಿಕಾರವನ್ನು ಚಲಾಯಿಸಿ, ಕರ್ನಾಟಕ ಸರ್ಕಾರವು ಈ ಕೆಳಕಂಡ ನಿಯಮಗಳನ್ನು ರಚಿಸುತ್ತದೆ, ಎಂದರೆ.-

1. ಹೆಸರು ಮತ್ತು ಪ್ರಾರಂಭ.- (1) ಈ ನಿಯಮಗಳನ್ನು ಕರ್ನಾಟಕ ಪಂಚಾಯತ್ ರಾಜ್ (ಚುನಾವಣೆಯನ್ನು ನಡೆಸುವ) (ತಿದ್ದುಪಡಿ) ನಿಯಮಗಳು, 1998 ಎಂದು ಕರೆಯತಕ್ಕದ್ದು.

(2) ಇವು ಸರ್ಕಾರದ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಪ್ರಕಟವಾದ ದಿನಾಂಕದಿಂದ ಜಾರಿಗೆ ಬರತಕ್ಕದ್ದು.

2. 22ನೇ ನಿಯಮದ ತಿದ್ದುಪಡಿ.- ಕರ್ನಾಟಕ ಪಂಚಾಯತ್ ರಾಜ್ (ಚುನಾವಣೆಯನ್ನು ನಡೆಸುವ) ನಿಯಮಗಳು, 1993ರ ನಿಯಮ 22ರ ಉಪ-ನಿಯಮ (5)ರ ಅಡಿಯಲ್ಲಿಯ ವಿವರಣೆಯಲ್ಲಿಯ ಖಂಡ (ಬಿ)ಯಲ್ಲಿ “ನಾಮಪತ್ರವನ್ನು ಹಿಂತೆಗೆದುಕೊಳ್ಳುವ” ಎಂಬ ಪದಗಳಿಗೆ ಬದಲಾಗಿ “ನಾಮಪತ್ರಗಳನ್ನು ಸಲ್ಲಿಸುವ” ಎಂಬ ಪದಗಳನ್ನು ಪ್ರತಿಯೋಜಿಸತಕ್ಕದ್ದು.

1. ದಿನಾಂಕ: 23.3.1998ರ ಕರ್ನಾಟಕ ವಿಶೇಷ ರಾಜ್ಯಪತ್ರ ಭಾಗ-4, ಸೆಕ್ಷನ್ 2-ಸಿ(i)ರಲ್ಲಿ ಪ್ರಕಟಿಸಲ್ಪಟ್ಟ ಅಧಿಸೂಚನೆ ಸಂಖ್ಯೆ: ಗ್ರಾಅಪ 131 ಗ್ರಾಪಸ 96, ದಿನಾಂಕ: 23.3.1998.

2. ದಿನಾಂಕ: 4.4.1998ರ ಕರ್ನಾಟಕ ವಿಶೇಷ ರಾಜ್ಯಪತ್ರ ಭಾಗ-4, ಸೆಕ್ಷನ್ 2-ಸಿ(ii)ರಲ್ಲಿ ಪ್ರಕಟಿಸಲ್ಪಟ್ಟ ಅಧಿಸೂಚನೆ ಸಂಖ್ಯೆ: ಗ್ರಾಅಪ 324 ಜಿಪಸ 97, ದಿನಾಂಕ: 4.4.1998.

**¹THE KARNATAKA PANCHAYAT RAJ (CONDUCT OF ELECTION)
(AMENDMENT) RULES, 1998**

Whereas, the draft of the Karnataka Panchayat Raj (Conduct of Election) (Amendment) Rules, 1998 was published in Notification No. RDP 127 ZPS 98, dated 19-8-1998 in the Part IV, Section 2-C(i) of the Karnataka Gazette, Extraordinary, dated 21-8-1998 as required by sub-section (1) of Section 311 of Karnataka Panchayat Raj Act, 1993 (Karnataka Act 14 of 1993) inviting objections and suggestions to the said draft from persons likely to be affected thereby within 30 days of its publication in the Official Gazette.

And whereas, the said Gazette was made available to public on 21-8-1998. And where no objections or suggestions have been received by the State Government in respect of the said draft.

Now therefore, in exercise of the powers conferred by sub-sections (1) to (4) of Section 5 and sub-sections (1) to (3) of Section 123 and Section 162 of the Karnataka Panchayat Raj Act, 1993 (Karnataka Act 14 of 1993) read with Section 311 of the said Act, the Government of Karnataka hereby makes the following Rules, namely.-

1. Title and commencement.- (I) These rules may be called the **Karnataka Panchayat Raj (Conduct of Election) (Amendment) Rules, 1998.**

(2) They shall come into force from the date of their publication in the Official Gazette.

2. Amendment of Rule 14.- In Rule 14 of the Karnataka Panchayat Raj (Conduct of Election) Rules, 1998, in sub-rule (I), for the words "the constituency", the words "the Grama Panchayat" shall be *substituted*.

**²THE KARNATAKA PANCHAYAT RAJ (CONDUCT OF ELECTION)
(AMENDMENT) RULES, 1998 "**

Whereas, the draft of the Karnataka Panchayat Raj (Conduct of Election) (Amendment) Rules, 1998 was published in Notification No. RDP 113 ZPS 98 in the Part IV, Section 2-C(ii) of the Karnataka Gazette Extraordinary dated 2-11-1998 as required by sub-section (1) of Section 311 of Karnataka Panchayat Raj Act, 1993 (Karnataka Act 14 of 1993) inviting objections and suggestions to the said draft from persons likely to be affected thereby within 10 days of its publication in the Official Gazette.

And whereas, the said Gazette was made available to the public on 2-11-1998.

-
1. Published in the Karnataka Gazette, Extraordinary, dated 26-10-1998, vide Notification No. RDP 127 ZPS 98, dated 23-10-1998
 2. Published in the Karnataka Gazette, Extraordinary, dated 20-11-1998 vide Notification No. RDP 113 ZPS 98, dated 20-11-1998

And whereas, no objections or suggestions have been received by the State Government in respect of the said draft.

Now therefore, in exercise of the powers conferred by sub-section (3) of Section 10 and Section 126 of the Karnataka Panchayat Raj Act, 1993 (Karnataka Act 14 of 1993) read with Section 311 of the said Act, the Government of Karnataka hereby makes the following rules namely.-

1. Title and commencement.- (I) These rules may be called the **Karnataka Panchayat Raj (Conduct of Election) (Amendment) Rules, 1998.**

(2) They shall come into force at once.

2. Amendment of Rule 5.- In Rule 5 of the Karnataka Panchayat Raj (Conduct of Election) Rules, 1998.-

(a) in sub-rule (1) for the words, figures and brackets "Secretary of Grama Panchayat or the officer authorised under sub-section (3) of Section 10 of the Act in the case of Grama Panchayat and the Executive Officer or an officer authorised under sub-section (3) of Section 126 of the Act in the case of Taluk Panchayat" the words "The concerned Tahsildar" shall be *substituted*;

(b) in sub-rule (2) for the words, figures and brackets "the Secretary or the officer authorised under sub-section (3) of Section 10 in the case of Grama Panchayat and Executive Officer or an officer authorised under sub-section (3) of Section 126 in the case of Taluk Panchayat" the words "The concerned Tahsildar" shall be *substituted*.

**¹THE KARNATAKA PANCHAYAT RAJ (CONDUCT OF ELECTION)
(AMENDMENT) RULES, 2000**

Whereas, the draft of the Karnataka Panchayat Raj (Conduct of Election) (Amendment) Rules, 2000, in Notification No. RDP 207 ZPS 99, dated 7-1-2000 was published in the Part IV, Section 2-c(i) of the Karnataka Gazette, Extraordinary, dated 7-1-2000 as required by Section 311 of the Karnataka Panchayat Raj Act, 1993 (Karnataka Act 14 of 1993) inviting objection and suggestions to the said draft thereto within 10 days of its publication in the Official Gazette.

And whereas, the said Gazette was made available to the public on 7-1- 2000;

And whereas, no objection or suggestions have been received by the State Government in respect of the said draft.

Now, therefore, in exercise of the powers conferred by Section 311 of the Karnataka Panchayat Raj Act, 1993 (Karnataka Act 14 of 1993), the Government of Karnataka hereby makes the following rules, namely.-

1. Published in the Karnataka Gazette, Extraordinary, dated 19-1-2000, *vide* Notification No. RDP 207 GPS 99, dated 19-1-2000

1. Short title and commencement.- (1) These rules may be called the Karnataka Panchayat Raj (Conduct of Election) (Amendment) Rules, 2000.

(2) They shall come into force from the date of their publication in the Official Gazette.

2. Insertion of new Rule 14-A.- After Rule 14 of the Karnataka Panchayat Raj (Conduct of Election) Rules, 1993, the following rules shall be *inserted*, namely.-

"14-A. Receiving nomination in case of seats reserved under the proviso to sub-section (2) of Section 5.- Notwithstanding anything contained in these rules, where a seat is reserved.-

- (i) for persons belonging to the Scheduled Caste under the proviso to sub-section (2) of Section 5, the Returning Officer may receive nomination papers both from persons belonging to the Scheduled Castes and Scheduled Tribes but shall return the nomination paper filed by a person belonging to the Scheduled Tribes along with the deposit made in case nomination paper is received from any person belonging to the Scheduled Caste before the last date and time fixed for making nomination, so however, he may proceed to consider the nomination paper filed by a candidate belonging to the Scheduled Tribes only when no nomination paper is received from a person belonging to the Scheduled Castes before the date and time fixed for making nomination.
- (ii) for persons belonging to the Scheduled Tribes under the proviso to sub-section (2) of Section 5, the Returning Officer may receive nomination papers both from persons belonging to the Scheduled Castes and Scheduled Tribes but shall return the nomination paper filed by a person belonging to the Scheduled Castes along with the deposit made in case nomination paper is received from any person belonging to the Scheduled Tribes before the last date and time fixed for making nomination, so however, he may proceed to consider the nomination paper filed by a candidate belonging to the Scheduled Castes only when no nomination paper is received from a person belonging to the Scheduled Tribes before the date and time fixed for making nomination."

¹CORRIGENDUM

In the Karnataka Panchayat Raj (Conduct of Election) (Amendment) Rules, 2000 published *vide* Notification No. RDP 207 GPS 99, dated 19-1-2000, the following lines are to be read as shown against them; in respect of clauses (i) and (ii) of Rule 14-A.-

In clause (i).-

READ

'Returning Officer may accept Nomination'	'Returning Officer may receive Nomination'
'The date and time fixed'	The last date and time fixed

In Clause (ii).-

'Returning Officer may accept Nomination'	'Returning Officer may receive Nomination'
'The date and time fixed'	'The last date and time fixed'
'In case nomination paper received'	'In case nomination paper is received'.

¹ಕರ್ನಾಟಕ ಪಂಚಾಯತ್ ರಾಜ್ (ಚುನಾವಣೆಯನ್ನು ನಡೆಸುವ) (ತಿದ್ದುಪಡಿ) ನಿಯಮಗಳು, 2003

ಕರ್ನಾಟಕ ಪಂಚಾಯತ್ ರಾಜ್ ಅಧಿನಿಯಮ, 1993 (1993ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ ಸಂಖ್ಯೆ 14) ರ ಪ್ರಕರಣ 311ನೇ ಪ್ರಕರಣದ ಮೂಲಕ ಪ್ರದತ್ತವಾದ ಅಧಿಕಾರಗಳನ್ನು ಚಲಾಯಿಸಿ, ಕರ್ನಾಟಕ ಸರ್ಕಾರವು ಕರ್ನಾಟಕ ಪಂಚಾಯತ್ ರಾಜ್ (ಚುನಾವಣೆಯನ್ನು ನಡೆಸುವ) ನಿಯಮಗಳು, 1993ನ್ನು ತಿದ್ದುಪಡಿ ಮಾಡಲು ಈ ಕೆಳಕಂಡ ಕರಡು ತಿದ್ದುಪಡಿ ನಿಯಮಗಳನ್ನು ಸದರಿ ಪ್ರಕರಣದ ಉಪ-ಪ್ರಕರಣ (1)ರ ಮೂಲಕ ಅಗತ್ಯಪಡಿಸಲಾದಂತೆ, ಅದರಿಂದ ಭಾದಿತರಾಗಬಹುದಾದ ವ್ಯಕ್ತಿಗಳ ಮಾಹಿತಿಗಾಗಿ ಈ ಮೂಲಕ ಪ್ರಕಟಿಸಲಾಗಿದೆ ಮತ್ತು ಸದರಿ ತಿದ್ದುಪಡಿ ನಿಯಮಗಳ ಕರಡನ್ನು ಸರ್ಕಾರಿ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಪ್ರಕಟಗೊಂಡ ದಿನಾಂಕದಿಂದ ಮೂವತ್ತು ದಿನಗಳ ನಂತರ ಪರಿಗಣನೆಗೆ ತೆಗೆದುಕೊಳ್ಳಲಾಗುವುದೆಂದು ಈ ಮೂಲಕ ಸೂಚಿಸಲಾಗಿದೆ.

ಮೇಲೆ ನಿರ್ದಿಷ್ಟಪಡಿಸಿದ ಅವಧಿಯು ಮುಕ್ತಾಯವಾಗುವುದಕ್ಕೆ ಮೊದಲು ಸದರಿ ಕರಡಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ, ಯಾವೊಬ್ಬ ವ್ಯಕ್ತಿಯಿಂದ ರಾಜ್ಯ ಸರ್ಕಾರವು ಸ್ವೀಕರಿಸಬಹುದಾದ ಯಾವುದೇ ಆಕ್ಷೇಪಣೆ ಅಥವಾ ಸಲಹೆಯನ್ನು ರಾಜ್ಯ ಸರ್ಕಾರವು ಪರಿಗಣಿಸುವುದು. ಆಕ್ಷೇಪಣೆಗಳು ಮತ್ತು ಸಲಹೆಗಳನ್ನು ಸರ್ಕಾರದ ಪ್ರಧಾನ ಕಾರ್ಯದರ್ಶಿಗಳು, ಗ್ರಾಮೀಣಾಭಿವೃದ್ಧಿ ಮತ್ತು ಪಂಚಾಯತ್ ರಾಜ್ ಇಲಾಖೆ, ಬಹುಮಹಡಿಗಳ ಕಟ್ಟಡ ಡಾ: ಅಂಬೇಡ್ಕರ್ ವೀಧಿ, ಬೆಂಗಳೂರು-560 001 ಇವರಿಗೆ ಕಳುಹಿಸಬಹುದಾಗಿದೆ.

1. ಹೆಸರು ಮತ್ತು ಪ್ರಾರಂಭ.- (1) ಈ ನಿಯಮಗಳನ್ನು ಕರ್ನಾಟಕ ಪಂಚಾಯತ್ ರಾಜ್ (ಚುನಾವಣೆಯನ್ನು ನಡೆಸುವ) (ತಿದ್ದುಪಡಿ) ನಿಯಮಗಳು, 2003 ಎಂದು ಕರೆಯತಕ್ಕದ್ದು.

(2) ಇವು ಸರ್ಕಾರದ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಪ್ರಕಟಗೊಂಡ ದಿನಾಂಕದಿಂದ ಜಾರಿಗೆ ಬರತಕ್ಕದ್ದು.

2. ನಿಯಮ 2ರ ತಿದ್ದುಪಡಿ.- ಕರ್ನಾಟಕ ಪಂಚಾಯತ್ ರಾಜ್ (ಚುನಾವಣೆಯನ್ನು ನಡೆಸುವ) ನಿಯಮಗಳು, 1993ರ (ಈ ಮುಂದೆ 'ಮೂಲ ನಿಯಮಗಳು' ಎಂದು ಉಲ್ಲೇಖಿಸಲ್ಪಡುವ) ನಿಯಮ 2ರಲ್ಲಿನ ಖಂಡ (8)ರ ನಂತರ ಕೆಳಗಿನದನ್ನು ಸೇರಿಸತಕ್ಕದ್ದು.-

'(8-ಎ) 'ಜಾತಿ ಪ್ರಮಾಣಪತ್ರ' ಎಂದರೆ ಕರ್ನಾಟಕ ಪಂಚಾಯತ್ ರಾಜ್ ಸಂಸ್ಥೆಗಳ ಚುನಾವಣೆಗೆ ಸ್ಪರ್ಧಿಸುವ ಅಭ್ಯರ್ಥಿಯು ಯಾವ ತಾಲ್ಲೂಕಿನ ವ್ಯಾಪ್ತಿಗೆ ಒಳಪಟ್ಟಿರುತ್ತಾನೋ, ಅದೇ ತಾಲ್ಲೂಕಿನ ತಹಶೀಲ್ದಾರ್‌ರವರು ಅಭ್ಯರ್ಥಿಯು ಯಾವ ಜಾತಿಗೆ ಸೇರಿರುತ್ತಾನೆ ಎಂಬುದರ ಬಗ್ಗೆ ನೀಡಿದ ಜಾತಿ ಪ್ರಮಾಣಪತ್ರ ಒಳಗೊಳ್ಳುತ್ತದೆ. ಸಂಬಂಧಿಸಿದ ತಾಲ್ಲೂಕಿನ ವ್ಯಾಪ್ತಿಗೆ ಸೇರಿದ ತಹಶೀಲ್ದಾರನು ಸದರಿ ಜಾತಿ ಪ್ರಮಾಣಪತ್ರ ನೀಡಲು ಸಕ್ಷಮ ಪ್ರಾಧಿಕಾರಿಯಾಗಿರುತ್ತಾನೆ. ಇದು ಕರ್ನಾಟಕ ಪರಿಶಿಷ್ಟ ಜಾತಿ/ಪರಿಶಿಷ್ಟ ಪಂಗಡ ಮತ್ತು ಇತರೆ ಹಿಂದುಳಿದ ವರ್ಗದ (ಮೀಸಲಾತಿಯ ನೇಮಕಾತಿ ಇತರೆ) ಅಧಿನಿಯಮ, 1999ರಲ್ಲಿ ನೀಡಲಾದ ಜಾತಿ ಪ್ರಮಾಣಪತ್ರ ಚುನಾವಣೆಯ ಸಂದರ್ಭಕ್ಕೂ ಸಹ ಒಳಗೊಳ್ಳುತ್ತದೆ"

3. ನಿಯಮ 12ರ ತಿದ್ದುಪಡಿ.- ಮೂಲ ನಿಯಮಗಳ 12ರ ಉಪ-ನಿಯಮ (2)ರ ಖಂಡ (iv)ರ ಬದಲಾಗಿ ಈ ಕೆಳಗಿನದನ್ನು ಪ್ರತಿಯೋಜಿಸತಕ್ಕದ್ದು, ಅಂದರೆ:-

"(iv) ಮತದಾನವನ್ನು ನಡೆಸತಕ್ಕ ದಿನಾಂಕ ಅಥವಾ ದಿನಾಂಕಗಳು.- ಇದು, ಉಮೇದುವಾರಿಕೆಗಳನ್ನು ಹಿಂತೆಗೆದುಕೊಳ್ಳುವ ಕೊನೆಯ ದಿನಾಂಕದ ತರುವಾಯ, ಗ್ರಾಮ ಪಂಚಾಯತಿಗಳಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ಮೂರು ದಿನಕ್ಕಿಂತ ಮುಂಚಿತವಲ್ಲದ ಹಾಗೂ ತಾಲ್ಲೂಕು ಮತ್ತು ಜಿಲ್ಲಾ ಪಂಚಾಯತಿಗಳಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ಏಳು ದಿನಕ್ಕಿಂತ ಮುಂಚಿತವಲ್ಲದ ದಿನಾಂಕವಾಗಿರತಕ್ಕದ್ದು. ಮತ್ತು ಮತದಾನವನ್ನು ನಡೆಸುವ ವೇಳೆ ಅದರ ಒಟ್ಟು ಅವಧಿಯು ಎಂಟು ಗಂಟೆಗಳಿಗಿಂತ ಕಡಿಮೆಯಾಗಿರತಕ್ಕದ್ದಲ್ಲ".

1. ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ, ವಿಶೇಷ ಪತ್ರಿಕೆ ಸಂಖ್ಯೆ 1446, ದಿನಾಂಕ: 29-11-2003ರಲ್ಲಿ ಪ್ರಕಟಿಸಲ್ಪಟ್ಟ, ಅಧಿಸೂಚನೆ ಸಂಖ್ಯೆ ಗ್ರಾಅಪ 168 ಜಿಪಸ 2003, ಬೆಂಗಳೂರು ದಿನಾಂಕ 17-11-2003.

¹ಕರ್ನಾಟಕ ಪಂಚಾಯತ್ ರಾಜ್ (ಚುನಾವಣೆ ನಡೆಸುವ) (ತಿದ್ದುಪಡಿ) ನಿಯಮಗಳು, 2005

ಕರ್ನಾಟಕ ಪಂಚಾಯತ್ ರಾಜ್ ಅಧಿನಿಯಮ, 1993 (1993ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ ಸಂಖ್ಯೆ 14)ರ ಪ್ರಕರಣ 311ನೇ ಪ್ರಕರಣದ ಮೂಲಕ ಪ್ರದತ್ತವಾದ ಅಧಿಕಾರವನ್ನು ಚಲಾಯಿಸಿ ಕರ್ನಾಟಕ ಸರ್ಕಾರವು ಈ ಕೆಳಕಂಡ ಕರ್ನಾಟಕ ಪಂಚಾಯತ್ ರಾಜ್ (ಚುನಾವಣೆ ನಡೆಸುವ) ನಿಯಮಗಳು, 1993ನ್ನು ತಿದ್ದುಪಡಿ ಮಾಡಲು ಕರಡು ಅಧಿಸೂಚನೆ ಸಂಖ್ಯೆ ಗ್ರಾಅಪ 130 ಜಿಪಸ 04, ದಿನಾಂಕ 18-4-2005ನ್ನು ಕರ್ನಾಟಕ ವಿಶೇಷ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ದಿನಾಂಕ: 18-4-2005ರಂದು ಪ್ರಕಟಿಸಿದ್ದು, ಆ ಮೂಲಕ ಬಾಧಿತರಾಗುವ ಸಂಭವವಿರುವ ವ್ಯಕ್ತಿಗಳಿಂದ 30 ದಿನಗಳೊಳಗಾಗಿ ಆಕ್ಷೇಪಣೆ ಮತ್ತು ಸಲಹೆಗಳನ್ನು ಆಹ್ವಾನಿಸಿ ಪ್ರಕಟಿಸಿರುವುದರಿಂದ;

ಮತ್ತು, ದಿನಾಂಕ 18-4-2005ರ ರಾಜ್ಯಪತ್ರವನ್ನು ಸಾರ್ವಜನಿಕರಿಗೆ ಲಭ್ಯವಾಗುವಂತೆ ಮಾಡಿರುವುದರಿಂದ;

ಮತ್ತು, ಸದರಿ ಕರಡು ನಿಯಮದ ಬಗ್ಗೆ ರಾಜ್ಯ ಸರ್ಕಾರಕ್ಕೆ ಸಾರ್ವಜನಿಕರಿಂದ ಯಾವುದೇ ಆಕ್ಷೇಪಣೆ ಅಥವಾ ಸಲಹೆಗಳು ಬಾರದೆ ಇರುವುದರಿಂದ;

ಈಗ, 1993ರ ಕರ್ನಾಟಕ ಪಂಚಾಯತ್ ರಾಜ್ (1993ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮದ ಸಂಖ್ಯೆ 14), 311ನೇ ಪ್ರಕರಣದ ಮೂಲಕ ಪ್ರದತ್ತವಾದ ಅಧಿಕಾರಗಳನ್ನು ಚಲಾಯಿಸಿ ಕರ್ನಾಟಕ ಸರ್ಕಾರವು ಈ ಕೆಳಕಂಡಂತೆ ನಿಯಮಗಳನ್ನು ರಚಿಸುತ್ತದೆ.

1. ಹೆಸರು ಮತ್ತು ಪ್ರಾರಂಭ.- (1) ಈ ನಿಯಮಗಳನ್ನು ಕರ್ನಾಟಕ ಪಂಚಾಯತ್ ರಾಜ್ (ಚುನಾವಣೆ ನಡೆಸುವ) (ತಿದ್ದುಪಡಿ) ನಿಯಮಗಳು, 2005 ಎಂದು ಕರೆಯತಕ್ಕದ್ದು.

(2) ಸದರಿ ನಿಯಮವು ತಕ್ಷಣದಿಂದ ಜಾರಿಗೆ ಬರುತ್ತದೆ.

2. ಪ್ರಪತ್ರ 4ರ ತಿದ್ದುಪಡಿ.-ಕರ್ನಾಟಕ ಪಂಚಾಯತ್ ರಾಜ್ (ಚುನಾವಣೆ ನಡೆಸುವ) ನಿಯಮಗಳು, 1993ರ ನಿಯಮ 14ರ ಉಪ-ನಿಯಮ (1) ರಲ್ಲಿ ಪ್ರಸ್ತಾಪಿಸಲಾದ ಪ್ರಪತ್ರ 4ರಲ್ಲಿನ ಉಪ-ಬಂಧ (ಡಿ) ಗೆ ಬದಲಾಗಿ ಈ ಕೆಳಗಿನದನ್ನು ಪ್ರತ್ಯಾಯೋಜಿಸತಕ್ಕದ್ದು, ಎಂದರೆ.-

"(ಡಿ)ಪಕ್ಷವು ಈ ಚುನಾವಣೆಯಲ್ಲಿ ನನ್ನನ್ನು ಅಭ್ಯರ್ಥಿಯಾಗಿ ನಿಲ್ಲಿಸಿದ್ದು, ಆ ಪಕ್ಷಕ್ಕೆ ಕಾಯ್ದಿರಿಸಿರುವ ಚಿಹ್ನೆಯನ್ನೇ ನನಗೆ ನೀಡಬೇಕೆಂದು ಕೋರುತ್ತೇನೆ".

ಅಥವಾ

(ಇ) ನಾನು ಆಯ್ಕೆ ಮಾಡಿದ ಚಿಹ್ನೆಗಳು ಆದ್ಯತಾ ಕ್ರಮದಲ್ಲಿ ಹೀಗಿದೆ.

(1)

(2)

(3)"

²ಕರ್ನಾಟಕ ಪಂಚಾಯತ್ ರಾಜ್ (ಚುನಾವಣೆಗಳನ್ನು ನಡೆಸುವ) (ತಿದ್ದುಪಡಿ) ನಿಯಮಗಳು, 2005

ಕರ್ನಾಟಕ ಪಂಚಾಯತ್ ರಾಜ್ ಅಧಿನಿಯಮ, 1993 (1993ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ ಸಂಖ್ಯೆ 14), ಪ್ರಕರಣ 311ರಲ್ಲಿ ಪ್ರದತ್ತವಾದ ಅಧಿಕಾರವನ್ನು ಚಲಾಯಿಸಿ ಕರ್ನಾಟಕ ಸರ್ಕಾರವು ಈ ಕೆಳಕಂಡ ಕರ್ನಾಟಕ ಪಂಚಾಯತ್ ರಾಜ್ (ಚುನಾವಣೆಗಳನ್ನು ನಡೆಸುವ) ನಿಯಮಗಳು, 1993ನ್ನು ಪ್ರಸ್ತಾಪಿಸಿ ಕರಡು ಅಧಿಸೂಚನೆ ಸಂಖ್ಯೆ ಗ್ರಾಅಪ 166 ಜಿಪಸ 2005, ದಿನಾಂಕ 6-10-2005ರಂದು ಕರ್ನಾಟಕ ವಿಶೇಷ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಪ್ರಕಟಿಸಿದ್ದು, ಆ ಮೂಲಕ ಬಾಧಿತರಾಗುವ ಸಂಭವವಿರುವ ವ್ಯಕ್ತಿಗಳಿಂದ 15 ದಿನಗಳೊಳಗಾಗಿ ಆಕ್ಷೇಪಣೆ ಮತ್ತು ಸಲಹೆಗಳನ್ನು ಆಹ್ವಾನಿಸಿ ಪ್ರಕಟಿಸಿರುವುದರಿಂದ;

ಮತ್ತು ದಿನಾಂಕ: 6-10-2005ರ ವಿಶೇಷ ರಾಜ್ಯಪತ್ರವನ್ನು ಸಾರ್ವಜನಿಕರಿಗೆ ಲಭ್ಯವಾಗುವಂತೆ ಮಾಡಿರುವುದರಿಂದ;

ಸದರಿ ಕರಡು ನಿಯಮದ ಬಗ್ಗೆ ರಾಜ್ಯ ಸರ್ಕಾರಕ್ಕೆ ಬಂದಿರುವ ಸಲಹೆಗಳನ್ನು ಪರಿಗಣಿಸಿರುವುದರಿಂದ;

1. ದಿನಾಂಕ : 21-6-2005ರ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ, ವಿಶೇಷ ಪತ್ರಿಕೆ ಸಂಖ್ಯೆ 1201ರಲ್ಲಿ ಪ್ರಕಟಿಸಲ್ಪಟ್ಟ ಅಧಿಸೂಚನೆ ಸಂಖ್ಯೆ ಗ್ರಾಅಪ 130 ಜಿಪಸ 2004, ಬೆಂಗಳೂರು, ದಿನಾಂಕ 21ನೇ ಜೂನ್, 2005.

2. ದಿನಾಂಕ 21-10-2005ರ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ, ವಿಶೇಷ ಪತ್ರಿಕೆ ಸಂಖ್ಯೆ 1907ರಲ್ಲಿ ಪ್ರಕಟಿಸಲ್ಪಟ್ಟ, ಅಧಿಸೂಚನೆ ಸಂಖ್ಯೆ: ಗ್ರಾಅಪ 166 ಜಿಪಸ 2005, ಬೆಂಗಳೂರು, ದಿನಾಂಕ 21ನೇ ಅಕ್ಟೋಬರ್, 2005

ಈಗ 1993ರ ಕರ್ನಾಟಕ ಪಂಚಾಯತ್ ರಾಜ್ (ಅಧಿನಿಯಮ ಸಂಖ್ಯೆ 14), 311ನೇ ಪ್ರಕರಣದ ಮೂಲಕ ಪ್ರದತ್ತವಾದ ಅಧಿಕಾರಗಳನ್ನು ಚಲಾಯಿಸಿ ಕರ್ನಾಟಕ ಸರ್ಕಾರವು ಈ ಕೆಳಕಂಡಂತೆ ನಿಯಮಗಳನ್ನು ರಚಿಸುತ್ತದೆ.

1. ಹೆಸರು ಮತ್ತು ಆರಂಭ.-(1) ಈ ನಿಯಮಗಳನ್ನು ಕರ್ನಾಟಕ ಪಂಚಾಯತ್ ರಾಜ್ (ಚುನಾವಣೆಗಳನ್ನು ನಡೆಸುವ) (ತಿದ್ದುಪಡಿ) ನಿಯಮಗಳು, 2005 ಎಂದು ಕರೆಯತಕ್ಕದ್ದು.

(2) ಇವು ಸರ್ಕಾರಿ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಪ್ರಕಟವಾದ ದಿನಾಂಕದಿಂದ ಜಾರಿಗೆ ಬರತಕ್ಕದ್ದು.

2. ಪರಿಭಾಷೆಗಳು.-ಈ ನಿಯಮಗಳಲ್ಲಿ ಸಂದರ್ಭವು ಅನ್ಯಥಾ ಅಗತ್ಯಪಡಿಸಿದ ಹೊರತು,

"ನಿಯಮ" ಎಂದರೆ, ಕರ್ನಾಟಕ ಪಂಚಾಯತ್ ರಾಜ್ (ಚುನಾವಣೆಗಳನ್ನು ನಡೆಸುವ) ನಿಯಮಗಳು, 1993.

3. 22ನೇ ನಿಯಮಕ್ಕೆ ತಿದ್ದುಪಡಿ.-ನಿಯಮ 22ರ ವಿವರಣೆಗೆ ಈ ಕೆಳಗಿನಂತೆ ಪ್ರತಿಯೋಜಿಸತಕ್ಕದ್ದು.

"ನಿಯಮದ ಉದ್ದೇಶಕ್ಕಾಗಿ ಮಾನ್ಯತೆ ಪಡೆಯದ ರಾಜಕೀಯ ಪಕ್ಷ ಎಂದರೆ (Representation of the People Act, 1951) ಪ್ರಜಾಪ್ರಾತಿನಿಧ್ಯ ಕಾಯ್ದೆ, 1951ರ ಪ್ರಕರಣ 29-ಎ ಅಡಿಯಲ್ಲಿ ಕೇಂದ್ರ ಚುನಾವಣಾ ಆಯೋಗದಲ್ಲಿ ನೋಂದಾಯಿತವಾಗಿದ್ದು, ಕರ್ನಾಟಕ ರಾಜ್ಯದಲ್ಲಿ ನೋಂದಾಯಿತ ಕಛೇರಿ ಅಥವಾ ಶಾಖಾ ಕಛೇರಿಯನ್ನು ಹೊಂದಿರುವ ಮತ್ತು 1968ರ ಚುನಾವಣಾ ಚಿಪ್ಪೆ (ಮೀಸಲಾತಿ ಹಾಗೂ ಹಂಚಿಕೆ) ಆದೇಶದ ಅರ್ಥ ವ್ಯಾಪ್ತಿಯೊಳಗೆ ರಾಷ್ಟ್ರೀಯ ಪಕ್ಷ ಅಥವಾ ಕರ್ನಾಟಕ ರಾಜ್ಯದಲ್ಲಿ ರಾಜ್ಯ ಪಕ್ಷವೆಂದು ಮಾನ್ಯತೆ ಪಡೆಯದೆ ಇರುವ ರಾಜಕೀಯ ಪಕ್ಷ".

¹ ಕರ್ನಾಟಕ ಪಂಚಾಯತ್ ರಾಜ್ (ಚುನಾವಣೆಗಳನ್ನು ನಡೆಸುವ) (ತಿದ್ದುಪಡಿ) ನಿಯಮಗಳು, 2005

ಕರ್ನಾಟಕ ಪಂಚಾಯತ್ ರಾಜ್ ಅಧಿನಿಯಮ, 1993 (1993ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ ಸಂಖ್ಯೆ 14), ಪ್ರಕರಣ 311ರಲ್ಲಿ ಪ್ರದತ್ತವಾದ ಅಧಿಕಾರವನ್ನು ಚಲಾಯಿಸಿ ಕರ್ನಾಟಕ ಸರ್ಕಾರವು ಈ ಕೆಳಕಂಡ ಕರ್ನಾಟಕ ಪಂಚಾಯತ್ ರಾಜ್ (ಚುನಾವಣೆಗಳನ್ನು ನಡೆಸುವ) ನಿಯಮಗಳು, 1993ನ್ನು ಪ್ರಸ್ತಾಪಿಸಿ ಕರಡು ಅಧಿಸೂಚನೆ ಸಂಖ್ಯೆ. ಗ್ರಾಅಪ 217 ಜಿಪಸ 2005, ದಿನಾಂಕ:9-11-2005 ರಂದು ಕರ್ನಾಟಕ ವಿಶೇಷ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಪ್ರಕಟಿಸಿದ್ದು, ಆ ಮೂಲಕ ಬಾಧಿತರಾಗುವ ಸಂಭವವಿರುವ ವ್ಯಕ್ತಿಗಳಿಂದ 15 ದಿನಗಳೊಳಗಾಗಿ ಆಕ್ಷೇಪಣೆ ಮತ್ತು ಸಲಹೆಗಳನ್ನು ಆಹ್ವಾನಿಸಿ ಪ್ರಕಟಿಸಿರುವುದರಿಂದ;

ಮತ್ತು ದಿನಾಂಕ : 9-11-2005ರ ವಿಶೇಷ ರಾಜ್ಯಪತ್ರವನ್ನು ಸಾರ್ವಜನಿಕರಿಗೆ ಲಭ್ಯವಾಗುವಂತೆ ಮಾಡಿರುವುದರಿಂದ;

ಸದರಿ ಕರಡು ನಿಯಮದ ಬಗ್ಗೆ ರಾಜ್ಯ ಸರ್ಕಾರಕ್ಕೆ ಬಂದಿರುವ ಸಲಹೆಗಳನ್ನು ಪರಿಗಣಿಸಿರುವುದರಿಂದ;

ಈಗ 1993ರ ಕರ್ನಾಟಕ ಪಂಚಾಯತ್ ರಾಜ್ (ಅಧಿನಿಯಮ ಸಂಖ್ಯೆ 14), 311ನೇ ಪ್ರಕರಣದ ಮೂಲಕ ಪ್ರದತ್ತವಾದ ಅಧಿಕಾರಗಳನ್ನು ಚಲಾಯಿಸಿ ಕರ್ನಾಟಕ ಸರ್ಕಾರವು ಈ ಕೆಳಕಂಡಂತೆ ನಿಯಮಗಳನ್ನು ರಚಿಸುತ್ತದೆ.

1. ಹೆಸರು ಮತ್ತು ಪ್ರಾರಂಭ.-(1) ಈ ನಿಯಮಗಳನ್ನು ಕರ್ನಾಟಕ ಪಂಚಾಯತ್ ರಾಜ್ (ಚುನಾವಣೆಗಳನ್ನು ನಡೆಸುವ) (ತಿದ್ದುಪಡಿ) ನಿಯಮಗಳು, 2005 ಎಂದು ಕರೆಯತಕ್ಕದ್ದು.

(2) ಇವು ಸರ್ಕಾರಿ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಪ್ರಕಟವಾದ ದಿನಾಂಕದಿಂದ ಜಾರಿಗೆ ಬರತಕ್ಕದ್ದು.

2. 21ನೇ ನಿಯಮಕ್ಕೆ ತಿದ್ದುಪಡಿ.-ಕರ್ನಾಟಕ ಪಂಚಾಯತ್ ರಾಜ್ (ಚುನಾವಣೆಗಳನ್ನು ನಡೆಸುವ) ನಿಯಮಗಳು, 1993 (ಇನ್ನು ಮುಂದೆ 'ನಿಯಮಗಳು' ಎಂದು ಉಲ್ಲೇಖಿಸಲಾಗಿದೆ) ರಲ್ಲಿ ನಿಯಮ 21ರಲ್ಲಿ ಉಪ-ನಿಯಮ (1)ರ ಖಂಡ (ಬಿ) ನಂತರ ಈ ಮುಂದಿನದನ್ನು ಸೇರ್ಪಡೆ ಮಾಡತಕ್ಕದ್ದು, ಅಂದರೆ.-

"(ಸಿ) ರಾಜ್ಯದಲ್ಲಿರುವ ಮಾನ್ಯತೆ ಪಡೆಯದಿರುವ ರಾಜಕೀಯ ಪಕ್ಷಗಳ ಪಟ್ಟಿಯನ್ನು".

1. ದಿನಾಂಕ : 26-11-2005ರ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ, ವಿಶೇಷ ಪತ್ರಿಕೆ ಸಂಖ್ಯೆ 2005ರಲ್ಲಿ ಪ್ರಕಟಿಸಲ್ಪಟ್ಟ ಅಧಿಸೂಚನೆ ಸಂಖ್ಯೆ ಗ್ರಾಅಪ 217 ಜಿಪಸ 2005, ಬೆಂಗಳೂರು, ದಿನಾಂಕ 26ನೇ ನವೆಂಬರ್, 2005

**THE KARNATAKA PANCHAYAT RAJ (CONDUCT OF ELECTION)
(AMENDMENT) RULES, 2010**

Whereas, the draft of the following rules further to amend the Kamataka Panchayat Raj (Conduct of Election) Rules, 1993 was published in Notification No. RDP /180/ZPS/2010, dated 28th October, 2010, in Part IV-A, dated 29-10-2010 of the Kamataka Gazette, Extraordinary No. 1323, as required by-sub-section (1) of Section 311 of the Kamataka Panchayat Raj Act, 1993 (Kamataka Act 14 of 1993) inviting objections and suggestions to the said draft from persons likely to be affected, within 15 days of its publication in the Official Gazette.

And whereas, the said Gazette was made available to the public on 29th October, 2010.

And whereas, no objections or suggestions have been received by the State Government in respect of the said draft.

Now, therefore, in exercise of the powers conferred by Section 311(1) of the Kamataka Panchayat Raj Act, 1993 (Kamataka Act 14 of 1993), the Government of Kamataka hereby makes the following rules, namely.-

1. Title and Commencement.- (1) These rules may be called the **Karnataka Panchayat Raj (Conduct of Election) (Amendment) Rules, 2010.**

(2) They shall come into force from the date of their publication in the Official Gazette.

2. Insertion of new Chapter III.- In the Kamataka Panchayat Raj (Conduct of Election) Rules, 1993 (hereinafter referred to as the "said rules").-

Rule 85 may be *renumbered* as Rule 115 thereof and before the said rule as so *renumbered*, the following shall be *inserted*, namely.-

"CHAPTER III

VOTING BY ELECTRONIC VOTING MACHINES

85. Application of provisions of this Chapter and Design of Electronic Voting Machines.- (1) The provisions of this Chapter shall apply wherever electronic voting machine is used during the conduct of elections to the Zilla Panchayat, Taluk Panchayat and Grama Panchayat.

(2) Every electronic voting machine (hereinafter referred to as the "voting machine") shall comprise of two units, one a control unit and another a

1. Published in the Karnataka Gazette, Extraordinary No. 1556, dated 18-11-2010, vide Notification No. RDP 180 ZPS 2010, dated 16-11-2010

balloting unit and shall be of such designs as may be approved by the State Election Commission.

86. 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, as the State election commission may specify.

(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 such 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.

87. Arrangements at the polling stations.- (1) In 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 to vote; 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 parts of the electoral roll and such other election material as may be necessary for 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.

88. Admission to polling stations.- The presiding officer shall regulate the number of electors, to be admitted at anyone time inside the polling station and shall exclude 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 25, 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 91 or sub-rule (1) of Rule 92.

89. 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 the paper seal and obtain thereon, the signatures 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 therefor 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 so fixed that it is not possible to press the "result button" without breaking the seal after the unit has been sealed.

(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 shall be placed in the voting compartment, at the polling station.

90. 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 41; and
- (b) any mark other than the mark made in pursuance of clause (b) of sub-rule (2) of Rule 41.

91. 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 the poll in respect of woman electors, and in particular, to help frisking any woman elector if necessary.

92. 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 otherwise to assist him during the poll.

(2) As each elector enters the polling station, the presiding officer or the polling officer authorised 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 constituency electors of which have been supplied with identity cards under the provisions of the the Registration of Electors Rules, 1960 made under the Representation of the People Act, 1950 (Central Act 43 of 1950), the elector shall produce his identity card before the presiding officer or the polling officer authorised 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.

93. Facilities for public servants on election duty.- (1) The provisions of Rule 92 shall not apply to any person who produces at the polling station an election duty certificate in Form 20 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.

94. 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 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 25; 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, return to the challenger at the conclusion of the inquiry.

95. Safeguards against personation.- (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 92 he shall not be allowed to vote.

(3) Where a poll is taken simultaneously in a Parliamentary Constituency 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 notwithstanding 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.

96. 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 38;
- (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.

97. 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 96 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 Rule 96 or Rule 100 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 38 by the presiding officer under his signature.

98. 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 recognise 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 26 of all cases under this rule.

99. Elector deciding not to vote.- If an elector, after his electoral roll number has been duly entered in the register of voters in Form 38 and has put his signature or thumb impression thereon as required under sub-rule (1) of Rule 96, decides not to record his or her vote, a remark to this effect shall be made against the said entry in Form 38 by the presiding officer and the signature or thumb impression of the elector shall be obtained against such remark.

100. 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 27-A(EVM).

(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 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 98 for recording the vote in accordance with his wishes.

101. Presiding Officer's entry in the voting compartment during poll- (1) The presiding officer may whenever he considers it necessary to do so, 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 or 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.

102. Closing of the poll.- (1) The presiding officer shall close a polling station at the hour fixed in that behalf under Rule 12 read with Rule 57 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.

103. Account of votes recorded.- (1) The presiding officer shall at the close of the poll prepare an account of votes recorded in Form 28-B(EVM) and enclose it in a separate cover with the words "Account of votes recorded" superscribed 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 28-B (EVM) after obtaining receipt from the said polling agent there and shall attest it as a true copy.

104. 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 unit 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 is not 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.

105. 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 38;
- (c) the cover containing the tendered ballot papers and the list in Form 27-A(EVM);
- (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.

106. 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 28-B(EVM);
- (c) the sealed packets referred to in Rule 105;
- (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.

107. Procedure on adjournment of poll.- (1) If the poll at any polling station is adjourned under Rule 30, provisions of Rules 103 to 106 shall as far as practicable, apply as if the poll was closed at the hour fixed in that behalf under Rule 57.

(2) When an adjourned poll is recommended under Rule 31, 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 38 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 2 and Rules 85 to 106 shall apply in relation to the conduct of an adjourned poll before it was so adjourned.

108. 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.

109. Counting of votes where electronic voting machines have been used.- In relation to the counting of votes at a polling station, where voting machine has been used the provisions of Rules 2 and 63 to 66 shall *mutatis mutandis* apply.

110. 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 or Rule 33 as may be applicable in respect of the polling station or stations where that machine was used.

111. Counting of votes.- (1) 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.

(2) 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 28- B(EVM);

- (b) Part II of Form 28-B(EVM) completed in other respects and signed by the counting supervisor and also by the candidates or their election agents or their counting agents present; and
- (c) corresponding entries made in a result sheet in Form 31-A(EVM) and the particulars so entered in the result sheet announced.

112. Sealing of voting machines.- (1) After the result of voting recorded in a control unit has been ascertained candidate-wise and entered in Part II of Form 28-B(EVM) and Form 31-A(EVM) under Rules 67(11), 69(7) and 71(1), (5) and (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 control 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 constituency;
- (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 70 to 72 shall so far as may be, apply in relating to voting by voting machines and CULY 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 rule in Chapter II or, as the case may be, to Rule 110 or 111.

113. 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 an Commissioner, State Election Commission, Kamataka may direct.

(1-A) All voting machines used at an election shall be kept in the custody of the concemed District Election Officer.

(2) The District Election Officer shall keep in safe custody.-"

- (a) the packets of unused postal ballot papers with counterfoils attached thereto;
- (b) the packets of used postal ballot papers whether valid tendered or rejected;
- (c) the packets of counterfoils 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 38, including voters' slip;
- (f) the packets of the declarations by electors and the attestation of their signatures.

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

3. Insertion of new Form 27-A.- (i) After Form 27 of said rules, the following shall be *inserted*, namely.-

[FORM 27-A(EVM)

[See Rule 100]

List of tendered votes

Election to the member ofGrama/Taluk/Zilla Panchayat from
.....Constituency

No. and Name of the Polling Station.....

Part No. of Electoral roll.....

S1. No.	Name of elector	S1.No. of elector in electoral roll	S1. No. in Register of voters (Form38) 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

(ii) After Form 28-A of the said rules, the following shall be inserted, namely:-

FORM 28-B(EVM)
[See Rules 103 and 106]

PART I
ACCOUNT OF VOTES RECORDED

Election to the member ofGrama/Taluk/Zilla Panchayat from
 Constituency

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 38)
3. No. of voters deciding not to record votes under Rule 99.
4. No. of voters not allowed to vote under Rule 97.
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 100.
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. S1. 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 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

S1. No.	Name of Candidate	No. of votes recorded
1.		
2.		
3.		
4.		
5.		
6.		
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.

Signature of the Counting Supervisor

Place

Date

Name of candidate/election agent/counting agent Full signature

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.

Place:

Date:

Signature of the returning officer.]

(iii) After Form 31 of the said rules, the following shall be inserted, namely:-

FORM 31-A(EVM)
[See Rule 111]
FINAL RESULT SHEET

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

Election to the member ofGrama/Taluk/Zilla Panchayat
 from.....Constituency

Name of the Constituency:

Total Number of electors in Constituency

Sl. No. of Polling Station	No. of valid votes cast in favour of			Total of valid Votes	No. of rejected votes	Total No. of Tendered Votes
	A	B	C			
(1)						
(2)						
(3)						
(4)						
....						

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 Constituency)

TOTAL votes polled.

Place

Date:

Returning Officer

(iv) After Form 37 of the said rules, the following shall be inserted, namely:-

FORM 38
[See Rule 96]
Register of voters

Election to the member ofGrama/Taluk/Zilla Panchayat from.....Constituency. Constituency No. and Name of Polling station.....Part No. of Electoral Roll

S1.No.	S1. No. of elector in the electoral roll	Signature/ Thumb impression of elector	Remarks
1.			
2.			
3.			
4.			
etc.			

Date:

Signature of the Presiding Officer
