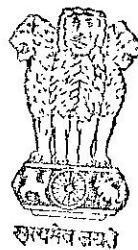


**The Tripura Block Panchayat Samitis
(Election Co-options) Rules, 1980**

TRIPURA



GAZETTE

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PART-I—Orders and notifications by the Government of Tripura,
the High Court, Government Treasury etc.

Government Of Tripura
Panchayat Raj Department.

No. F. 6 (7-27)-GL/PR/79(A)

Dated, Agartala, the 7th February, 1980.

NOTIFICATION

WHEREAS a draft of the Tripura Block Panchayat Samitis (Election and Co-options) Rules, 1979, was published as required by sub-section (1) of Section 41 of the Tripura Block Panchayat Samitis Act, 1978 (14 of 1978) at pages 1 to 28 of the Tripura Gazette, Extraordinary Issue, dated, the 10th December, 1979, with the Notification of the Government of Tripura in the Panchayat Raj Department No. F. 6 (7-27)-GL/

PR/79(A), dated, Agartala, the 26th November, 1979, inviting objections and suggestions from all persons likely to be affected thereby within 30 (thirty) days from the date of publication of the aforesaid rules ;

AND WHEREAS the said Gazette was made available to the public on the 10th December, 1979 ;

AND WHEREAS no objections and suggestions received from the public on the said draft for consideration by the State Government ;

NOW THEREFORE, in exercise of the powers conferred by sub-section (1) of Section 41 of the said Act, the Governor of Tripura is pleased to make the following rules, namely :—

1. SHORT TITLE AND COMMENCEMENT :—

- a) These rules may be called the Tripura Block Panchayat Samitis (Election and Co-options) Rules, 1980.
- b) They shall come into force on and from the date of their publication in the official Gazette.

2. DEFINITIONS :— In these rules unless the context otherwise requires—

- i) "Act" means the Tripura Block Panchayat Samitis Act, 1978 ; (Tripura Act No. 14 of 1978) ;
- ii) "Election" means a person who is entitled to vote in a particular election ;
- iii) "Returned candidate" means a candidate elected under these rules ;

- iv) "Chairman" means the Chairman of the Block Panchayat Samiti ;
- v) "schedule" means a schedule appended to these rules ;
- vi) "Section" means section of the Act ;
- vii) Words and expressions used but not defined in these rules shall have the meanings assigned to them in the Act.

PART—I

CO-OPTION OF MEMBERS OF BLOCK PANCHAYAT SAMITI UNDER CLAUSE (iii) OF SECTION 5.

3. 1) The Co-option of the members specified in Clause (iii) of Section 5, if scheduled castes and scheduled tribes members remain unrepresented in the Samiti, shall be held in the Block Office by the members of the Block Panchayat Samiti specified in clause (i) and (ii) of said section 5 at a special meeting convened and presided over by the Sub-Divisional Officer or any other officer appointed by the District Magistrate & Collector in this behalf. The Presiding Officer shall be the returning Officer.

2) Notice of the date and time of the meeting shall be given to the members of the Block Panchayat Samiti specified in sub-rule (1) at least ten clear days previous to the day of the meeting

3) The notice referred to in sub-rule (2) shall also state the number of persons to be co-opted from amongst persons residing in the Block mentioned under clause (iii) of Section 5.

4. The Returning Officer shall, in the meeting referred to in sub-rule (1) of Rule 3, call for nomination papers of the intending candidates for each of the seats mentioned in clause (iii) of Section 5.

5. Every nomination paper under Rule 4 shall be in the form specified in Schedule I and shall be subscribed by the candidate as assenting to the nomination and by one proposer who must be a member of Block Panchayat Samiti.

6. One member shall be entitled to propose the name of only one candidate for each vacancy.

7. Every nomination under rule 5 shall be filed before the Returning Officer on the same day within such time as the Returning Officer may fix

8. (1) The Returning Officer shall immediately on expiry of the time fixed under rule 7 for filing nomination papers, take up the scrutiny of all nominations made. At the time of scrutiny the candidate or his agent may be present. The Returning Officer shall give them all reasonable facilities to examine the nomination papers of all candidates which have been filed.

(2) The Returning Officer shall then examine the nomination papers and decide all objections which may be made at the time in respect of any nomination and may, either on such objections or on his own motion, after such summary enquiry, if any, as he thinks necessary, reject such nomination papers as do not conform to the provisions of rule 7 and also nomination papers of such persons who suffer from any of the disqualifications mentioned in section 8 or are ineligible for

election otherwise and shall prepare a list of and announce the names of validly nominated candidates.

9. (1) If the number of validly nominated candidates for any category of seats is equal to the number of members to be co-opted, all the candidates shall be forthwith declared to be co-opted members.

(2) If the number of validly nominated candidates for any category of seats is less than the number of vacancies, all such candidates shall be declared to be co-opted members and the Returning Officer shall adjourn the meeting to another date not being less than seven days after the date appointed under rule 3 to fill the remaining vacancies by co-option in the manner laid down in the rules in this part.

(3) If the number of validly nominated candidate for any category of seats exceeds the number of vacancies, the Returning Officer shall, after specifying some time for withdrawal of nomination to be made in writing by any candidate, if such a candidate so desires, proceed to take a poll by secret ballot on the same day.

(4) The Returning Officer shall keep sufficient number of printed symbols out of the list of symbols specified in schedule II and shall allot serially out of the list one symbol to each of the validly nominated candidates for each category strictly in accordance with the alphabetical names of candidates and announce and publish the same on the Notice Board.

10. (1) The Returning Officer shall distribute or cause to be distributed one by one to each member present at the meeting a separate ballot paper for each category of seats for

which co-option is to be held, containing the names of validly nominated candidates, with their respective symbols affixed against their names and bearing the signature of the Returning Officer. The election for each category of persons to be co-opted shall be held in the same order in which such categories are specified in clause (iii) of Section 5.

(2) A member desiring to vote shall place a cross mark on each ballot paper against the names of the candidates for whom he wishes to vote but shall not sign or make any other mark on such ballot paper and shall place it in a locked and sealed ballot box provided for each of the categories of seats mentioned in clause (iii) of Section 5 which has been shown as empty to the members present at the meeting by the Returning Officer before being locked and sealed in their presence.

He shall not vote for more candidates than the number of members to be co-opted for each category. Any vote caste in contravention of this sub-rule shall be declared by the Returning Officer to be invalid.

11. (1) Immediately after all the members desiring to vote have recorded their votes, the Returning Officer shall open the ballot box in the presence of the members and shall prepare a statement showing the names of the candidates and the number of valid votes polled by each of them. The Returning Officer shall then forthwith announce the names of candidates and the number of valid votes polled by each and shall declare such of the candidates, depending upon the number of seats

to be filled in each case as have secured the highest number of votes to be duly co-opted members of the Block Panchayat Samiti under clause (iii) of section 5.

(2) In case, after the counting of the votes is completed, an equality of votes is found to exist between any two or more candidates so that the addition of one vote will entitle any one of them to be declared co-opted, the Returning Officer shall forthwith decide between those candidates by lot, and proceed as if the candidate in whose favour the lot falls had received one additional vote.

(3) As soon as may be after a candidate has been declared co-opted by the Returning Officer he shall grant to such candidates certificate of co-option in the form prescribed in Schedule III and obtain from the candidate an acknowledgement of its receipt.

(4) The Returning Officer shall publish the list of co-opted members on the Notice Board of the Block Office and also send its copy to the Block Development Officer/Project Executive Officer, the District Panchayat Officer and the District Magistrate & Collector and the Director of Panchayats.

12. (1) The Returning Officer shall place all the voting papers, whether counted or rejected, in respect of each category of co-option, in a packet, seal it up and note on it a description of its contents, the co-option to which it relates and the date thereof.

(2) The packet shall not be opened and its contents shall not be inspected or produced except under the order of any Competent Court.

(3) The packet shall be retained in safe custody in the record room of the District Panchayat Officer concerned for a period one year and shall then, unless otherwise directed by the Competent Court, be destroyed.

13. Rules 3 to 12 shall apply mutatis mutandis to the co-option of a member to fill a casual vacancy.

PART—II

ELECTION OF A MEMBER OF A GAON PANCHAYAT UNDER THE SUB-CLAUSE (b) TO CLAUSE (i) OF SECTION 5.

14. The election of a person of a Gaon Panchayat as specified in sub-clause (b) to Clause (i) of section 5 shall be held in the office of the Gaon Panchayat at a meeting specially convened by the Block Development Officer/Project Executive Officer as the case may be for the purpose.

15. One of the electors present and not standing as a candidate for the election shall be chosen by the members of the Gaon Panchayat from amongst themselves to preside and conduct the election and the elector so chosen shall hereinafter in this part be referred to as the "presiding member". The presiding member shall be entitled to vote at the election.

16. The Presiding member shall, in the meeting referred to in rule 14, call for nomination papers of candidates desirous of being elected as a member of the Block Panchayat Samiti.

17. 1) Every nomination under rule 16 shall be made in form specified in schedule I. It shall be subscribed by the

candidates as assenting to the nomination and by one proposer having right to vote.

(2) Each member of the Gaon Panchayat shall be entitled to propose the name of only one candidate.

(3) Every nomination paper under sub-rule (1) shall be filed before the presiding member on the same day within such time as the presiding member may, by order, fix.

18. (1) The Presiding member shall immediately on expiry of the time fixed under sub-rule (3) of rule 17 for filing nomination papers, take up the scrutiny of all nominations made. At the time of scrutiny the candidate or his agent may be present. The Presiding member shall give them all reasonable facilities to examine the nomination papers of all candidates which have been filed.

(2) The Presiding member shall then examine the nomination papers and decide all objections which may be made at the time in respect of any nomination and may, either on such objection or on his own motion, after such summary enquiry, if any, as he thinks necessary, reject such nomination papers as do not conform to the provisions of rule 17 and also nomination papers of such persons who suffer from any of the disqualifications mentioned in Section 5-A of the U. P. Panchayat Raj Act, 1947, as extended to Tripura or are ineligible for election otherwise and shall prepare a list of and announce the names of validly nominated candidates.

19. If only one valid nomination paper is received, the presiding member shall declare the candidate so nominated to be duly elected.

20. (1) If more than one candidate is validly nominated, the presiding member shall read out the names of such nominated candidates and shall call upon the candidates so nominated to state in writing forthwith whether any one of them would like to withdraw his candidature.

(2) If any candidate expresses his desire to withdraw his candidature in writing the Presiding member shall accept his withdrawal. After the withdrawal has been duly accepted, no cancellation of withdrawal or renomination of the candidate shall be permitted.

(3) If, after withdrawal of candidatures, the number of validly nominated candidates be only one, such candidate shall be declared by the Presiding member to be elected.

(4) If no candidate withdraws his candidature, or even after withdrawal of candidatures, there are more than one validly nominated candidates, and election shall be held on the same day and the Presiding member, shall call upon the electors to vote by show of their hands for each candidates. No elector shall vote for more than one candidate.

(5) The Presiding member shall then announce the names of candidates and the number of votes polled by them and declare the candidate who secures the highest number of votes to have been elected.

(6) In case after counting of votes is completed, an equality of votes is found to exist between any two or more candidates so that the addition of one vote will enable any one of them to be declared elected, the Presiding member shall immediately draw lots in the presence of the electors and the

candidate whose name is first drawn shall be declared to have been elected.

21. The Presiding member shall keep a complete record of the proceedings of the meeting and the election particularly mentioning therein the names of the electors voting for each of the different candidates, and send a copy of the same, duly signed by him to the Block Development Officer/Project Executive Officer as the case may be forthwith.

22. (1) As soon as may be, after a candidate has been declared elected by the Presiding member, he shall grant to such candidate a certificate of election in the form prescribed in Schedule III and obtain from the candidate an acknowledgment of its receipt.

(2) The name of the elected candidate shall immediately be communicated by the Presiding member to the Block Development Officer/Project Executive Officer as the case may be and the District Panchayat Officer and the Director of Panchayats.

23. The record of the proceedings and the copy thereof, referred to in rule 21 shall be kept in safe custody in the office of the Gaon Panchayat and the Block Development Officer/Project Executive Officer as the case may be respectively, for a period of one year and shall then, unless otherwise directed by the competent Court, be destroyed.

PART--III

ELECTION OF CHAIRMAN OF A BLOCK PANCHAYAT SAMITI UNDER SECTION 7.

24. The Sub-Divisional Officer, or any other Officer not below the rank of the Deputy Collector appointed by the District Magistrate & Collector hereinafter referred to as the 'Returning Officer' in this part shall call a meeting of the Block Panchayat Samiti for the purpose of electing a Chairman under section 7, on a date and hour to be fixed by him in this behalf.

Provided that in the case of a casual vacancy in the office of the Chairman the meeting to fill such vacancy shall be held within thirty days of the occurrence thereof.

25. The meeting referred to in rule 24 shall be held at the office of the Block Panchayat Samiti and shall be presided over by the Returning Officer.

26. (1) The Returning Officer shall in the meeting referred to in rule 24 call for nominations of candidates for the office of the Chairman.

(2) An elector desiring to propose a candidate for election shall deliver to the Returning Officer a nomination paper in the form specified in Schedule I signed by himself as proposer and containing the name of the candidate proposed for election. The nomination paper shall also be subscribed by the candidate as assenting to the nomination.

(3) One elector shall propose the name of only one candidate for election to the office of the Chairman of a Block Panchayat Samiti and shall state in the nomination paper the

name of the candidate whom he proposes for the office, but in no case shall the same member propose more than one name.

(4) Every nomination paper under sub-rule (1) shall be filed before the Returning Officer on the same day within such time as may be fixed by him.

27. (1) The Returning Officer shall, immediately on expiry of the time fixed under sub-rule (4) of rule 26 for filing nomination papers, take up the scrutiny of all nominations made. At the time of scrutiny the candidate or his agent may be present. The Returning Officer shall give them all reasonable facilities to examine the nomination papers of all candidates which have been filed.

(2) Returning Officer shall then examine the nomination papers and decide all objections which may be made at the time in respect of any nomination and may, either on such objection or on his own motion, after such summary enquiry, if any, as he thinks necessary, reject such nomination papers as do not conform to the provisions of rule 26 and also nomination papers of such persons who suffer from any of the disqualifications mentioned in section 8 or are ineligible for election otherwise and shall prepare a list of and announce the names of validly nominated candidates.

28. If only one valid nomination paper is received in respect of the office of the Chairman, the Returning Officer shall declare the candidate so nominated to be duly elected as Chairman.

29. (1) If more than one candidate is validly nominated for the office of the Chairman, the Returning Officer shall read

out the list of such nominated candidates and shall call upon the candidates so nominated to state in writing forthwith whether any one of them would like to withdraw his candidature.

(2) If any candidate expresses his desire to withdraw his candidature in writing, the Returning Officer shall accept his withdrawal. After the withdrawal has been duly accepted, no cancellation of the withdrawal or re-nomination of the candidate shall be permitted.

(3) If after withdrawal of candidatures, the number of validly nominated candidate be only one for the office of the Chairman, such candidate shall be declared by the Returning Officer to be elected as Chairman.

(4) If no candidate withdraws his candidature, or even after withdrawal of candidature, there are more than one validly nominated candidates, the Returning Officer shall proceed to take a poll by secret ballot on the same day.

(5) The Returning Officer shall keep sufficient number of printed symbols out of the list of symbols specified in Schedule II and shall allot serially out of the list one symbol to each of validly nominated candidates strictly in accordance with the alphabetical names of candidates and announce and publish the same on the Notice Board.

30. (1) When voting becomes necessary for the election to the office of the Chairman, the Returning Officer shall distribute or cause to be distributed one by one to each member

present at the meeting a ballot paper, duly signed by the Returning Officer, which shall contain the names of all validly nominated candidates with their respective symbols affixed against their names. Every ballot paper shall have prominently written on it the office for which it is meant.

(2) An elector desiring to vote shall place a cross mark on each ballot paper, or on such ballot paper as he desires against the name of the candidate for whom he wishes to vote but shall not sign, nor make any other mark, on the papers and shall place the papers in the respective ballot boxes provided for the purpose. Votes found to have been cast in contravention of this sub-rule shall be declared by the Returning Officer to be invalid.

(3) Each ballot box shall have prominently written on it the name of the office for which ballot papers are to be cast into it and shall, before the poll is taken, be unlocked and shown to the members and relocked and sealed by the Returning Officer in their presence.

31. (1) Immediately after all electors desiring to vote have cast their votes, the Returning Officer shall open the ballot boxes in the presence of the electors and shall then prepare a statement showing the names of the candidates and votes polled by them as actually found by him on counting and after discarding votes declared void under sub-rule (2) of rule 30. The Returning Officer shall then forthwith announce the names of candidates and the number of valid votes polled by them and shall declare the candidates securing the highest number of votes to be elected as Chairman.

(2) In case, after the counting of votes is completed, an equality of votes is found to exist between any two or more candidates so that the addition of one vote will entitle any one of them to be declared elected, the Returning Officer shall forthwith decide between those candidates by lot, and proceed as if the candidate in whose favour the lot falls had received one additional vote.

(3) As soon as may be after a candidate has been declared elected by the Returning Officer, he shall grant to such candidate a certificate of election in the form prescribed in Schedule III and obtain from the candidate an acknowledgement of its receipt.

(4) The Returning Officer shall immediately publish the name of the elected candidate on the Notice Board of the Block Office and shall also communicate the same to the Block Development Officer/Project Executive Officer, the District Panchayats Officer, the District Magistrate & Collector and the Director of Panchayats and the outgoing Chairman, if any.

32. (1) The Returning Officer shall place all the voting papers whether counted or rejected, in respect of each election in a packet, seal it up and note, on it a description of its contents, the election to which it relates and the date thereof.

(2) The packet shall not be opened and its contents shall not be inspected or produced except under the order of any competent court.

(3) The packet, shall be retained in safe custody in the Record Room of the District Panchayat Officer for a period of

one year and shall then, unless otherwise directed by any competent court, be destroyed.

33. Rules 24 to 32 shall apply mutatis mutandis to the election of Chairman to fill a casual vacancy.

PART—IV

ELECTION OF MEMBERS OF STANDING COMMITTEE OF A BLOCK PANCHAYAT SAMITI UNDER SECTION 11.

34. A separate election shall be held for each Standing Committee of a Block Panchayat Samiti in the office of the Block Panchayat Samiti.

35. If elections are held at the same meeting of the Block Panchayat Samiti in respect of more than one Standing Committee, they shall be held in the order specified in sub-section (1) or under sub-section (2) of section 11.

36. The Chairman, and when the Chairman is absent, or is himself candidate for the election referred in to rule 34 some other member, chosen by the members of the Block Panchayat Samiti present from amongst themselves, provided such member is not a candidate for such election, shall preside over the meeting held for the purpose of such election and shall thereafter be referred to in this Part as the Returning Officer.

37. The Returning Officer shall in the meeting referred to in rule 36 call for nomination paper of the intending candidates from amongst the members of the Block Panchayat Samiti.

38. (1) Every nomination under rule 37 shall be in the form specified in Schedule I and shall be subscribed by the candidate as assenting to the nomination and one proposer.

(2) One elector shall be entitled to propose the name of only one candidate for each vacancy.

(3) Every nomination under sub-rule (1) shall be filed before the Returning Officer on the same day within such time as the Returning Officer may fix.

39. (1) The Returning Officer shall immediately on expiry of the time fixed under sub-rule (3) of Rule 38 for filing nomination papers, take up the scrutiny of all nominations made. At the time of scrutiny the candidate or his agent may be present. The Returning Officer shall give them all reasonable facilities to examine the nomination papers of all candidates which have been filed.

(2) The Returning Officer shall then examine the nomination paper and decide all objections which may be made at the time in respect of any nomination and may, either on such objection or on his own motion, after such summary enquiry, if any, as he thinks necessary, reject such nomination papers as do not conform to the provisions of rule 38 and also nomination papers of such persons who suffer from any of the disqualifications mentioned in section 8 or are ineligible for election otherwise and shall prepare a list of and announce the name of validly nominated candidates

40. (1) If the number of validly nominated candidates is equal to number of members to be elected, all the candidates shall be forthwith declared to be elected.

(2) If the number of validly nominated candidates is less than the number of members to be elected, all such candidates shall be declared to be elected, and the Returning Officer shall adjourn the meeting to another date not less than seven days after the date of the meeting referred to in rule 36 to fill the remaining vacancies by election in the manner laid down in the rules in this Part.

(3) If the number of validly nominated candidates exceeds the number of members to be elected, the Returning Officer shall, after specifying some time for withdrawal of nomination to be made in writing by any candidate if such candidate so desires, proceed to take a poll by secret ballot on the same day, or on subsequent days if elections to all the Standing Committees are not completed on the same day.

(4) The Returning Officer shall keep sufficient number of printed symbols out of the list of symbols specified in Schedule II and shall allot serially out of the list one symbol to each of the validly nominated candidates for each Standing Committee strictly in accordance with the alphabetical names of candidates and announce and publish the same on the Notice Board.

41. (1) When the Returning Officer proceeds to take a poll he shall distribute or cause to be distributed one by one to each elector present at the meeting and ballot paper containing the names of validly nominated candidates with their respective symbols affixed against their names and bearing the signature of the Returning Officer.

(2) An elector desiring to vote shall place cross marks on the ballot paper against the names of candidates for whom

he wishes to vote and shall then place it in a ballot box kept near the Returning Officer for the purpose. If an elector votes for more candidates than the number of vacancies than his ballot paper shall be deemed to be invalid.

42. (1) Immediately after all the electors desiring to vote have recorded their votes, the Returning Officer shall open the ballot box in the presence of the electors and shall then prepare a statement showing the names of the candidates and the number of valid votes polled by the each of them and shall declare such of the candidates, depending upon the number of vacancies to be filled, as have secured the highest number of votes, to be duly elected.

(2) If after the counting of votes and equality of votes is found to exist between any two or more candidates, so that the addition of one vote will entitle any one of them to be declared elected, the Returning Officer shall forthwith decide between these candidates by drawing lots and the candidate or candidates in whose favour the lots are drawn shall be deemed to have received one additional vote and shall be declared elected.

43. (1) As soon as may be after a candidate has been declared elected by the Returning Officer, he shall grant to such candidate a certificate of election in the form prescribed in schedule III and obtain from the candidate an acknowledgment of its receipt.

(2) The Returning Officer shall send a report about the results of the election to the Block Development Officer/Project Executive Officer and the District Panchayat Office

and the Director of Panchayats and shall also publish the same on the Notice Board of the Block Panchayat Samiti.

44. (1) The Returning Officer shall place all the voting papers, whether counted or rejected, in respect of each election, in a separate packet, seal it up and note on it a description of its contents, the election which it relates and the date thereof.

(2) The packet shall not be opened and its contents shall not be inspected or produced except under the order of any competent Court.

(3) The packet shall be retained in safe custody in the Record Room of the District Panchayat Officer for a period of one year and shall then, unless otherwise directed by any competent Court, be destroyed.

(4) Rules 34 to 44, these rules shall apply mutatis mutandis to fill a casual vacancy.

PART—V

ELECTION OF PRESIDENT OF STANDING COMMITTEE OF A BLOCK PANCHAYAT SAMITI UNDER SECTION 11 (4).

45. As soon as the election of members of a Standing Committee are completed, the Chairman, hereinafter referred to in this Part as the Returning Officer shall call a meeting of the members of the Standing Committee, for the purpose of the electing a President of the Standing Committee.

46. The meeting referred to in rules 45 shall be held at the office of the Block Panchayat Samiti and shall be presided over by the Returning Officer.

47. The Returning Officer shall in the meeting referred to in rule 45 call for nomination of candidates for the office of the President.

48. (1) Every nomination under rule 47 shall be in the form specified in Schedule 1. It shall be subscribed by the candidates as assenting to the nomination and by one proposer having right to vote.

(2) Each member of the Standing Committee having right to vote shall be entitled to propose the name of only one candidate.

(3) Every nomination paper under sub-rule (1) shall be filed before the Returning Officer in the same day within such time as the Returning Officer may fix.

49. (1) The Returning Officer shall immediately on expiry of the time fixed under sub-rule (3) of rule 48 for filing nomination papers, take up the scrutiny of all nominations made. At the time of scrutiny the candidate or his agent may be present. The Returning Officer shall give them all reasonable facilities to examine the nomination papers of all candidates which have been filed.

(2) The Returning Officer shall then examine the nomination papers and decide all objections which may be made at the time in respect of any nomination and may, either on such objection or on his own motion, after such summary enquiry, if any as he thinks necessary, reject such

nomination papers as do not conform to the provisions of rule 48 and also nomination papers of such persons who suffer from any of the disqualifications mentioned in section 8 or are ineligible for election otherwise and shall prepare a list of and announce the names of validly nominated candidates.

50. If only one valid nomination paper is received, the Returning Officer shall declare the candidate so nominated to be duly elected.

51. (1) If more than one candidate is validly nominated, the Returning Officer shall read out the names of such nominated candidates and shall call upon the candidates so nominated to state in writing forthwith whether any one of them would like to withdraw his candidature.

(2) If any candidate expresses his desire to withdraw his candidature in writing the Returning Officer shall accept his withdrawal. After the withdrawal has been duly accepted, no cancellation of withdrawal or renominations of the candidate shall be permitted.

(3) If, after withdrawal of candidature, the number of validly nominated candidates be only one, such candidate shall be declared by the Returning Officer to be elected.

(4) If no candidate withdraws his candidature, or even after withdrawal of candidature there are more than one validly nominated candidates the Returning Officer shall on the same day proceed to take a poll by secret ballot.

(5) The Returning Officer shall keep sufficient number of printed symbols out of the list of symbols specified

in Schedule II and shall allot serially out of the list one symbol to each of the validly nominated candidates strictly in accordance with the alphabetical names of candidates and announce and publish the same on the Notice Board.

52. (1) When voting becomes necessary for the election, each member wishing to vote and present at the meeting shall be supplied one by one with a ballot paper duly signed by the Returning Officer containing the names of all validly nominated candidates with their respective symbols affixed their names.

(2) An elector desiring to vote shall place a cross mark on the ballot paper against the name of the candidate for whom he wishes to vote but shall not sign nor make any other mark on the paper and shall place the paper in the ballot box provided for the purpose which has been shown as empty to the members present at the meeting by the Returning Officer before being locked and sealed in their presence. Votes found to have been cast in contravention of this sub-rule shall be declared by the Returning Officer to be invalid.

53. (1) Immediately after all electors desiring to vote have cast their votes, the Returning Officer shall open the ballot box in the presence of the electors and shall then prepare a statement showing the names of the candidates and the number of valid votes polled by each. The Returning Officer shall then forthwith announce the names of candidates and the number of valid votes polled by each of them and shall declare the candidate securing the highest number of votes to be duly elected.

(2) In case, after the counting of votes is completed, an equality of votes is found to exist between any two or more candidates so that the addition of one vote will entitle any one of them to be declared elected, the Returning Officer shall forthwith decide between those candidates by lot, and proceed as if the candidate in whose favour the lot falls had received one additional vote.

(3) As soon as may be after a candidate has been declared elected by the Returning Officer he shall grant to such candidate a certificate of election in the form prescribed in Schedule III and obtain from the candidate as acknowledgement of its receipt.

(4) The Returning Officer shall immediately publish the name of elected candidate on the Notice Board of the block Panchayat Samiti and also communicate it to the Block Development Officer/Project Executive Officer, the District Panchayat Officer, the Director of Panchayats and the District Magistrate & Collector.

54. (1) The Returning Officer shall place all the voting papers, whether counted or rejected, in a packet, seal it up and note on it a description of its contents, election to which it relates and the date thereof.

(2) The packet shall not be opened and its contents shall not be inspected or produced except under the order of any Competent Court.

(3) The packet shall be retained in safe custody in the Records Room of the District Panchayat Officer concerned for a period of one year and shall then unless otherwise directed by any Competent Court, be destroyed.

55. Rules 45 to 54 shall apply mutatis mutandis to fill a casual vacancy.

PART—VI

ELECTION OF A TEMPORARY (ASTHAYI) CHAIRMAN OF
BLOCK PANCHAYAT SAMITI UNDER SECTION 16(4)

56. A meeting of the members of the Panchayat Samiti for the election of a temporary (Asthayi) Chairman, where necessary under sub-section (4) of section 16 shall be convened by the Block Development Officer/Project Executive Officer as the case may be, at the office of the Block Panchayat Samiti.

57. One of the members of the Block Panchayat Samiti present and not standing as a candidate for the office of a temporary (Asthayi) Chairman, shall be chosen by the members of the Block Panchayat Samiti present to preside over the meeting convened under the preceding rule and to conduct the election and the member so chosen shall hereinafter be referred to in this Part as the Presiding member. The Presiding member shall be entitled to vote at the election.

58. The Presiding member shall in the meeting referred to in rule 56 call for nomination papers of candidates desirous of being elected as a temporary (Asthayi) Chairman.

59. (1) Every nomination under rule 58 shall be in the form specified in Schedule I. It shall be subscribed by the candidates as assenting to the nomination and by one proposer.

(2) Each member of the Block Panchayat Samiti shall be entitled to propose the name of only one candidate.

(3) Every nomination paper under sub-rule (1) shall be filed before the Presiding member on the same day within such time as the Presiding member may fix.

60. (1) The Presiding member shall immediately on expiry of the time fixed under sub-rule (3) of rule 59 for filing nomination papers, take up the scrutiny of all nominations made. At the time of scrutiny the candidate or his agent may be present. The Presiding member shall give them all reasonable facilities to examine the nomination papers of all candidates which have been filed.

(2) The Presiding member shall then examine the nomination papers and decide all objections which may be made at the time in respect of any nomination and may, either on such objection or on his own motion after such summary enquiry, if any, as he thinks necessary, reject such nomination papers as do not conform to the provisions of rule 59 and also nomination papers of such persons who suffer from any of the disqualifications mentioned in section 8 or are ineligible for election otherwise and shall prepare a list of and announce the names of validly nominated candidates.

61. If only one valid nomination paper is received, the Presiding member shall declare the candidate so nominated to be duly elected.

62. (1) If more than one candidate is validly nominated, the Presiding member shall read out the names of such nominated candidates and shall call upon the candidates so nominated to state in writing forthwith whether any one of them would like to withdraw his candidature.

(2) If any candidate express his desire to withdraw his candidature in writing the Presiding member shall accept his withdrawal. After the withdrawal has been duly accepted

no cancellation of withdrawal or renomination of the candidates shall be permitted.

(3) If, after withdrawal of candidature, the number of validly nominated candidates be only one such candidate shall be declared by the Presiding member to be elected.

(4) If no candidate withdraws his candidature, or even after withdrawal of candidatures there are more than one validly nominated candidates, the Presiding member shall proceed to take a poll by secret ballot on the same day.

(5) The Presiding member shall keep sufficient number of printed symbols out of the list of symbols specified in Schedule II and shall allot serially out of the list one symbol to each of the validly nominated candidates strictly in accordance with the alphabetical names of candidates and announce and publish the same on the Notice Board.

63. (1) When voting becomes necessary for the election each elector desiring to vote and present at the meeting shall be supplied one by one with a ballot paper duly signed by the Presiding member containing the names of all the validly nominated candidates with their respective symbols affixed by against their names.

(2) An elector desiring to vote shall place a cross mark on the ballot paper against the name of the candidate for whom he wishes to vote but shall not sign nor make any other mark on the paper and shall place the paper in the ballot box provided for the purpose which have been shown as empty to the members present at the meeting by the Presiding member before being locked and sealed in their

presence. Votes found to have been cast in contravention of this sub-rule shall be declared by the Presiding member to be invalid.

64 (1) Immediately after all electors desiring to vote have cast their votes the Presiding member shall open the ballot box in the presence of the electors and shall then prepare a statement showing the names of the candidates and the number of valid votes polled by each and shall declare the candidate securing the highest number of votes to be duly elected. The Presiding member shall then forthwith announce the names of candidates and the number of valid votes polled by them and shall declare the candidates securing the highest number of votes to be duly elected.

(2) In case after the counting of votes is completed an equality of votes is found to exist between any two or more candidates so that the addition of one vote will entitle any one of them to be declared elected the Presiding member shall forthwith decide between those candidates by lot, and proceed as if the candidates in whose favour the lot falls had received one additional vote.

(3) As soon as may after a candidate has been declared elected by the Presiding member, he shall grant to such candidate a certificate of election in the form prescribed in Schedule III and obtain from the candidate an acknowledgement of its receipt.

(4) The Presiding member shall immediately publish the name of the elected candidate on the Notice Board of the Block Panchayat Samiti and also communicate it to the Block Development Officer/Project Executive Officer, the District

Panchayat Officer, the Director of Panchayats and the District Magistrate & Collector.

65. (1) The Returning Officer shall place all the voting papers, whether counted or rejected in a packet, seal it up and note on it a description of its contents the election to which it relates and the date thereof.

(2) The packet shall not be opened and its contents shall not be inspected or produced except under the order of any Competent Court.

(3) The packet shall be retained in safe custody in the Record Room of the District Panchayat Officer concerned for a period of one year and shall then, unless otherwise directed by any Competent Court, be destroyed.

66. The Temporary (Asthayi) Chairman elected under sub-section (4) of section 16 shall exercise all the powers and perform all the functions of the Chairman under the Act, except that mentioned in clause (c) of sub-section (2) of section 16.

By Order of the Governor,

S. R. Sankaran

Addl. Chief Secretary to the Government of Tripura.

SCHEDULE—I
NOMINATION FORM FOR ELECTION AS A.....
OF BLOCK PANCHAYAT SAMITI/STANDING
COMMITTEE OF BLOCK PANCHAYAT SAMITI.

I (Name of proposer).....
 hereby nominate Shri/Smti.....
 Son/Daughter/Wife of Shri/Late
 of Village..... Post Office
 District..... as a candidate for election as
 of
 Signature of the proposer.

CANDIDATE'S DECLARATION

I, the above named candidate, give my consent to this nomination and I hereby declare that I do not hold any of the disqualifications enumerated in the Tripura Block Panchayat Samitis Act, 1978, and I am qualified to be a candidate for election as..... of under the provisions of the Said Act.

Date :
 Place :

Signature of the Candidate.

Endorsement by the *Returning Officer/Presiding Member/
 Chairman.

Serial Number.

This nomination paper was presented to me by (Name) at
 (date and hour).

Date :
 Place :

Signature of the Returning Officer/
 Presiding Member/Chairman.

**Order of the Returning Officer/Presiding Member/Chairman.

**Accepted/Rejected.
Reasons for rejection.

Date :
Place :

**Signature of the Returning Officer/
Presiding Member/Chairman.

*Insert the particulars of office.

**Strike out the words which do not apply.

SCHEDULE - II

(List of Symbols)

- | | |
|--|-----------------------|
| 1. Cow | 11. Hurricane Lantern |
| 2. Pitcher | 12. Rose |
| 3. Hut | 13. Sickle |
| 4. A woman with a
child on her back | 14. Umbrella |
| 5. Bucket | 15. Bow & Arrow |
| 6. Basket | 16. Car |
| 7. Cup & Plate | 17. Hand Fan |
| 8. Elephant | 18. Ladder |
| 9. Deer | 19. Pineapple |
| 10. Fish | 20. Jack Fruit |

- | | |
|--|------------------------|
| 22. Coconut tree | 36. Table |
| 23. Cart | 37. Chair |
| 24. Engine | 38. Sewing Machine |
| 25. Spectacles | 39. Horn |
| 26. Spear | 40. Type-writer |
| 27. Watch | 41. Radio |
| 28. Duck | 42. Wheel |
| 29. Hare | 43. Tractor |
| 30. A Woman carrying
basket on her head | 44. Peacock |
| 31. Boat | 45. Mug |
| 32. Chariot | 46. Rickshaw |
| 33. Camel | 47. Arrow |
| 34. Cornfield | 48. Eagle about to fly |
| 35. Tube-well | 49. Palki |

SCHEDULE—III

I, *Returning Officer/Presiding Member/Chairman hereby certify that I have on the.....19...declared Shri/Smti.....
.....of to have been
duly elected/co-opted to be **..... of the.....
*Block Panchayat Samiti/Standing Committee of Block

Panchayat Samiti and that in taken thereof I have granted to him/her this certificate of *election/co-option.

Date.....
 Place.....

*Returning Officer/Presiding
 Member/Chairman for
 election/co-option.
 Block Panchayat Samiti.

*Strike out the words which do not apply.
 **Insert the particulars of Office.

SCHEDULE—IV

Nomination Form for co-option as a member of *Block Panchayat Samiti/standing committee of Block Panchayat Samiti.

I (name of proposer) hereby
 nominate Shri/Smti... .. Son/
 Daughter/Wife of Shri/Late... .. of
 village Post Office... ..
 District... .. as a candidate for co-option,
 as member of Block Panchayat Samiti/Standing Committee of
 Block Panchayat Samiti I hereby declare that he/she holds the
 necessary qualifications to hold the said office under the provi-
 sions of the Tripura Block Panchayat Samitis Act, 1978.

Signature of proposer.
 Date :... ..

CANDIDATE'S DECLARATION

I, the above named candidate give my consent to this nomination.

Signature of the candidate.

Endorsement by *the Returning Officer

Serial number... ..

This nomination paper was presented to me by (name)... ..

... .. at (date and hour).

Date... ..

Place

Signature of the Returning Officer

Order of the Returning Officer,

*Accepted/Rejected.

Reasons for rejection.

Date... ..

Place... ..

Signature of the Returning Officer.

* Strike out the words which do not apply.