

**PIM
ELECTION RULES**

Chhattisgarh Sinchai Prabandhan Me
Krishkon Ki Bhagidari
Nirvachan Niyam, 2006

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"CHHATTISGARH SINCHAI PRABANDHAN ME KRISHKON KI
BHAGIDARI NIRVACHAN NIYAM, 2006 "

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PIM ELECTION RULES

NOTIFICATION

In exercise of the powers conferred by Section 55 of the Chhattisgarh Sinchai Prabandhan Me Krishkon Ki Bhagidari Adhiniyam, 2006 (No. 7 of 2006), the State Government hereby makes the following Rules, namely:-

Rules

CHAPTER-I

1. Short title and commencement.-(1) These rules may be called the Chhattisgarh Sinchai Prabandhan Me Krishkon Ki Bhagidari Nirvachan Niyam, 2006
(2) It shall come into force from the date of its publication in the Official Gazette".

2. Defintions.-In these Rules, unless the context otherwise requires,- .

"Act" means the Chhattisgarh Sinchai Prabandhan Me Krishkon Ki Bhagidari Adhiniyam, 2006 (No.7 of 2006);

(a) "Competent Authority" means the competent authority appointed under Section 21 of the Act;

(b) "Candidate" means a person a contesting in the election;

(c) "District Election Officer" means the Collector of the District for conduct of the election under these rules;

(d) "Forms" means the Forms appended to these Rules;

(e) "Returning Officer" means an officer appointed by the District Election Officer;

(g)"Voter List" means the list prepared under sub-rule (1) of rule 4 of the Chhattisgarh Sinchai Prabandhan Me Krishkon Ki Bhagidari Niyam, 2006;

(h)The words and expressions used but not defined in these rules shall have the respective meanings assigned to them in the Chhattisgarh Sinchai Prabandhan Me Krishkon Ki Bhagidari Adhiniyam, 2006 (No.7 of 2006) and the Chhattisgarh Sinchai Prabandhan Me Krishkon Ki Bhagidari Niyam, 2006

CHAPTER-II

ADMINISTRATIVE MACHINERY FOR THE CONDUCT OF ELECTIONS

3. Authorities for the Conduct of elections.-(1) The Secretary of the Government appointed under Section 48 of the Act shall be Divisional Election Authority for the purpose of conducting elections within their respective jurisdiction.

(2) The elections of Members of the Managing Committee and President of the Farmers Organisation shall be conducted under the superintendence, direction, control of District Election Authority.

(3) The District Collector shall be the District Election Authority. The functions of the Divisional Election Authority under these rules may also be performed, by the District Election Authority within his jurisdictions, as may be authorised by the Divisional Election Authority.

(4) The Additional Collector of the District shall be Additional District Election Authority. The Tehsildar, or the Sub-divisional Officer (Revenue), as the case may be in the District shall be the Deputy District Election Authority.

(5) The Additional District Election Authority and the Deputy, District Election Authority shall perform such of those functions as may be assigned to them by the District Election Authority. The District Election Authority may authorise in writing, the Additional District Election Officer or the Deputy Election Authority to exercise in any local area in the District in regard, to any Water Users' Association, the Distributory Committee or the Project Committee in that area any of the powers vested in him under these rules.

4. District Election Authority - Subject to the general superintendence, direction and control of the Divisional Election Authority, the District Election Authority shall be responsible for the conduct, co-ordination and supervision of all works in connection with the conduct of elections of the Members of the managing Committee and President of Water Users' Association and Distributory Committee and the President and members of the Managing Committee of the Project Committee.

5. Election Officer - For every election to fill the seats of Member of the Managing Committee and President of Water Users' Association and the Distributory Committee, and for the office of the President and Member of the Managing Committee of the Project Committee, the District Election Authority shall designate or nominate by order an officer as an Election Officer, who shall be as far as possible be a Gazetted Officer of the State Government of a local authority not below the rank of a Tehsildar..

6. Assistant Election Officers -The District Election Authority may appoint one or more persons as Assistant Election Officers to assist any Election Officer :

Provided that every such person shall be an officer of the State Government or of a local authority.

7. Assistant Election Officer to perform functions of the Election Officer - Every Assistant Election Officer shall, subject to the control of the Election Officer, be competent to perform all or any of the functions of the Election Officer : .

Provided that no Assistant Election Officer shall perform any functions of the Election Officer, which relate to the scrutiny of nominations papers unless the Election Officer is unavoidably prevented from performing the said functions. .

8. Election Officer to act in the manner provided -It shall be the general duty of 'the Election Officer at any election to do all such acts and things as may be necessary for conducting the election in the manner provided under the Act and under these Rules or orders made thereunder.

9. Polling Stations -The District Election Authority shall, subject to such directions as may be issued by the Election Authority, provide as many polling stations as are necessary for the conduct of elections and shall in such manner as the Election Authority may direct publish a list showing the polling stations and the areas or groups of voters for which they have been provided respectively.

10 . Presiding Officers and Polling Officers - (1) The District Election Authority or any officer authorised by him shall appoint 'a Presiding Officer for each Polling Station and such other polling officers as he thinks necessary but he shall not appoint any person ' who has been employed by or on behalf of, or has been otherwise working for a candidate in or about election :

Provided that if a Polling Officer is absent, the Presiding Officer may appoint any person who is present at the polling station other than a person who has been employed by or on behalf of, or has been otherwise working for a candidate in or about the election to be the Polling Officer and inform the Election Officer accordingly:

Provided further that the polling personnel appointed for the conduct of poll for Member of the Managing Committee and President of Water Users' Association, any other officer authorised by him in this' behalf under this rule may also conduct the poll for any other elective office for which the election is conducted simultaneously.

(2) A Polling Officer shall, if so directed the Presiding Officer, perform all or any of the functions of a Presiding Officer under these Rules.

(3) If a Presiding Officer owing to illness or due to unavoidable cause, absents from the polling station his functions, shall be performed by such Polling Officer, as has been authorised by the Election Officer to perform such function during any such absence.

(4) It shall be the general duty of the Presiding Officer at the polling station to keep and maintain public order there at, and to see that the poll is taken in a fair manner.

CHAPTER III

RESERVATION OF TERRITORIAL CONSTITUENCIES AND IN FARMERS ORGANISATION

11. Powers of Collector to determine reserved seats for Territorial Constituencies -

(1) Subject to the provisions of Section 5 of the Act the territorial constituency or territorial constituencies in which seats shall be reserved for women and the members of the Scheduled castes or Scheduled tribes or other backward classes shall be determined by the Collector.

(2) The total number of seats to be reserved for the members of scheduled castes or scheduled tribes or other backward classes shall be in proportion to the total number of water users of such caste, tribe or backward class with the total number of water users of the Water Users Area. Fraction less than half shall be ignored and half and more than half shall be counted as one.

(3) Seats reserved either for the Scheduled Castes, the Scheduled Tribes or other backward classes shall as far as practicable, be allotted in the territorial constituencies in which the percentage of number of water users of the Scheduled Castes, the Scheduled Tribes or other backward classes, as the case may be, worked out by the Collector is found by him to be correspondingly higher in descending number.

(4) Out of the territorial constituencies reserved for women in accordance with sub section 13 of Section 5 number of territorial constituencies shall be reserved for women of scheduled castes or scheduled tribes and/or other backward classes as may bear, as nearly as may be, the same proportion to the total number of seats reserved for women as the total number of territorial constituencies reserved for scheduled castes or scheduled tribes and/or other backward classes bear to the total number of territorial constituencies in the Water Users Area. Seats for women belonging to scheduled castes scheduled tribes and other backward classes shall be allotted from out of the territorial constituencies reserved for scheduled castes and/or scheduled tribes and/or other backward classes under sub-rule (3). Seats belonging to women of general category be allotted from out of the remaining territorial constituencies.

(5) (a) The prescribed authority shall for the purpose of fixing the territorial constituencies in which seats shall be allotted under sub-rule (4) draw lots separately for the territorial constituencies reserved for other backward classes and for women.

(b) For the purpose of allotting territorial constituencies the prescribed authority shall publish a notice at a conspicuous place at the headquarter of the concerned Water Users Association stating that the lots shall be drawn in the office to be named in such notice and on the date and at the time specified therein before the persons who are present to witness the drawl of lots.

(c) For the purposes of allotment of territorial constituencies for women separate chits shall be prepared for general territorial constituencies and territorial constituencies reserved for scheduled castes and/or scheduled tribes and/or other backward classes giving the individual number of territorial constituencies on each of such chit. All the chits meant for general territorial constituencies shall be kept in one pot and those chits for reserved territorial constituencies shall be kept in separate pot/pots. As many chits as are required for allotment of seats for women of general category shall be drawn out and the number of territorial constituencies written on the chits shall be read out before the persons witnessing the draw. Similar procedure shall be adopted for drawing chits from the pots meant for allotment of territorial constituencies for women belonging to scheduled castes, scheduled tribes and/or other backward classes.

(d) The proceedings shall be recorded in writing and signed by the prescribed authority. Signatures of at least two non-official persons witnessing the draw of lots shall also be obtained on proceedings. Their names and addresses shall be written below their signatures.

(e) For the categories of seats which are to be reserved by drawing lots and by rotation, in subsequent election of Water User Association the territorial constituencies previously reserved shall be excluded from drawing lots, for that category till all such territorial constituencies are exhausted.

(f) In accordance with section 5(11) of the Act the reservation of territorial constituencies is subject to the condition that in no case more than fifty percent of the total seats shall be reserved in the Managing Committees of the Water Users Association.

12. Reservation in Distributory Committee and Project Committee-

(1) In accordance with Section 8(6) and Section 11(6) of the Act, the total number of seats to be reserved for the members of scheduled castes or scheduled tribes or other backward classes in the Managing Committees of the Distributory Committee and the Project Committee shall be in proportion to the total number of water users of such caste, tribe or backward class with the total number of water users of the Distributory and the Project Area respectively. Fraction less than half shall be ignored and half and more than half shall be counted as one.

(2) In accordance with sub-rule (1) and subject to Section 8 and Section 11 of the Act the State Government shall reserve seats in every Managing Committee of the Distributory Committee and the Project Committee.

CHAPTER IV

ELECTORAL ROLL FOR THE WATER USERS ASSOCIATION

13. Electoral Roll For The Water Users Association – The electoral roll for Water Users Association shall be the voters list prepared under Rule 4 of the Chhatisgarh Sinchai Prabandhan Mein Krishkon Ki Bhagidari Niyam, 2006

14. Language of the Roll- The roll shall be prepared in Hindi. The roll may also be prepared in such other language or languages considering the necessity therefor.

15. Preparation of copies of rolls – Arrangements shall be made to provide as many copies of the roll as deemed necessary by the Collector for conducting the elections. One copy of all parts of the rolls relating to all the Water Users Association falling within his jurisdiction shall be placed on record at the the office of the Collector. One copy of all parts of the roll related to individual Water Users Association Territorial Constituency-wise shall be placed on record at the office of Water Users Association concerned.

16. Sale of electoral rolls and custody of rolls – (1) The copies of rolls may be sold to the public at the process determined by the Collector, from time to time, and the proceeds shall be remitted into relevant Head of Account of the Government.

(2) One copy of such roll may be kept in the office of the Collector for a period of five years from the date of its final publication or till a new roll is published, whichever is earlier.

CHAPTER-V

ELECTION OF MEMBER OF THE MANAGING COMMITTEE AND PRESIDENT OF WATER USERS' ASSOCIATION

17. Public Notice of Election.-(1) The election shall be held for the purpose of constituting a Water Users' Association after the commencement of the Act and on the expiration of the term of the Water Users' Association or on vacancy in such office either by death, resignation or recall.

(2) For the purpose of sub-rule (1) Divisional Election Authority shall, subject to such directions as may be issued by the State Government in pursuance of and in consonance with the provisions of the Act in this behalf, publish a notice in Form-I, for conducting the election of the Member of the Managing Committee and President of the Water Users' Association in accordance with the provisions of the Act, and under these Rules and orders made thereunder.

(3) The defaulter list shall be displayed, 15 days in advance before the date of publication of the notice in Form-I.

Explanation.-Defaulter means a person who has not paid any sum due by him under Chhatisgarh SInchai Prabhandhan Mein Krishkon Ki Bhagidari Adhinyam, 2006 (No. 7 of 20006) for a period of three years or more.

(4) On the issue of the notice under sub-rule (2) the Election Officer shall give public notice of the elections for Water Users' Association, in form-2 in Hindi language which shall be published at prominent places and in such manner as the Election Officer may direct.

(5) The dates fixed for the, various stages of the election shall be subject to the following

(a) The last date for making nominations shall be not earlier than the fourth day and not later the tenth day after the publication of the notice referred to in sub-rule (2) whether or not it is a public holiday;

(b) The date for the scrutiny of nominations shall be the day immediately following the last date for making nominations whether or not it, is a public holiday;

(c) The last date and time for withdrawal of the' candidature shall not be later than 3.00 p.m. of the third day succeeding the day appointed for scrutiny of the nominations, whether or not it is a public holiday;

(d) The date or dates on a poll shall be taken, which or first of which shall be a date not earlier than the tenth day after the last date for withdrawal of the candidature;

(e) The poll shall commence on the day fixed, at 8.00 a.m. and shall be closed by 2.00 p.m. soon after the polling is over, counting shall commence and the results shall be declared on the same day;

18. Special Election Programme.-Notwithstanding anything contained in these rules, where the election process is interrupted or the. election programme has to be altered on account of the orders of any Court of Law or for other valid reasons to be recorded in writing, it shall be competent for the Election Authority either generally or in respect of specified Water Users' Association to alter the election programme as he deemed fit, in the circumstances of the case without having regard to sub-rule (5) of rule 17 and the Election Officer shall give effect to the same:

Provided that where the election programme is re-notified under this rule commencing from the making of nominations, the nominations already made shall be disregarded and the deposits, if any, made under Rule 21 shall be refunded.

19. Nomination of Candidates.-(1) Any person may be nominated as a candidate to fill the office of Member of the managing Committee and President Water Users' Association and Distributory committee, President / Member of Managing Committee of Project Committee if he is qualified to be chosen to fill the seat under the provisions of the Act. Every nomination paper shall be in Form-3, for Water Users' Association, in form-20 for the Distributory Committee and in form-30 for the Project committee and shall be presented on or before the date appointed, by the candidate or by his proposer in person in form-3 for Water Users' Association in form-20 for the distributory Committee and in Form-30 for the Project Committee, between the hours specified [in sub-rule (5) of rule 17] duly signed by the candidate and by the proposer. The candidate shall sign' the declaration on the nomination paper.

(2) A candidate for the office of Member or President of Water Users' Association, Distributory committee and Member of President of Project Committee and his proposer shall be such persons whose names are registered in the voters' list for that Water Users' Association, Distributory Committee or Project Committee respectively.

(3) Each candidate shall be nominated on a separate nomination paper.

(4) A candidate may be nominated by more than one proposer separately for the same elective office in a separate nomination form:

Provided that not more than four nominations shall be filed by or on behalf of a candidate.

20. Presentation of Nomination Paper and Requirements of Valid Nomination.-(1) on or before the date appointed, each candidate either in person or, by his proposer deliver to the authorised election officer, during the time and the place specified in the notice issued under rule 17, a duly completed nomination paper in form-3 and signed by the candidate and an eligible voter of the concerning Water Users' Association as proposer.

(2) On receiving nomination paper, the Election Officer shall forthwith number the nomination paper serially in the order in which it is presented and give a receipt as provided in Form-3 for Water Users' Association, in form-20 for the Distributory Committee and form-30 for Project Committee and the election Officer or such other authorised person shall satisfied himself that the name and number of the candidate and his proposer, as entered in the nomination paper, are the same as those entered in' the electoral roll. Whether necessary, he shall direct that the nomination form be amended so as to be in accordance with the electoral roll.

(3) The Election Officer may while interpreting an entry in the voters' list overlook the clerical or printing errors, only, but he shall record the interpretation adopted. by him, together with the reasons therefor, while making the formal acceptance or rejection on scrutiny of a nomination.

21. Security Deposits.-(1) (a) A candidate shall not deemed to be duly nominated for the election to the office of the Member of the Managing Committee and President of Water Users' Association unless has deposited or cause to be deposited a sum of two hundred rupees as security deposit with the Election Officer in cash and receipt obtained therefor before the time of presentation of his nomination paper.

(b) A candidate desirous to contest for the office of the President and also as Member of the Managing Committee of the Distributory Committee shall deposit or cause to be deposited a sum of Rs. 500/- (rupees five hundred only), and Rs. 300/- (Rupees three hundred only) respectively as security deposit respectively with Election Officer in cash and receipt obtained therefor before the time of presentation of his nomination paper. No candidate shall be deemed to have been duly nominated unless the said security deposit has, been made.

(c) A candidate desirous to contest for the office of the President and also as Member of the Managing Committee of the Project Committee shall deposit or cause to be deposited a sum of Rs. 1000/- (Rupees one thousand only), and Rs. 600/- (Rupees six hundred only) as security deposit respectively with Election Officer in cash and receipt obtained therefor before the time of presentation of his nomination paper. No candidate shall be deemed to have been duly nominated unless the said security deposit has been made:

Provided that where a candidate has been nominated in more than' one nomination paper, not more than one security deposit shall be required to be made.

(2) If no nomination paper. is received within the time appointed in that behalf, in respect of any person by whom/or whose behalf the security deposit referred to in sub-rule (1) has been made or if the nomination of any such person is rejected, or if he withdraws his candidature in the manner and within the time specified in sub-rule (1) of Rule 24, the security deposit shall be returned immediately to the person by whom it made and if any candidate dies before commencement of the poll, any such security deposit if made by him shall be returned to his legal representative, if not made by the candidate, shall be returned to the person by whom it was made.

(3) If a candidate by whom or on whose behalf the security deposit referred to in sub-rule (1) has been made, is not elected and the number of valid votes polled to him does not exceed one eighth of the total number of valid votes polled by all the candidates, the security deposit shall be forfeited to the Government.

(4) The security deposit made in respect of a candidate shall, .if it is not forfeited under sub-rule (3) be returned to the candidate or to the person who has made the security deposit on his behalf, as the case may be, within thirty days after publication of the result of election in accordance with Rule 55.

(5) A security deposit required to be returned to any person under sub-rule (4) shall, if such person is dead, be returned to his legal representative.

(6) Notwithstanding anything candidate in this rule immediately after publication of the result of election, the Election Officer or the person authorised by the District Election Authority in this behalf, shall pass an order as to whether a security deposit made under sub-rule (1) shall be refunded or forfeited. The Competent Authority of the concerning Water Users' Association shall within thirty days from the date of publication of the result, return the security deposit to the person who made the security deposit or to his legal representative when such security deposit is refundable. In the case of forfeited of security deposit under sub-rule (2), the Election Officer shall communicate an order to the person concerned who made the security deposit by giving the reasons for such forfeiture.

(7) The amounts received towards election security deposit, challenge fee etc., credited to the Water Users' Association / Distributory Committee / Project Committee as the case may be, the fund shall be remitted to Government Account by the concerning Competent Authority after deducting any refunds made to the concerned person for any reason provided under these rule.

22. Publication of Nominations.-Immediately after expiration of the time specified for receipt of the nomination papers on the date fixed for that purpose, the Election Officer or such other authorised person shall publish at his office in Hindi language a list in Form-4 for Water Users' Association, in Form-21 for Distributory Committee and in Form-31 for Project Committee of all the nominations received, with a notice that the nomination papers will be taken up by the Election Officer for scrutiny at the specifying the place', the date and time.

23. Scrutiny of Nomination Papers.-(1) On the date appointed for scrutiny of the nominations, the candidates, the proposer of each candidate and one other person duly authorised in writing by each candidate, may attend at such time and place as may be specified under rule 23. No other person shall be entitled to be present. The Election Officer may, however, admit such other persons as he thinks fit to assist him. The Election Officer give such persons all reasonable

facilities to examine the nomination papers of all the candidates, which have been received as aforesaid.

(2) The Election Officer shall then examine the nomination papers and shall decide on all the objections which may be made to any nomination and may either on such objection or on his own motion after summary enquiry as he thinks necessary, reject any nomination on any of the following grounds, namely:

(a) that the candidate is disqualified for election as Member or President of Water Users' Association Distributory Committee and President of Project Committee as the case may be, under Section 19 of the Act; or

(b) that the name of the candidate or of his proposer or both is or are not registered in the voters' list; or

(c) that the candidate or his proposer has failed to comply with any of the provisions of rule 19 or 21; or

(d) that the signature or the thumb impression of the candidate or the proposer in the nomination paper is not genuine:

Provided that the Election Officer shall not reject any nomination paper on the ground of mere clerical or printing error or any defect which is not of a substantial character.

(3) The Election Officer shall endorse on each nomination paper, his decision, accepting or rejecting the same and, if the nomination paper is rejected, he shall record in writing brief statement of his reasons for such rejection. The scrutiny shall as far as practicable, be completed on the date appointed in this behalf under rule 23 and no adjournment of the proceedings shall ordinarily be permissible except to provide an opportunity to a candidate to rebut any contention raised against his candidature.

(4) For the purpose of this rule, a certified copy of an entry in the voters' list in force of a Water Users' Association / Distributory Committee / Project Committee as the case may be shall be conclusive evidence of the fact that the person referred to in that entry is an elector for the Water Users Association/Distributory Committee/Project Committee, unless it is proved that he is subject to any disqualification mentioned in the Act.

(5) Immediately after all the nomination papers have been scrutinized and the decision regarding accepting or rejecting the same have been recorded, the Election Officer shall prepare a list of validly nominated candidates, and affix it on the notice board of his office in Form 5 for Water Users' Association, in form 22 for Distributory Committee and in Form 32 for Project Committee as the case may be.

24. Withdrawal of Candidature.-(1) Any candidate may withdraw his candidature by notice in writing in Form 6 for Water Users' Association, in Form 23 for Distributory Committee and in Form 33 for Project Committee, signed by him and delivered to the Election Officer either by such candidate in person or by his proposer or by his election agent at any time after the presentation of his nomination paper and not later than 3.00 pm of the third day succeeding the day appointed for scrutiny of the nominations in case of Water Users' Association and between 1.00 PM to 1.30 PM of the same date in case of Distributory Committee and Project Committee, whether or not it is public holiday. The Election Officer shall give a receipt for the same as

provided in Form 6 for Water Users' Association, in Form 23 for Distributory Committee, in Form 33 for Project Committee on being satisfied as to the genuineness of the notice of withdrawal and the identity of the person delivering it.

(2) The Election Officer on receiving a notice of withdrawal under sub-rule (1) shall, as soon as may be, cause a notice of the withdrawal to be published in Form 7 for Water Users' Association, in Form 24 for Distributory Committee and in Form 34 for Project Committee as the case may be.

(3) A candidate who has withdrawn his candidature under sub-rule (1) shall not be allowed to cancel the withdrawal or to be re-nominated as a candidate for the same election.

25. Publication of list of contesting candidates.-(1) Two days after scrutinizing of the nominations, the Election Officer shall prepare in Hindi language a list in Form 8 for Water Users' Association, and on the same day in Form 25 for Distributory Committee and in Form 35 for Project Committee of persons whose nominations have not been rejected and who have not withdrawn their candidature and publish it on the notice board of his office.

(2) The list shall contain the names of the candidates in alphabetical order in Hindi and shall describe them as in their nomination paper and if poll is found to be necessary it shall also specify the distinctive symbols allotted to them under sub-rule (3).

(3) If a poll is found to be necessary, the Election Officer shall assign to each candidate subject to such directions as may be issued by the Divisional Election Authority in that behalf, a distinctive symbol.

(4) In every case where a symbol is assigned to a candidate under sub-rule (3) such candidate of his election agent shall be informed forthwith regarding the symbol so assigned and be supplied with a specimen thereof by the election officer.

26. Declaration of Result of Uncontested Candidate.-(1) If the number of contesting candidates is more than one, poll shall be conducted.

(2) If there is only one validly nominated candidate, the Election Officer shall forthwith declare such candidate as duly elected in Form 9 for Water Users' Association, in Form 28 for Distributory Committee and in Form 38 for Project Committee and send the same to the Divisional Election Authority and the District Election Authority.

27. Death of Candidate Before poll.- If a contesting candidate dies and a report of his death is received before commencement of the poll, the Election Officer shall after being satisfied of the fact of the death of the candidate, countermand the poll and election proceedings shall be started afresh in all respects as if it is a new election;

Provided that no fresh nomination, shall be necessary in the case of a candidate who stood validly nominated at the time of countermanding of the poll.

Provided further that no person who has given a notice of withdrawal of his candidature under rule 24 before the countermanding of the poll, shall be ineligible for being nominated as a candidate for the election of after such countermanding.

28. Appointment of agents.-(1) (a) A candidate at an election to the office of the President of a Water Users Association, may appoint anyone person to be his election agent. Such appointment

shall be given in Form 10 by forwarding the same in duplicate to the Election Officer who shall return one copy thereof to the election agent after affixing therein his seal and signature in token of his approval of the appointment.

(b) An election agent may perform such functions in connection with the election as are authorised by or under these rules to be performed by an election agent.

(2) (a) The number of polling agents that may be appointed by a contesting candidate of his election agent, shall, in respect of each polling station, be one agent and a relief agent.

(b) Every such appointment shall be made in Form 11 and shall be handed over to the polling agent for production at the polling station;

(c) No polling agent shall be admitted into the 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 thereon.

(d) A polling agent may perform such functions in connection with the poll as are authorised by or under these rules.

(3) (a) Each candidate may appoint such number of counting agents at the place of places fixed for counting as may be specified by the District Election Authority.

(b). Every such appointment shall be made in Form 12 in duplicate, one copy of which shall be forwarded to the Election Officer while the other copy shall be made over to the counting agent for production before the election Officer not later than one hour before the time fixed for counting.

(c) A counting agent may perform such functions in connection with the counting of votes as are authorised by or under these Rules.

(4) (a) 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.

(b) A contesting candidate himself or his election agent may do any act of thing which any polling agent or the counting agent of such contesting candidate if appointed would have been authorised by or under these rules to do, or may assist any polling agent or counting agent or such contesting candidate in doing any such act or thing.

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

29. Voting.- (1) If poll has to be taken, the Election Officer shall appoint forthwith one or more presiding Officers at each polling station and may pay the remuneration as fixed by the Government for their services. The Election Officer shall provided for each Presiding Officer such number of Polling Officers as may be necessary and also. If necessary appoint one or more identifying officers to assist the presiding Officer in identifying the electors.

(2) The Presiding Officer shall see that the election is fairly conducted and to that end keep order at the polling station to regulate 'the number of electors to be admitted at one time, and shall exclude all persons other than.

(a) the candidates, and at each booth one polling agent at a time of each candidate appointed in writing by the candidate;

(b) the police or other public servants on duty;

(c) Polling officers and such persons as the presiding Officers may from time to time admit for the purpose of identifying electors;

(d) persons authorised by Government;

(e) a child in arms accompanying an elector; and

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

(3) Where a woman elector cannot be identified by the identifying officers appointed under sub-rule (1) by reason of her observing purdah, she may be required to be identified by any of her near relatives unless she other wise satisfied the Presiding Officer of her identity.

Explanation: if any question arises as to whether a person is or is not a near relative within the meaning of this sub-rule be decided by the Presiding Officer and his decision shall be final.

30. Right to vote.-All electors voting shall vote in person. at the polling station as provided under' the rules.

31. Arrangements of polling station.-(1) Outside each polling station there shall be displayed prominently:

(a) a notice specifying the polling area, the serial number of electors in relevant voters' list who 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;

(b) copy of the list of contesting candidates with the serial numbers and the symbols assigned to them; and

(c) Each of the polling station shall contain one or more separate compartments in which electors are' to cast their votes.

Note: that the polling station should be able to accommodate voters as specified by the Divisional Election Authority.

(2) There shall be two ballot boxes in the polling booths-One for the Member of the Managing Committee and the other for President of Water Users' Association.

Provided that where for an election to Water Users Association, the number of voters is few, the district Election Authority may, depending upon the number of voters in each polling station use one ballot box for casting of votes for election the President and of the Members of the Managing Committee;

(3) The Election Officer shall provide at each polling station sufficient number of ballot boxes, together with copies of the electoral roll or such part thereof, as may contain the names of the electors entitled to vote at the station, and such other papers, and articles necessary for electors to mark the ballot papers, stationary and forms as may be necessary.

31-A. Preparation of ballot boxes.-(1) Where a paper seal is used for securing a ballot box, the Presiding Officer shall affix his own signature on the paper seal and obtain thereon the signature of such of the candidates or their election agents or the polling agents present as are desirous of affixing the same.

(2) 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 therein remains open.

(3) 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.

(4) Where it is not necessary to use paper seals or securing the ballot boxes, the Presiding Officer shall secure and seal the ballot box in such manner that the slit for the insertion of ballot papers remains open and shall allow the polling agents present to affix, if they so desire, their seals.

(5) Every ballot box used at a polling station shall bear label both inside and outside marked with:

(a) the description of the polling station;

(b) the serial number of the ballot box (to be filled in at the one of the polls on the label outside the ballot box only); and

(c) the date of poll.

(6) Immediately before commencement of the poll the Presiding officer shall demonstrate to the polling agents and other persons present that the ballot box is empty and bears the labels referred to in sub-rule (5).

(7) The ballot box shall then be closed sealed and secured and placed in full view of the Presiding Officer and polling agents.

(8) Immediately before commencement of the poll, the Presiding Officer shall demonstrate to the polling agents and other present the marked copy or, as the case may be, marked copies of the voters' list to be used during the poll.

32. Form of ballot paper.- (1) Every ballot paper shall have a counter-foil attached and the said ballot paper and the counterfoil shall be in such form as the Divisional Election Authority may, by order, direct.

(2) Every ballot paper shall, before issue to an elector, be,-

(a) Stamped or shall be written on its back such of the details as may be specified by the Divisional Election Authority,

Name and number of the polling station

Name of the Water User Association

Name of the Revenue Circle.

(b) signed in full on its back by the Presiding Officer.

33. Issue of Ballot Papers.-(1) Immediately before any ballot paper is issued to an elector the Presiding Officer shall

(a) call upon the number, name and description of the elector as stated in the voter list, and

(b) record on its counterfoil the voters' list number of the elector as entered in the marked copy of the voters' list and obtain the signature or the thumb impression of the elector on the said counterfoil:

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

(2) The Presiding Officer or Polling Officer, as the case may be, shall underline the entry relating to the elector in the marked copy of the voters' list with him in every case and where the elector is a female shall put a (√) mark also on the left hand side of the name of the female elector.

(3) The Presiding Officer or Polling Officer, as the case may be, shall apply the indelible mark on the ridge between the skin and the root of the nail of left-hand forefinger to him.

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

34. Maintenance of Secrecy of voting by Electors and Voting Procedure.-(1) Every elector to whom a ballot paper has been issued under rule 33 or under any other provisions of these rules shall maintain secrecy of voting within the polling station and for that purpose observe the voting procedure hereafter laid down.

(2) The elector on receiving the ballot papers as the case may be, shall forthwith:

(a) proceed to one of the voting compartments;

(b) make a mark on the ballot paper with the instrument supplied for the purpose on or near the symbol allotted to the candidate for whom he intends to vote;

(c) fold the ballot paper vertically first and thereafter horizontally so as to conceal vote;

(d) insert the folded ballot paper into the specified ballot box, and;

(e) leave the polling station by the exit provided;

(3) Every elector shall vote without undue delay.

(4) No 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 Presiding Officer to observe the procedure laid shown 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 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 word "Cancelled" voting procedure violated" and put his signature below these words and all such papers shall be kept in a separate cover which shall bear on its face the words "Ballot papers-voting procedure violated".

(7) Without prejudice to any other penalty to which an elector, from whom a ballot paper has been taken back under sub-rule (5), may be liable and the vote, if any recorded on such ballot paper shall not be counted.

35. Blind and Infirm Voters.-(1). If owing to blindness or other physical infirmity an elector is unable to recognise the symbols on the ballot paper or to make thereon, the Presiding Officer shall record the vote on the ballot paper in accordance with the wishes of the elector, fold it so as to cancel the vote and insert it into the ballot-box.

(2) While acting under this rule, the Presiding Officer shall observe secrecy and shall keep a brief record of each such instances but shall not indicate therein the manner in which any vote has been given.

36. Facilities to Women Electors.-Special facilities in accordance with the instructions, if any, issued by Divisional Election Authority in that behalf may be accorded to women elector.

37. Identification of Electors.- When a person presents himself to vote and at any time before a ballot paper is supplied to him, the Presiding Officer may of his own accord and shall, if so required by a candidate or his polling agent, put to such person either one or both of the following questions:

(i) Are you the person enrolled as follows (reading the whole entry from the roll)?

(ii) Have you already at the present election at this polling station. or at any other polling station? And the person shall not be supplied with a ballot paper unless he gives an unqualified answer to the question or questions put to him/her in the affirmative to the first and in the negative to the second or such questions except as mentioned herein, every person whose name is found on the voters' list shall be entitled to. be supplied with a ballot paper.

38. Tendered Votes.-(1) If a person representing himself to be 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 provision to mark ballot paper (hereinafter in these rules referred to as a "Tendered Ballot Paper") in the same manner as any other elector.

(2) Every such person, shall before being supplied with a tendered ballot paper, sign his name against entry relating to him in a list in Form 13.

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

(a) taken serially from the bottom of the bundle of ballot papers issued for use at the polling stations in successive cases; and

(b) enforced on the back with the words "Tendered Ballot Paper" by the Presiding Officer in his hand and signed by him.

(4) The elector, after making 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 specifically kept for the purpose.

39. 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 five rupees in cash with the Presiding Officer for each such challenge.

(2) On such a deposit being made, the Presiding Officer shall-

(a) warn the person challenged of the penalty impression;

(b) read the relevant entry in the voters' list in full and ask him whether he is the person referred to in the entry;

(c) enter his name and address in the list of challenger votes in form-14; and

(d) require him to put his signature or thumb impression in the list.

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

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

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

(c) administer on oath to the challenger and any other person offering to give evidence.

(4) If, after the enquiry 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.

40. Safeguards against Impersonation.-(1) Every elector about whose identity the Presiding Officer or the Polling Officer, as the case may be, is satisfied shall allow his left forefinger to be inspected by the Presiding Officer or Polling Officer and an indelible ink mark to be put on it.

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

(3) The Presiding Officer shall be at liberty to refuse to deliver a ballot paper to any person for voting at the polling station if at the time such person applies for a ballot paper has already an indelible ink mark referred in sub-rule (1) and (2).

41. Spoilt and Returned ballot Papers.-(1) An elector who has inadvertently dealt with his ballot may, be delivering 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 as "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 paper cancelled under sub-rule (1) and sub-rule (2) shall be kept in a separate packet.

42. Closing of poll and sealing of Ballot Boxes and -covers after poll.-(1) The Presiding Officer shall close the polling station at the hour appointed for closing under clause (e) of sub-rule (5) of rule 17 and shall not thereafter admit any elector into a polling station :

Provided that all elector 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.

(3) The Presiding Officer of each polling station as soon as practicable after the close of the poll shall close the slit of ballot box and where the box does not contain any mechanical devise for closing the slit, he shall seal up the slit and also allow any polling agent present to affix his seal. The ballot box shall thereafter be sealed and secured.

(4) Where it becomes necessary to use a second ballot box by reason of the first ballot box getting full, the first box shall be closed; sealed and secured as provided in sub-rule (3) before another ballot box is put into use.

(5) The foregoing provisions of this rule shall not apply to a Presiding Officer of a polling station to whom Divisional Election Authority has issued a direction asking him to proceed in accordance with sub-rule (6).

(6) At any such polling station as may be specified under sub-rule (5) as soon as practicable, after the close of poll, the Presiding Officer shall

(a) transfer all the ballot papers, contained in the ballot boxes used at that polling station, without examining or counting them and due regard to the secrecy of the ballot, into a clothe bag or cloth lined cover after demonstrating to the polling agents present that the bag or cover is empty; and

(b) allow the polling agent present to inspect each ballot box and demonstrate to them that it has been emptied.

(7) The Presiding Officer of each polling station; as soon as practicable after the close of the poll, shall in the presence of any candidate or polling agents who may be present make up the following into separate packets and seal with his own seal and the seals of such candidates or agents as may decide to affix their seals:

(i) the tendered ballot papers;

(ii) the unused ballot papers;

(iii) the spoilt and returned ballot papers;

(iv) the marked copy of the electoral roll;

(v) the tendered voters' list;

(vi) the list of challenged votes with the statement or statements mentioned in sub-rule (2) of rule 39;

(vii) counterfoils of used ballot papers; and

(viii) the ballot papers cancelled for violation of voting procedure under rule 34.

(8) Each packet shall be numbered and shall bear a note as to its contents, description of the election and the polling stations. Where no vote has been recorded at any polling station, the Presiding Officer shall submit a 'nil' report together with the statement in form-15.

43. Account of Ballot Papers, Ballot Boxes, packet etc.-(1) the packets shall be accompanied by a statement in a separate cover in Form 15, made by the Presiding Officer showing the number of ballot papers, in the ballot boxes and unused, spoilt, returned and tendered ballot papers. The Presiding Officer shall then deliver or cause to be delivered to the election Officer at such place as the Election Officer may direct:

(a) the ballot boxes or, as the case may be, the bags or covers referred to in rule 33;

(b) the ballot paper account or accounts;

(c) sealed packets or sets of sealed packets referred to in rule 42; and

(d) all other papers used at the poll.

(2) The Election Officer shall make adequate arrangements for the safe transport of all ballot boxes, packets and other papers and for their safe custody until commencement of the counting of votes.

44. Scrutiny of Opening of ballot boxes and counting of Votes.-(1) (a) The counting of votes shall commence on the day and at the place and hour appointed in this behalf.

(b) the Election Officer shall, at least three days before the date, or the first of the dates, fixed for the poll appoint the 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 election Officer finds it necessary to do so, 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.

(c) Votes shall be counted by or under the supervision of the Election Officer. The Election Officer shall appoint such number of counting assistants as may be necessary to assist him in counting of votes.

(d) Each candidate, election agent of each candidate, and one representative of each candidate authorised in writing by the candidate shall have a right to be present except such person or persons as Election Officer may appoint to assist him in counting votes. No person shall be appointed to assist in counting the votes who has been employed by or on behalf of any candidate or any person whatsoever connected with the election of a candidate.

(2) (a) the election Officer shall open, or cause to be opened, simultaneously the ballot box or boxes used at more than one polling station and shall have the total number of ballot papers found in such box or boxes counted and recorded in Part II of Ballot Paper Account in Form-15.

(b) 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 form-15 minus the number of ballot papers cancelled as shown in item 4 thereof and the number of papers as shown in item 5 thereof, shall also be recorded in Part II of form-15.

(c) Before any ballot box is opened for counting of votes the counting agents presents thereat shall be allowed to inspect the paper seal or such other seal as might have been affixed thereon and to satisfy themselves that the ballot box is intact.

(d) The Election Officer shall satisfy himself that none of the ballot boxes has in fact been tampered with in any way.

(e) If the Election 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 in Rule 49 in respect of that polling station.

(3) The Election Officer shall, as far as practicable, proceed continuously; with the counting of votes, and shall, during any necessary intervals during which the counting has to be suspended. Place ballot papers, packets and other documents relating the election under his own seal and seals of such candidates or agents as may desire to affix them and shall cause adequate precautions to be taken for their safe custody.

45. Admission to the place fixed for counting.-The Presiding 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 Government;

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

(d) candidates, their election agents and one representative of each candidate appointed in writing by the candidates as counting agents;

46. Rejection of ballot papers.-(1) Subject to such general of special directions, if any, as may be given by the Divisional Election Authority in this behalf, the ballot papers shall be counted polling stationwise.

(2) The election Officer shall reject a ballot paper-

(a) if it bears any mark of writing by which the elector can be identified; or

(b) if it bears no mark at all to indicate the vote, it bears a mark elsewhere thereon or near the symbol of one of the candidates on the face of the ballot paper or, it bears a mark made other with than with the instrument supplied to the purpose; or

(c) if votes are given on it is favour of more than one candidate;

(d) if the mark indicating the vote thereon is placed in such manner as to make it doubtful as to which candidate the vote has been given, or

(e) if it is a spurious ballot paper; or

(f) if it is so damaged or mutilated that its identity as a genuine ballot paper cannot be established; or

(g) if it bears a serial number-or is of a design, different from the serial numbers or, as the case may be design, of the ballot papers authorised for use at the particular polling station; or

(h) If it does not bear both the distinguishing mark and the signature which it should have borne under the provisions of sub-rule (2) of Rule 32;

Provided that where the Election 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 by the reason 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 and ballot paper under sub rule (1) the Election 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 Election 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 as one valid vote;

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

(7) After counting of all ballot papers contained in all the ballot boxes used in a Water Users' Association have been completed, the Election Officer shall make the entries in a result sheet in Form 16, and announce the particulars.

(8) The decision of the Election Officer as to the validity of a ballot paper shall be final subject to security only.

47. Recount of votes.-(1) After such announcement has been made under sub-rule (7) of rule 46, a candidate or, in his absence, his election agent or any of his counting agents may apply in writing to the Election Officer for recounting of the votes either wholly or in part stating the grounds on which he demands such recount.

(2) On such an application being made the Election Officer shall decide the matter and may allow the application in whole or in part or may reject it wholly if it appears to him to be frivolous or unreasonable.

(3) Every decision of the Election Officer under sub-rule (2) shall be in writing and contain the reason therefor;

(4) If the Election Officer decide under sub-rule (2) to allow a recount of the votes either wholly or in part he shall

(a) arrange for the recounting in accordance with Rule 45 and 46;

(b) amend the result sheet in Form 16 to the extent necessary after such recount; and

(c) announce the amendments so made by him.

(4) After the total number of votes polled by each candidate has been announced under sub-rule (4) the Election Officer shall complete and sign the Result Sheet in Form 16 and no application for a further or second recount shall be entertained thereafter.

48. 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 lead to any of those candidates being declared elected, the Election Officer shall forthwith decide between those candidates by lot, and proceed as if the candidate on whom the lot falls had received the additional vote.

49. Disturbances at the time of counting of votes.-(1) If at any time before the counting of votes is completed and ballot papers used at a polling station or at a place fixed for the poll are unlawfully taken out of the custody of the Election Officer or are accidentally or intentionally destroyed or lost or are damaged or tampered with, to such an extent -that the result of the poll at that polling station or place can not be ascertained, the Election Officer forthwith report the matter to the Divisional Election Authority.

(2) Thereupon, the Divisional Election Authority after taking all material, circumstances in to account, either

(a) direct that the counting of votes shall be stopped, declare the poll at that polling station or place to be void, appoint a day, and fix the hours for taking a fresh poll at that polling station or place and notify the date so appointed and hours so fixed in such manner as he, may deem fit, or

(b) if satisfied that the result of a fresh poll at that polling station or place will not, in any way, affect the result of the election, issue such directions to the Election Officer as may deem proper for the resumption and completion of the election and for further conduct and completion of the election in relation to which the votes have been counted.

(3) The provisions of these Rules and any rules or orders made there under shall apply to any and every such fresh poll as they apply to the original poll.

50. 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 up into a separate packet which, shall be sealed with the seals of the Election 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 be sealed shall be recorded the following particulars namely

(a) the number of the polling station number of ward/name of Water User Association/Janpad Panchayat, and

(b) the date of counting.

51. Transfer o ballot papers to cloth bags.-The provisions of Rules 45, 46 and 50 shall apply so far as may be in relation to counting of ballot papers and votes, which have been transferred from ballot boxes to cloth bags or cloth lined covers under sub-rule (6) of Rule 42.

Provided that every reference in the said Rules to a ballot box, shall be construed as a reference to a bag or cover to which the contents of a ballot box have been transferred.

52. Counting of votes in case of fresh poll.-(1) If a fresh poll is held under sub-rule (7) of Rule 57, the Election Officer shall after completion of the poll recommence the counting of votes on the date and at the time and place which have been fixed by him in that behalf and for which notice has been previously given to the candidates or their election agents.

(2) The Provisions of Rules 43 and 50, shall apply so far as may be to such, further counting.

53. Declaration of Result.-(1) The Election Officer shall, subject to the provisions of Rule 48, in so far as they apply to any particular case;

(a) declare in Form 17 the candidate to whom the largest number of valid votes have been given (to be elected under Rule 46 and ,send signed copies. thereof to the Divisional Election Authority and the District Election Authority; and

(b) complete the entries of the result of election in Form 16 and send signed copies thereof to the Divisional Election Authority and the District Election Authority.

(2) Copies of result sheet in Form 16 shall be supplied to the contesting candidates on payment of fee as charged for supply of certified copies of other Government records, Copies of Form 17 shall also be supplied to the contesting candidate on payment of rupees two for each copy. The District Election Authority, or Election Officer on receipt of an application shall issue the certified copies referred to above.

54. Grant of Election Certificate.-As soon as may be, after a candidate has been declared by the Election Officer under Rule 20 or as the case may be under Rule 55, to be elected, the Election Officer shall grant such candidate' a certificate of election in Form 18, and obtain from the candidate an acknowledgement of its receipt duly signed by him and immediately send the acknowledgement by a registered post to the District Election Authority under intimation to the Divisional Election Authority.

55. Publication of Results.- The Election Officer shall publish on the notice Board in the office of the Water Users' Association concerned a notification signed by him, stating the name of the candidate duly elected.

56. Disposal of ballot papers:(1) The Divisional Election Officer shall, after declaring the results forward a copy of the return of the Competent Authority concerned and shall hand-over to the Officer authorised by the Election Authority the packets of ballot papers, whether counted, rejected or tendered. These packets shall not be opened and their contents, shall not be inspected or produced except under the orders of an authority competent to decide election disputes.

(2) The Officer so authorised shall return packets and the marked copies of the voters' list for a year and shall then, unless otherwise directed by the orders of an authority competent to decide election disputes, cause them to be destroyed.

57. Adjournment of poll in emergencies.-(1) Where the proceedings at any polling station are seriously interrupted or obstructed by any riot of open violence or other wise or where a large number of electors are unable to attend the poll at a polling station by reason of an act of God, such as flood or fire, the Presiding Officer shall stop the poll, pending receipt of the orders of the District Election Authority. The fact that the poll has been so stopped shall be immediately announced by the Presiding Officer to the persons present at the polling stations.

(2) Where a Presiding Officer stops a poll under sub-rule (1) he shall observe the procedure laid down in Rules 42 and 43 and forthwith make a full report of the circumstances to the Election Officer, who shall forward the same expeditiously with his remarks thereon, if any, to the Divisional j Election Authority.

(3) The Divisional Election Authority shall thereupon order-

(a) that the poll continued at the polling station for the number of hours .for which it was not held on the previous occasion provided that not less that 50% of the voters have cast their votes; or

(b) that the proceedings at the poll held at the polling station on the previous occasion be ignored and that a fresh poll be held at such polling station for the full number of hours for which it should have been held on the previous occasion; and

(c) any order passed by the Divisional Election Authority under this sub-rule shall be final.

(4) a order passed under sub-rule (3) shall-

(a) State-

(i) the date on which, and the hours between which the continuation poll or the fresh poll, as the case may be shall be held; and

(ii) the date on which and the place and hour at which, the Election Officer, will commence the counting of the votes under Rule 52; and

(b) be given wide publicity in the polling area concerned by the Election Officer, in such matter as the District Election Authority may direct, announcing the date, place and hour of polling fixed under Clause (a)

(5) (a) where an order is passed under clause (a) of Sub rule (3) for the continuation of the poll, the Election Officer shall proceed afresh under sub-rule (I) of Rule 29 and return to the Presiding Officer appointment under that sub-rule all the packets received by him under sub-rule (2) of this rule.

(b) the Presiding Officer shall open the packets just before commencement of the continuation poll in the presence of such persons as may present at the polling station and commence such poll precisely at the hour fixed therefor in the order passed by, the Divisional Election Authority under clause (a) of sub-rule (3).

(c) at the continuation poll, the Presiding Officer shall allow only such electors to vote as did not vote in the previous occasion.

(d) the Election Officer shall not count votes cast at such election until such continuation poll or fresh poll has been completed.

(e) the Election Officer shall provide the Presiding Officer of the polling station. at which such continuation poll is held with the sealed packet containing the marked copy of the electoral roll, ballot-boxes and such other material required for the poll.

(6) Where an order is passed under clause (b) of sub-rule (3) for holding a fresh poll the Election Officer shall proceed afresh under sub-rule (I) of Rule 29 and a fresh poll shall be held at the polling station concerned in accordance with the provisions of these rules in all respects as if, it is being held at such polling station for the first time.

Explanation-There shall be no fresh nominations in cases falling under this sub-rule.

(7) Notwithstanding anything contained in this rule, if a candidate dies at any time before orders are passed by the Divisional Election Authority under sub-rule (3) or at any time after the passing of such orders but before commencement of the continuation poll, as the case may be, the Election Officer shall upon being satisfied of the fact of the death of the candidate intimate such fact to the Divisional Election Authority, stop all further proceedings in connection with the election and start election proceedings afresh in' all respects as if for a new election;

Provided that no fresh nomination shall be necessary in the case of the remaining candidates who stood nominated at the time when the poll was stopped.

58. Filling up of casual vacancies.- Any casual vacancy of Member of a President of a Water Users' Association shall be filled up with in a period of thirty days from the date of occurrence of such, vacancy 'on issue of a notification by the Divisional Election Authority following the provisions of these rules and orders made thereunder.

59. Power of government in certain cases.-If any question arises to the interpretation of these Rules otherwise ,than in connection with an enquiry held under these Rules, for the decision of disputes as, to the validity of an election or in removing any difficulty in giving effect to the provisions of the act, the question shall be referred to the Government whose' decision thereon shall be final;

60. Power of Election Officer to fix dates etc, certain cases -Notwithstanding anything in these foregoing provision of these Rules, the Government of the Divisional Election' Authority may, before the filing of nominations in the case of any Water Users' Association, in particular empower the Election Officer to fix dates and period other than those specified or fixed by or under these Rules for all or any of the stages of the election proceedings connected therewith.

Chapter- VI

61. Election of member of the managing committee and president of the distributory committee.- Notwithstanding anything contained in these rules, the election of the members specified in sub-section (2) of section 8 of the Act, shall be held in the office of the notified Janpad Panchayat at a special meeting of the members of the Distributory Committee specified in sub-section (2) of section 7 thereof The Election Officer shall be the collector or any Gazetted officer of the Government authorised by the District Election Authority.

62. The Election Officer shall display the voters' list for the purpose of the election and exhibit it on the notice board of the Janpad Panchayat along with the notice for election.

63. The notice of election giving the date, place and time of the election in Form 19 shall be displayed in Hindi language and sent to the members' of the Distributory Committee specified in sub-section (2) of section 7 of the Act at-least two clear days in advance of the date of election of the members under sub-section (2) of section 8 of the Act, by the Election Officer.

64. The election shall be by secret ballot and shall conclude on a single day. The Programme shall be as follows:

- | | | |
|-------|--|--------------------------------|
| (i) | Receipt of Nominations | 11.00 A. M. to 12.00
Noon |
| (ii) | Scrutiny of nominations and
publication of final list of
nominations | 12.30 P.M. to 1.00 P.M. |
| (iii) | Withdrawal of nominations | 1.00 P.M. to 1.30 P.M. |
| (iv) | Publication of final list of
contestants | 2.00 P.M. |
| (v) | Elections in' the event of contest | 3.00 P.M. to 5.00 P.M. |
| (vi) | Counting and declaration of results- | Immediately after the
poll. |

Provided that the Procedure that the procedure for filing of nominations shall be according to rules 13 to 19.

65. If the number of contesting candidates is more, than one, poll shall be conducted. If there is only one validly nominated candidate, the Election Officer shall forthwith declare such candidate as duly elected (in Form 28) and send the same to the Divisional Election Authority and the District Election Authority.

66. In the event of the contest, ballot papers shall be prepared in Form 26 and 27 containing names of the contesting candidates in Hindi language in alphabetical order, for the post of President and Members of the Managing Committee, separately and the election shall be conducted as directed by the Divisional Election Authority.

67. At the end of the poll, the Election Officer shall arrange Forthwith, the counting of votes polled for the contesting candidates for President and Members of the Managing Committee separately and declare the candidates as elected in Form 28 as follows:-

(i) the candidate who secured the highest number of votes polled. for the post of President, as elected to the post of President of that Distributory Committee; and

(ii) the candidates who secured the highest number of votes polled in the descending order as elected to the posts of Member managing Committee to the extent of the strength of the Managing Committee in that Distributory Committee.

68. In the event of equality of votes between the two candidates the Election Officer shall draw lots in the presence of the members and the candidate whose name is first drawn shall be declared to have been duly elected.

69. Immediately after the declaration of the result of the election, the Election Officer shall prepare a record of the proceedings of the meeting and sign it attesting with his initials every correction made therein and shall also have the said record of proceedings attested by a majority of the number of members who participated in the meeting. He shall also publish on the notice board of the Janpad Panchayat a notice signed by him stating the name of the person elected as a Member of the Managing Committee and President of the Distributory Committee as specified under subsection (2) of section 8 of the Act and send a copy of such notice of the District Election Authority concerned and the Divisional Election Authority. A copy of this notice shall also be given to the candidate who is declared elected as Member of the Distributory Committee.

70. Notwithstanding anything contained in these rules, Election Officer may, for sufficient reasons to be recorded in writing, direct from time to time, the alteration of the date of the special meeting convened under rule 61 and inform the District Election Authority and Divisional Election Authority.

71. No meeting for the conduct of election of member specified in sub-section (2) of: Section 8 of the Act. shall be held unless one-half of the number of members .of the Distributory Committee who are entitled to vote at the election .are present.

Chapter- VII

72. Election of member of the managing committee and president of the project committee.-

Notwithstanding anything contained in these rules, the election of the members specified in sub-section (2) of section 11 of the Act, shall be held in the office of the notified Janpad Panchayat at a special meeting of the members of the Project Committee specified in sub-section (2) (3) (4) of section 10 thereof the Election Officer shall be the collector or any Gazetted Officer of the Government authorised by the District Election Authority.

73. The Election Officer shall display the voters' list for the purpose of the election and exhibit it on the notice board of the Janpad Panchayat along with the notice for election.

74. The notice of election giving the date, place and time of the election shall be displayed in Form 29 in Hindi language and sent to the members of the Project Committee specified in sub-section (2) (3) (4) of section 10 of the Act at-least two clear days in advance of the date of election of the members under sub-section (2) of section 11 of the Act, by the Election Officer.

75. The election shall be by secret ballot and shall conclude on a single day. The programme shall be as follows;

- | | | |
|-------|--|--------------------------------|
| (i) | Receipt of Nominations | 11.00 A. M. to 12.00
Noon |
| (ii) | Scrutiny of nominations and
publication of final list of
nominations | 12.30 P.M. to 1.00 P.M. |
| (iii) | Withdrawal of nominations | 1.00 P.M. to 1.30 P.M. |
| (iv) | Publication of final list of
contestants | 2.00 P.M. |
| (v) | Elections in' the event of contest | 3.00 P.M. to 5.00 P.M. |
| (vi) | Counting and declaration of results- | Immediately after the
poll. |

Provided that the Procedure that the procedure for filing of nominations shall be according to rule 17 to 25 in Chapter-III of the Election rules.

76. If the number of contesting candidates is more than one, poll shall be conducted. If there is only one validly nominated candidate, the Election Officer shall forthwith declare such candidate as duly elected in Form 36 and send a copy to the Divisional Election Authority and the District Election Authority.

77. In the event of the contest, ballot papers shall be prepared in Form 36 and 37 containing names of the contesting candidates in Hindi language in alphabetical order, for the post of President and the Members of the managing Committee, separately and the election shall be conducted as specified by the divisional Election Authority.

78. At the end of the poll, the Election Officer shall arrange, forthwith, the counting of votes polled for the contesting candidates for President and members of the Managing Committee separately and declare the candidates as elected in Form 38 as follows;

(i) the candidate who secured the highest number of votes polled. for the post of President, as elected to the post of President of that Project Committee; and

(ii) the candidates who secured the highest number of votes polled in the descending order as elected to the posts of Member managing Committee to the extent of the strength of the Managing Committee in that Project Committee.

79. In the event of equality 'of votes between the two candidates, the Election Officer shall draw lots in the presence of the members and the candidate whose name is first drawn shall be declared to have been duly elected.

80. Immediately after the declaration of the result of the election, the Election Officer shall prepare a record of the Proceedings of the meeting and sign it attesting with his initials every correction made therein and shall also, have the said record of proceedings attested by a majority of the number of members who participated in the meeting. He shall also publish on the notice board of the Janpad Panchayat a notice signed by him stating the name of the person elected as a Member of the Managing Committee and President of the Project Committee as specified under subsection (2) of section 11 of the Act and send a copy of such notice to the District Election Authority concerned and the Divisional Election Authority. A copy of this notice shall also be given to the candidate, who is declared elected' as Member of the Project Committee.

81. Notwithstanding anything contained in these rules, the Election Officer may, for sufficient reasons to be recorded in writing direct from time to time, the alteration of the date of the special meeting convened under rule 61 and inform the District Election Authority and Divisional Election Authority.

82. No Meeting for the conduct of election of member specified in sub-section (2) of section 11 of the Act, shall be held unless one-half of the number of members of the, Project Committee who are entitled to vote at the election are present.

FORM 1

[See sub rule (2) of Rule17]

**NOTICE FOR THE ELECTION OF THE PRESIDENT / MEMBER OF
THE MANAGING COMMITTEEOF THE
WATER USERS' ASSOCIATION (s)
inDistrict**

It is hereby notified that elections to the President members of managing Committee of the Water User's Association in District Shall be conducted as per the following;

- (i) Nomination papers shall be presented:
 - (a) on (date)
 - (b) Time.....betweentohours
- (ii) Date of scrutiny of nomination papers
- (iii) Date of withdrawal of candidature
- (iv) Date of polling
- (v) Date of counting of votes by the Election Officer.
- (vi) Declaration and publication of results.

Divisional Election Authority /District Election Authority.

FORM 2

[See sub rule (2) of Rule17]

**NOTICE FOR THE ELECTION FOR OFFICE OF THE PRESIDENT/
MEMBER OF THE MANAGING COMMITTEEOF THE
.....WATER USERS' ASSOCIATION**

Notice is hereby given that-

- (1) An election to be held for election of the President/ Member of the Managing Committeeof theWater Users' Association.
- (2) Nomination papers may be delivered by a candidate or his proposer to the undersigned between 10.30 AM and 5.0 PM from to(date).
- (3) Forms for nomination papers may be obtained the place and time aforesaid.
- (4) The nomination papers will be taken up for scrutiny at(place) on Dateat(hrs)
- (5) Notice of withdrawal of candidature may be delivered by a candidate or his proposer of his election agent to the undersigned atoffice before 3.00 PM on the
- (6) In the event of election being contested the poll will be taken on between the 7.00 Hrs and 13.00 Hrs.
- (7) Counting will commence after the Poll is over and results declared immediately thereafter.

ELECTION OFFICER

Place:

Date:

FORM 3

[See sub rule (1) of Rule19]

WATER USERS' ASSOCIATION.....

NOMINATION PAPER

1. Name of the Office the President Member of the Managing Committee of WUA.
2. Name of number of the territorial constituency.
3. Full name of the candidate.
4. Father's or husband name.
5. Serial number of candidate in the Electoral Roll
6. Age
7. Sex
8. Caste (SC/ST/OBC/General)
9. Occupation and Address
10. Full name of the proposer
11. Serial number of proposer in the electoral roll.
12. Signature of the proposer.

Candidates' Declaration

I declare that I am eligible and willing to stand for election and my age as shown above is correct.

SIGNATURE OF CANDIDATE

The above declaration is solemnly affirmed before me (name of the officer in block letters by who is personally known to me (who has been identified to my satisfaction byof

Signature of village administrative officer or any other officer not below the rank of a mandal revenue officer (Endorsement by the Election Officer or other authorised person serial number):

This nomination paper was presented to me (person) at (date and hour)

Signature of the election officer or other authorised person

Decision of election officer accepting or rejecting the, nomination paper.

I have explained this nomination' paper in accordance with Rule 8 and decide as follows:

Election Officer

Date:

RECEIPT FOR NOMINATION PAPER AND NOTICE FOR SCRUTINY

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

Serial No. of Nomination Paper. The nomination Paper of a candidate for election of the president/ Member of ,the managing Committee of the water user association. territorial constituency No. was delivered to me at (hour) on (date) by the

Candidate / Proposer.

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

ELECTION OFFICER

Date :'

FORM 4
[See Rule 22]

LIST OF NOMINATIONS RECEIVED ON (DATE)
FOR THE OFFICE OF THE PRESIDENT / MANAGING COMMITTEE
OF WATER USERS' ASSOCIATION

Sl. No. of Nomination Paper	Name of the Candidate	Father's Name	Age	Sex	Caste (SC / ST / OBC / General)	Occupation & Address	Voters List No. of Candidate	Name of the proposer	Voters List No. of proposer
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)

The nomination papers will be taken up for scrutiny at AM/PM.
on the date at (Place)

Signature of the election officer
Or other authorised person

Place:
Date:

FORM 5
[See sub rule (5) of Rule23]

LIST OF VALIDLY NOMINATED CANDIDATES

Name of District.....

Name of territorial constituency /WUA.....

Election to the President/member of the managing committee of
Water User Association

Sl. No. Allotted	Name of the candidate	Address of the Candidate
(1)	(2)	(3)
1		
2		
3		
4		
etc.		

Place:

Date:

Election Officer

FORM 6
[See sub rule (1) of Rule24]

NOTICE OF WITHDRAWAL

Election to the Office of the President / Member of the Managing Committee of Water User Association.

To,
The Election Officer,

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

Place:
Date: **Signature of candidate**

RECEIPT FOR NOTICE OF WITHDRAWAL

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

This notice of withdrawal of candidature by a candidate at the election to the office of the President/ Member of the Managing Committee.of WUAas delivered to me by theat my office at (hour) on(date)

Date:
Election Officer

FORM 7
[See sub rule (2) of Rule24]

NOTICE OF WITHDRAWAL OF CANDIDATURE

Election to the Office of the President/Member of the Managing
Committee of Water Users Association

Notice is hereby given that the following validly nominated candidate /
candidates at the above election withdraws his candidature/their candidature
today.

S. No. Allotted	Name of the candidate	Symbol Allotted
(1)	(2)	(3)
1		
2		
3		
etc.		

Date:

Election Officer

FORM 8
[See sub rule (1) of Rule25]

NOTICE OF CONTESTING CANDIDATE

Election to the Office of the President/Member of the Managing
Committee of WUA

S. No. Allotted	Name of the candidate	Symbol Allotted/Assigned
(1)	(2)	(3)
1		
2		
3		
4		
5		
etc.		

Place:

Date:

Election Officer

FORM 9

[See sub rule (2) of Rule26]

DECLARATION OF THE RESULTS OF ELECTION UNDER RULE 11(2) OF THE ELECTION RULES

In accordance with rule 20 (2) of the Election rules, I declare that the following candidate has been duly elected for the Office of the President/ Member of the managing Committee of Water Users Association.....

Name

Address.....

Place:

Date: **Signature of Election Officer**

FORM 10

[See sub rule (1) of Rule 28]

**APPOINTMENT OF ELECTION AGENT
(To be submitted in two copies)**

Election to the Office of the President/ Member of the Managing Committee of Water Users Association

To,
The Election Officer,

I,..... a candidate at the above election for the post of the president of Managing Committee of Water User Association do hereby appoint of as my election agent from this day at the above election.

Place:

Date: **Signature of candidate**

I accept the above appointment

.....
Signature of Election Agent

I, hereby, accept and approve the above appointment.

Place:

Date: **Signature of Election Officer.**

FORM 11
[See sub rule (2) (b) of Rule 28]

APPOINTMENT OF POLLING AGENT
(To be submitted in two copies)

Election to the Office of the President/ Member of the Managing /Committee of Water Users Association

I,..... a candidate/ the election agent of who is a candidate at the above election do hereby appoint as a Polling Agent to attend polling station No. Fixed for the poll at

.....
Signature of candidate election Agent

I, hereby, accept and approve the above appointment.

Place:
Date:
Signature of Election Officer.

FORM 12
[See sub rule (3) (b) of Rule 28]

APPOINTMENT OF COUNTING AGENT
(To be submitted in duplicate)

Election to the Office of the President/Member of the Managing Committee of WUA
To,
The Election Officer,

I,.....a candidate/the election agent ofwho is a candidate at the
above election do hereby appoint the following persons as may counting agent to attend the
counting of votes at

Name of the Counting Agent	Address of the Counting Agent
(1)	(2)
1	
2	
3	

I/We agree to act as such counting agents.

.....
Signature of candidate election agent.

.....
Signature of the Agent

.....
Signature of Election Officer

Place:
Date:

FORM 13

[See sub rule (2) of Rule 38]

LIST OF TENDERED BALLOT PAPERS

Polling Station No. Territorial Constituency No.

.....
WUA..... Election to the Office of the President/Member
of the Managing Committee of the WUA.

S. No.	Name of the Elector	No. in the Voters List/Section No. Name of WUA	Serial No. of Tendered Ballot Paper	Signature of Elector or thumb impression of person tendering vote	Serial No. of Ballot paper issued to the person who has already voted.
(1)	(2)	(3)	(4)	(5)	(6)

Date:
Station:

.....
Signature of presiding Officer

FORM 14
[See sub rule (2) (c) of Rule 39]

LIST OF CHALLENGED BALLOT PAPERS

Polling Station No. Territorial Constituency No.
 Water Users Association Election to the Office of the President/Member
 of the Managing Committee of the Water Users Association.

S. No.	No. in the Voters List/ Section No. Name of WUA	Name of the Elector	Signature or thumb impression of the person challenged and his address	Name of challenger	Signature and thumb impression of identifier if any	Order of Polling Officer	Signature of challenger on receiveing refund of deposit
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

Date:
 Station:

.....
 Signature of Presiding Officers

FORM 15

[See sub rule (8) of Rule 42]

Part-I

BALLOT PAPER ACCOUNT
Election to the Office of the President/Member of the Managing
Committee of Water Users Association

No. & Name of the Polling Station	Territ. Const. No.....	
	WUA	
	S.Nos.	Total No.
	From.....	To.....

1. Ballot papers received
2. Ballot papers unused
(i.e. not issued to voters)
 - (a) with the signature of Polling Officer
 - (b) without the signature of Polling Officer
3. * Ballot Papers used at the Polling Station (1-2=3)

Total * (A+B)
4. Ballot papers used at the Polling Stations but not inserted into the Ballot Box.
 - (a) Ballot Papers cancelled for violation of voting procedure under rule 20.
 - (b) Ballot papers cancelled for other reasons
 - (c) Ballot papers used as tendered ballot papers.

*(Total (A+B+C))

*Ballot, Papers to be found in the ballot box

(3-4=5)

***Serial Numbers need not be given.**

**PART-II
RESULT OF COUNTING**

S.No.	Name of Candidate	Name of Valid Votes Cast
(1)	(2)	(3)
1		
2		
3		
4		
5		
etc.		
II	Rejected Ballot papers	
III.	Total	

.....
Signature of Presiding Officer

Whether the total number of ballot papers shown against item No. above tallies with the total shown against item No. 5 of Part-I or discrepancy noticed between these two totals.....

Place:
Date:
Place:
Date:

.....
Signature of Counting supervisor
.....
Signature of Election Officer

*Score off the words which are not applicable.

FORM 16

[See sub rule (7) of Rule 46] and sub rule (1)(b) of Rule 53]

FINAL RESULT SHEET

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

Election to the Office of the president/Member of the Managing Committee of the Water Users Association

Sl. No.	Polling Station No.	Name of valid votes cast in favour of				Total No. of valid Votes	Total No. of Rejected votes	Total	Total No. of Tendered Votes
		(A)	(B)	(C)	(D)				
(1)	(2)	(3)			(4)	(5)	(6)	(7)	

Total No of votes recorded at Polling Stations.
Numbers of votes recorded on Postal Ballot Papers.

Date:
Station: **Election Officer**

FORM 17

[See sub rule (1) (a) of Rule 53]

(For use in election when the seat is contested)

DECLARATION OF RESULT OF ELECTION UNDER RULE 53 OF THE RULES

In accordance with rule 53 of the Chhattisgarh Sincahi Prabandhan Me Krishko ki Bhagidari Nirvachan Niyam, 2006, I declare that the following candidates have been duly elected to the Office of the President/Member of the Managing Committee of the Water Users Association.

Member, Managing Committee/ President Water Users Association .
Name.....
Address.....

.....
Signature of Election Officer

Score off the words which are not applicable.

FORM 18
(See Rule 54)

CERTIFICATE OF ELECTION

I,.....election Officer for the Water User Association certify that on the (day) of20.....I have declared Sri..... to have duly elected to the Office of the President/Member of the Committee of the WUA and that in token thereof, I have granted to him this certificate of election.

.....
Election Officer

Seal

FORM 19
(See Rule 63 and 64)

**NOTICE OF ELECTION FOR THE OFFICE OF THE PRESIDENT/ MEMBER OF THE
MANAGING COMMITTEE OF**

DISTRUBUTORY COMMITTEE OF IRRIGATION SYSTEM

Notice is hereby given that-

1. An election will be held for electing the President / Members of the Managing Committee of Distrubutory Committee Irrigation System on(Date).
2. Nomination papers may be delivered or filed by a candidate or his proposer to the, or file before the undersigned between 11.00 Hrs. and 12.00 Hrs. on (date) at (place).
3. Forms of nomination papers may be obtained from the undersigned on hour the time specified for filling as aforesaid.
4. The nomination papers will be taken up for scrutiny at (place) of Date between 12.00 Hrs.to 13.00 Hrs.
5. Notice of withdrawal of candidature may be delivered by a candidate or his proposer to undersigned between 13.00 Hrs. to 13.30 Hrs. on theat
6. In the event of election being held, the poll will be taken on(Date).....between the 15.00 Hrs. and 17.00 Hrs.
7. Counting will commence after the poll is over, and results declared immediately thereafter.

Place:
Date:

.....
Election Officer

FORM 20
[See sub rule (1) of Rule19]

DISTRUBUTORY COMMITTEE

Nomination Paper

1. Name of the Office:
 - (a) President of the Managing Committee.
 - (b) Member of the Managing Committee.
2. Name of the Water Users Associations for which he is elected as president.
3. Full Name of including Surname of the candidate:
4. Father's or Husband's name:
5. Age :
6. Sex:
7. Caste (SC/ST/OBC/General):
8.
 - (a) Occupation:
 - (b) Address Permanent:
 - (c) Address Temporary:
9. Full Name of the Proposer:
10. Water Users Associations for which he is declared as President:
11. Signature of the proposer:

(Name in Capital Letters)
Date

Candidate's Declaration

I declare that I am eligible and willing to stand for an election.

.....
Signature of the Candidate
(Name in Capital Letters)

This nomination paper was presented to me by.....(person) at
..... Date and Hour.

.....
**Signature of the Election Officer
Or Other Authorised person.**

Decision of Election Officer accepting or rejecting the nomination paper.

I have examined this nomination paper and decode as follows:

.....

Date:

.....
Election Officer.

RECEIPT FOR NOMINATION PAPER AND NOTICE FOR SCRUTINY

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

Serial No. of Nomination paper..... The Nomination Paper of
..... a candidate for Election of President / Member of the Managing
Committee of the Distributory Committee was delivered to me at(hour) on
..... (Date) by the Candidate / Proposer.

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

.....

Date:

Election Officer

FORM 21
(See Rule 22)

**LIST OF NOMINATIONS RECEIVED ON.....(DATE) FOR
THE OFFICE OF THE PRESIDENT/MEMBER OF THE MANAGING
COMMITTEE OF
DISTRIBUTORY COMMITTEE**

S. No. Nomination	Name of the Candidate	Father's Name	Name of WUA	Occupation and address	Sl. No. in Voters list	Name of the Proposer	Name of WUA of the proposer
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

The nomination papers will be taken up for scrutiny between 12.30 P.M. to 1.00 P.M. on
.....the date.....
at..... (place)

Date:

Station: **Signature of election Officer or other authorised person**

FORM 22
 [See sub rule (5) of Rule23]

LIST OF VALID NOMINATIONS AFTER SCRUTINY

Name of distrubutory Committee.....
 Election of President/Member of the Managing Committee of
Distributory Committee.

S. No. Allotted (1)	Name of the Candidate (2)	Name of the Water Users Association he represents (3)
1		
2		
3		
4		
etc.		

Place:

Date: **Election Officer**

FORM 23
 [See sub rule (1) of Rule24]

NOTICE OF WITHDRAWAL GIVEN BY THE CANDIDATE

**Election of President/ Member of the Managing Committee of
 Distributory Committee**

I, being 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 (hours) on
(date) by(name).

Date:
Election Officer

FORM 24
[See sub rule (2) of Rule24]

**NOTICE INTIMATING THE WITHDRAWAL MADE BY THE
CANDIDATE**

**Election of Office of the President/Member of the Managing
Committee of Distributory Committee.....**

S. No. Allotted (1)	Name of the Candidate (2)	Date of which withdrawal notice delivered (3)
1		
2		
3		
4		
5		
etc.		

Place:

Date: **Election Officer**

FORM 25
[See sub rule (1) of Rule25]

LIST OF CONTESTING CANDIDATE

**Election to the President/Member of the Managing Committee of
Distributory Committee.....**

S. No. Allotted (1)	Name of the Candidate (2)
1	
2	
3	
4	
5	
etc.	

Place:

Date: **Election Officer**

FORM 26
[See Rule 66]

BALLOT PAPER

.....**DISTRIBUTORY COMMITTEE**

Ballot Paper for President of the Managing Committee

S.No. of the Voter.....
R.No.
.....**DISTRIBUTORY COMMITTEE**

Signature/Thumb Impression

Ballot Paper for President of the Managing Committee

R. No.	Name of the Candidate in Hindi in Alphabetical Order	R. No.....	Put mark against one name on in the box space provided.
1	NAME		<input type="checkbox"/>
2	NAME		<input type="checkbox"/>
3	NAME		<input type="checkbox"/>
4	NAME		<input type="checkbox"/>
5	NAME		<input type="checkbox"/>
6	NAME		<input type="checkbox"/>
etc.	NAME		<input type="checkbox"/>

1. Name of Distributory Committee

2. Date of Poll

3. Place of Poll

Date:

.....

Signature of the Election Officer

FORM 27
[See Rule 66]

BALLOT PAPER

.....DISTRIBUTORY COMMITTEE

Member of the Managing Committee

S.No. of the
Voter.....

.....

R.No.
.....

Signature/Thumb Impression. Signature/Thumb Impression

.....DISTRIBUTORY COMMITTEE

Member/ Managing Committee

R. No.	Name of the Candidate in Hindi in Alphabetical Order	R. No..... Put (√) mark against as many candidates as the number of posts in Managing Committee in the box space provided.
1	NAME	<input type="checkbox"/>
2	NAME	<input type="checkbox"/>
3	NAME	<input type="checkbox"/>
4	NAME	<input type="checkbox"/>
5	NAME	<input type="checkbox"/>
6	NAME	<input type="checkbox"/>
etc.	NAME	<input type="checkbox"/>

1. Name of Distributory Committee

2. Date of Poll

3. Place of Poll

Date:

.....

Signature of the Election Officer

FORM 28
[See sub rule (2) of Rule26 and rule 67]

DECLARATION OF THE RESULT OF ELECTION

In accordance with rule 62 I declare that following candidate(s) has/ have been
duly elected for the Office of the President/ Managing Committee/ Distributory Committee.

Name:

Address:

Place:

Date: **Signature of Election Officer**

FORM 29
(See Rule 74)

**NOTICE OF ELECTION FOR THE OFFICE OF THE
PRESIDENT/ MEMBER OF THE MANAGING COMMITTEE OF**

.....

PROJECT COMMITTEE OF IRRIGATION SYSTEM

Notice is hereby given that –

1. An election will be held for electing the President/ Members of the Managing Committee ofProject CommitteeIrrigation System on(Date).
2. Nomination Papers may be delivered or filled by a candidate or his proposer to the, or file before the undersigned between 11.00 Hrs. and 12.00 Hrs. on(date) at(place).
3. Forms of nomination papers may be obtained from the undersigned one hour before the time specified for filling as aforesaid.
4. The nomination papers will be taken up for scrutiny at(place of Datebetween 12.00 Hrs. to 13.00 Hrs.
5. Notice of withdrawal of candidature may be delivered by a candidate or his proposer to undersigned between 13.00 Hrs. to 13.30 Hrs. on the at
6. In the event of election being held, the poll will be taken on(date)between the 15.00 Hrs. and 17.00 Hrs.
7. Counting will commence after the Poll is over, and the results declared immediately thereafter.

Place:

Date: **Election Officer**

FORM 30
[See sub rule (1) of Rule19]

PROJECT COMMITTEE

Nomination Paper

1. Name of the Office:
 - (a) President of the Managing Committee.
 - (b) Member of the Managing Committee.
2. Name of the Water Users Associations for which he is elected as president.
3. Full Name of including Surname of the candidate:
4. Father's or Husband's name:
5. Age:
6. Sex:
7. Caste (SC/ST/OBC/General):
8.
 - (a) Occupation:
 - (b) Address Permanent:
 - (c) Address Temporary:
9. Full Name of the Proposer:
10. Distributory Committee for which he is declared as President :
11. Signature of the proposer:

(Name in Capital Letters)
Date

CANDIDATE'S DECLARATION

I declare that I am eligible and willing to stand for an election.

.....
**Signature of the Candidate
(Name in Capital Letters)**

This nomination paper was presented to me by.....(person) at
.....Date and Hour.

.....
**Signature of the Election Officer
Or Other Authorised person.**

Decision of Election Officer accepting or rejecting the nomination paper.

I have examined this nomination paper and decode as follows:

.....

Date:

.....
Election Officer.

RECEIPT FOR NOMINATION PAPER AND NOTICE FOR SCRUTINY

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

Serial No. of Nomination paper..... The Nomination Paper of
..... a candidate for Election of President / Member of the Managing
Committee of the Distributory Committee was delivered to me at(hour) on
..... (Date) by the Candidate / Proposer.

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

.....

Date:

Election Officer

FORM 31
(See Rule 22)

**LIST OF NOMINATIONS RECEIVED ON.....(DATE) FOR
THE OFFICE OF THE PRESIDENT OF THE
MANAGING COMMITTEE OF
PROJECT COMMITTEE**

S. No. Nomination Paper	Name of the Candidate	Father's Name	Name of DC	Occupation and address	Sl. No. in Voters list	Name of the Proposer	Name of WUA of the proposer
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

The nomination papers will be taken up for scrutiny between 12.30 P.M.
to 1.00 P.M. onthedate.....at
.....(place)

Date:
Station:
Signature of election Officer
or other authorised person

FORM 32
[See sub rule (5) of Rule23]

LIST OF VALID NOMINATIONS AFTER SCRUTINY

Name of Project Committee.....

Election to the President/ Member of the Managing Committee of Project Committee

S.No. (1)	Name of the Candidate (2)	Name of the Distributory Committee he represents (3)
1		
2		
3		
4		
etc.		

Place:

Date: **Election Officer**

FORM 33
[See sub rule (1) of Rule24]

NOTICE OF WITHDRAWAL GIVEN BY THE CANDIDATE

**Election of President/Member of the Managing Committee of
Project Committee**

I,being 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(hours) on
..... (date) by.....(name)

.....

Date: **Election Officer**

FORM 34
[See sub rule (2) of Rule24]

NOTICE INTIMATING THE WITHDRAWAL MADE BY THE CANDIDATE

Election of the office of the President/Member of the Managing Committee of Project Committee

S.No.	Name of the Candidate	Date of which withdrawal notice delivered
(1)	(2)	(3)
1		
2		
3		
4		
5		
etc.		

Place:

Date:

.....
Election Officer

FORM 35
[See sub rule (1) of Rule25]

LIST OF CONTESTING CANDIDATE

**Election to the President/ Member of the Managing Committee of Project
Committee.....**

S.No. (1)	Name of the Candidate (2)
1	
2	
3	
4	
5	
etc.	

Place:

Date: **Election Officer**

FORM 36
(See Rule 76)

BALLOT PAPER

.....PROJECT COMMITTEE

Ballot Paper for President of the Managing Committee

S. No. of the Voter.....

R. No. Signature / Thumb
Impression

.....PROJECT COMMITTEE

Ballot Paper for President

R. No.		R. No.
.....	Name of the Candidate in Hindi in Alphabetical Order	Put () mark against one name only in the box space provided.
1	NAME	<input type="checkbox"/>
2	NAME	<input type="checkbox"/>
3	NAME	<input type="checkbox"/>
4	NAME	<input type="checkbox"/>
5	NAME	<input type="checkbox"/>
6	NAME	<input type="checkbox"/>

1 Name of Project Committee
2 Date of Poll
3 Place of Poll

.....
Signature of the Election Officer

FORM 37
(See Rule 76)

BALLOT PAPER

.....PROJECT COMMITTEE

Member of the Managing Committee

S. No. of the Voter.....
R. No. Signature / Thumb Impression

.....PROJECT COMMITTEE

Member of the Managing Committee

R. No.
.....
Name of the Candidate in Hindi Put () mark against one name only in the box
in Alphabetical Order space provided.

1	NAME	<input type="checkbox"/>
2	NAME	<input type="checkbox"/>
3	NAME	<input type="checkbox"/>
4	NAME	<input type="checkbox"/>
5	NAME	<input type="checkbox"/>
6	NAME	<input type="checkbox"/>

- 1 Name of Project Committee
- 2 Date of Poll
- 3 Place of Poll

.....
Signature of the Election Officer

FORM 38
[See sub rule (2) of Rule 26 and rule 78]

**DECLARATION OF THE RESULT OF ELECTION UNDER RULE
73 OF ELECTION RULES**

In accordance with the rule 73 of the Election Rule, I declare that the following candidate (s) has/have been duly elected for the Office of the President/Member of the Managing Committee/Project Committee.

Name:

Address:

Place:

Date:

.....
Signature of Election Officer

By order and in the name of the Governor of Chhattisgarh,

**PIM
ELECTION RULES**

Chhattisgarh Sinchai Prabandhan Me
Krishkon Ki Bhagidari
Nirvachan Niyam, 2006

PIM
ELECTION RULES

"CHHATTISGARH SINCHAI PRABANDHAN ME KRISHKON KI
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PIM ELECTION RULES

NOTIFICATION

In exercise of the powers conferred by Section 55 of the Chhattisgarh Sinchai Prabandhan Me Krishkon Ki Bhagidari Adhinyam, 2006 (No. 7 of 2006), the State Government hereby makes the following Rules, namely:-

Rules

CHAPTER-I

1. Short title and commencement.-(1) These rules may be called the Chhattisgarh Sinchai Prabandhan Me Krishkon Ki Bhagidari Nirvachan Niyam, 2006
(2) It shall come into force from the date of its publication in the Official Gazette".

2. Defintions.-In these Rules, unless the context otherwise requires,- .

"Act" means the Chhattisgarh Sinchai Prabandhan Me Krishkon Ki Bhagidari Adhinyam, 2006 (No.7 of 2006);

(a) "Competent Authority" means the competent authority appointed under Section 21 of the Act;

(b) "Candidate" means a person a contesting in the election;

(c) "District Election Officer" means the Collector of the District for conduct of the election under these rules;

(d) "Forms" means the Forms appended to these Rules;

(e) "Returning Officer" means an officer appointed by the District Election Officer;

(g)"Voter List" means the list prepared under sub-rule (1) of rule 4 of the Chhattisgarh Sinchai Prabandhan Me Krishkon Ki Bhagidari Niyam, 2006;

(h)The words and expressions used but not defined in these rules shall have the respective meanings assigned to them in the Chhattisgarh Sinchai Prabandhan Me Krishkon Ki Bhagidari Adhinyam, 2006 (No.7 of 2006) and the Chhattisgarh Sinchai Prabandhan Me Krishkon Ki Bhagidari Niyam, 2006

CHAPTER-II

ADMINISTRATIVE MACHINERY FOR THE CONDUCT OF ELECTIONS

3. Authorities for the Conduct of elections.-(1) The Secretary of the Government appointed under Section 48 of the Act shall be Divisional Election Authority for the purpose of conducting elections within their respective jurisdiction.

(2) The elections of Members of the Managing Committee and President of the Farmers Organisation shall be conducted under the superintendence, direction, control of District Election Authority.

(3) The District Collector shall be the District Election Authority. The functions of the Divisional Election Authority under these rules may also be performed, by the District Election Authority within his jurisdictions, as may be authorised by the Divisional Election Authority.

(4) The Additional Collector of the District shall be Additional District Election Authority. The Tehsildar, or the Sub-divisional Officer (Revenue), as the case may be in the District shall be the Deputy District Election Authority.

(5) The Additional District Election Authority and the Deputy, District Election Authority shall perform such of those functions as may be assigned to them by the District Election Authority. The District Election Authority may authorise in writing, the Additional District Election Officer or the Deputy Election Authority to exercise in any local area in the District in regard, to any Water Users' Association, the Distributory Committee or the Project Committee in that area any of the powers vested in him under these rules.

4. District Election Authority - Subject to the general superintendence, direction and control of the Divisional Election Authority, the District Election Authority shall be responsible for the conduct, co-ordination and supervision of all works in connection with the conduct of elections of the Members of the managing Committee and President of Water Users' Association and Distributory Committee and the President and members of the Managing Committee of the Project Committee.

5. Election Officer - For every election to fill the seats of Member of the Managing Committee and President of Water Users' Association and the Distributory Committee, and for the office of the President and Member of the Managing Committee of the Project Committee, the District Election Authority shall designate or nominate by order an officer as an Election Officer, who shall be as far as possible be a Gazetted Officer of the State Government of a local authority not below the rank of a Tehsildar..

6. Assistant Election Officers -The District Election Authority may appoint one or more persons as Assistant Election Officers to assist any Election Officer :

Provided that every such person shall be an officer of the State Government or of a local authority.

7. Assistant Election Officer to perform functions of the Election Officer - Every Assistant Election Officer shall, subject to the control of the Election Officer, be competent to perform all or any of the functions of the Election Officer : .

Provided that no Assistant Election Officer shall perform any functions of the Election Officer, which relate to the scrutiny of nominations papers unless the Election Officer is unavoidably prevented from performing the said functions. .

8. Election Officer to act in the manner provided -It shall be the general duty of 'the Election Officer at any election to do all such acts and things as may be necessary for conducting the election in the manner provided under the Act and under these Rules or orders made thereunder.

9. Polling Stations -The District Election Authority shall, subject to such directions as may be issued by the Election Authority, provide as many polling stations as are necessary for the conduct of elections and shall in such manner as the Election Authority may direct publish a list showing the polling stations and the areas or groups of voters for which they have been provided respectively.

10 . Presiding Officers and Polling Officers - (1) The District Election Authority or any officer authorised by him shall appoint 'a Presiding Officer for each Polling Station and such other polling officers as he thinks necessary but he shall not appoint any person ' who has been employed by or on behalf of, or has been otherwise working for a candidate in or about election :

Provided that if a Polling Officer is absent, the Presiding Officer may appoint any person who is present at the polling station other than a person who has been employed by or on behalf of, or has been otherwise working for a candidate in or about the election to be the Polling Officer and inform the Election Officer accordingly:

Provided further that the polling personnel appointed for the conduct of poll for Member of the Managing Committee and President of Water Users' Association, any other officer authorised by him in this' behalf under this rule may also conduct the poll for any other elective office for which the election is conducted simultaneously.

(2) A Polling Officer shall, if so directed the Presiding Officer, perform all or any of the functions of a Presiding Officer under these Rules.

(3) If a Presiding Officer owing to illness or due to unavoidable cause, absents from the polling station his functions, shall be performed by such Polling Officer, as has been authorised by the Election Officer to perform such function during any such absence.

(4) It shall be the general duty of the Presiding Officer at the polling station to keep and maintain public order there at, and to see that the poll is taken in a fair manner.

CHAPTER III

RESERVATION OF TERRITORIAL CONSTITUENCIES AND IN FARMERS ORGANISATION

11. Powers of Collector to determine reserved seats for Territorial Constituencies -

(1) Subject to the provisions of Section 5 of the Act the territorial constituency or territorial constituencies in which seats shall be reserved for women and the members of the Scheduled castes or Scheduled tribes or other backward classes shall be determined by the Collector.

(2) The total number of seats to be reserved for the members of scheduled castes or scheduled tribes or other backward classes shall be in proportion to the total number of water users of such caste, tribe or backward class with the total number of water users of the Water Users Area. Fraction less than half shall be ignored and half and more than half shall be counted as one.

(3) Seats reserved either for the Scheduled Castes, the Scheduled Tribes or other backward classes shall as far as practicable, be allotted in the territorial constituencies in which the percentage of number of water users of the Scheduled Castes, the Scheduled Tribes or other backward classes, as the case may be, worked out by the Collector is found by him to be correspondingly higher in descending number.

(4) Out of the territorial constituencies reserved for women in accordance with sub section 13 of Section 5 number of territorial constituencies shall be reserved for women of scheduled castes or scheduled tribes and/or other backward classes as may bear, as nearly as may be, the same proportion to the total number of seats reserved for women as the total number of territorial constituencies reserved for scheduled castes or scheduled tribes and/or other backward classes bear to the total number of territorial constituencies in the Water Users Area. Seats for women belonging to scheduled castes scheduled tribes and other backward classes shall be allotted from out of the territorial constituencies reserved for scheduled castes and/or scheduled tribes and/or other backward classes under sub-rule (3). Seats belonging to women of general category be allotted from out of the remaining territorial constituencies.

(5) (a) The prescribed authority shall for the purpose of fixing the territorial constituencies in which seats shall be allotted under sub-rule (4) draw lots separately for the territorial constituencies reserved for other backward classes and for women.

(b) For the purpose of allotting territorial constituencies the prescribed authority shall publish a notice at a conspicuous place at the headquarter of the concerned Water Users Association stating that the lots shall be drawn in the office to be named in such notice and on the date and at the time specified therein before the persons who are present to witness the drawl of lots.

(c) For the purposes of allotment of territorial constituencies for women separate chits shall be prepared for general territorial constituencies and territorial constituencies reserved for scheduled castes and/or scheduled tribes and/or other backward classes giving the individual number of territorial constituencies on each of such chit. All the chits meant for general territorial constituencies shall be kept in one pot and those chits for reserved territorial constituencies shall be kept in separate pot/pots. As many chits as are required for allotment of seats for women of general category shall be drawn out and the number of territorial constituencies written on the chits shall be read out before the persons witnessing the draw. Similar procedure shall be adopted for drawing chits from the pots meant for allotment of territorial constituencies for women belonging to scheduled castes, scheduled tribes and/or other backward classes.

(d) The proceedings shall be recorded in writing and signed by the prescribed authority. Signatures of at least two non-official persons witnessing the draw of lots shall also be obtained on proceedings. Their names and addresses shall be written below their signatures.

(e) For the categories of seats which are to be reserved by drawing lots and by rotation, in subsequent election of Water User Association the territorial constituencies previously reserved shall be excluded from drawing lots, for that category till all such territorial constituencies are exhausted.

(f) In accordance with section 5(11) of the Act the reservation of territorial constituencies is subject to the condition that in no case more than fifty percent of the total seats shall be reserved in the Managing Committees of the Water Users Association.

12. Reservation in Distributory Committee and Project Committee-

(1) In accordance with Section 8(6) and Section 11(6) of the Act, the total number of seats to be reserved for the members of scheduled castes or scheduled tribes or other backward classes in the Managing Committees of the Distributory Committee and the Project Committee shall be in proportion to the total number of water users of such caste, tribe or backward class with the total number of water users of the Distributory and the Project Area respectively. Fraction less than half shall be ignored and half and more than half shall be counted as one.

(2) In accordance with sub-rule (1) and subject to Section 8 and Section 11 of the Act the State Government shall reserve seats in every Managing Committee of the Distributory Committee and the Project Committee.

CHAPTER IV

ELECTORAL ROLL FOR THE WATER USERS ASSOCIATION

13. Electoral Roll For The Water Users Association – The electoral roll for Water Users Association shall be the voters list prepared under Rule 4 of the Chhatisgarh Sinchai Prabandhan Mein Krishkon Ki Bhagidari Niyam, 2006

14. Language of the Roll- The roll shall be prepared in Hindi. The roll may also be prepared in such other language or languages considering the necessity therefor.

15. Preparation of copies of rolls – Arrangements shall be made to provide as many copies of the roll as deemed necessary by the Collector for conducting the elections. One copy of all parts of the rolls relating to all the Water Users Association falling within his jurisdiction shall be placed on record at the the office of the Collector. One copy of all parts of the roll related to individual Water Users Association Territorial Constituency-wise shall be placed on record at the office of Water Users Association concerned.

16. Sale of electoral rolls and custody of rolls – (1) The copies of rolls may be sold to the public at the process determined by the Collector, from time to time, and the proceeds shall be remitted into relevant Head of Account of the Government.

(2) One copy of such roll may be kept in the office of the Collector for a period of five years from the date of its final publication or till a new roll is published, whichever is earlier.

CHAPTER-V

ELECTION OF MEMBER OF THE MANAGING COMMITTEE AND PRESIDENT OF WATER USERS' ASSOCIATION

17. Public Notice of Election.-(1) The election shall be held for the purpose of constituting a Water Users' Association after the commencement of the Act and on the expiration of the term of the Water Users' Association or on vacancy in such office either by death, resignation or recall.

(2) For the purpose of sub-rule (1) Divisional Election Authority shall, subject to such directions as may be issued by the State Government in pursuance of and in consonance with the provisions of the Act in this behalf, publish a notice in Form-I, for conducting the election of the Member of the Managing Committee and President of the Water Users' Association in accordance with the provisions of the Act, and under these Rules and orders made thereunder.

(3) The defaulter list shall be displayed, 15 days in advance before the date of publication of the notice in Form-I.

Explanation.-Defaulter means a person who has not paid any sum due by him under Chhatisgarh SInchai Prabhandhan Mein Krishkon Ki Bhagidari Adhiniyam, 2006 (No. 7 of 20006) for a period of three years or more.

(4) On the issue of the notice under sub-rule (2) the Election Officer shall give public notice of the elections for Water Users' Association, in form-2 in Hindi language which shall be published at prominent places and in such manner as the Election Officer may direct.

(5) The dates fixed for the, various stages of the election shall be subject to the following

(a) The last date for making nominations shall be not earlier than the fourth day and not later the tenth day after the publication of the notice referred to in sub-rule (2) whether or not it is a public holiday;

(b) The date for the scrutiny of nominations shall be the day immediately following the last date for making nominations whether or not it, is a public holiday;

(c) The last date and time for withdrawal of the' candidature shall not be later than 3.00 p.m. of the third day succeeding the day appointed for scrutiny of the nominations, whether or not it is a public holiday;

(d) The date or dates on a poll shall be taken, which or first of which shall be a date not earlier than the tenth day after the last date for withdrawal of the candidature;

(e) The poll shall commence on the day fixed, at 8.00 a.m. and shall be closed by 2.00 p.m. soon after the polling is over, counting shall commence and the results shall be declared on the same day;

18. Special Election Programme.-Notwithstanding anything contained in these rules, where the election process is interrupted or the. election programme has to be altered on account of the orders of any Court of Law or for other valid reasons to be recorded in writing, it shall be competent for the Election Authority either generally or in respect of specified Water Users' Association to alter the election programme as he deemed fit, in the circumstances of the case without having regard to sub-rule (5) of rule 17 and the Election Officer shall give effect to the same:

Provided that where the election programme is re-notified under this rule commencing from the making of nominations, the nominations already made shall be disregarded and the deposits, if any, made under Rule 21 shall be refunded.

19. Nomination of Candidates.-(1) Any person may be nominated as a candidate to fill the office of Member of the managing Committee and President Water Users' Association and Distributory committee, President / Member of Managing Committee of Project Committee if he is qualified to be chosen to fill the seat under the provisions of the Act. Every nomination paper shall be in Form-3, for Water Users' Association, in form-20 for the Distributory Committee and in form-30 for the Project committee and shall be presented on or before the date appointed, by the candidate or by his proposer in person in form-3 for Water Users' Association in form-20 for the distributory Committee and in Form-30 for the Project Committee, between the hours specified [in sub-rule (5) of rule 17] duly signed by the candidate and by the proposer. The candidate shall sign' the declaration on the nomination paper.

(2) A candidate for the office of Member or President of Water Users' Association, Distributory committee and Member of President of Project Committee and his proposer shall be such persons whose names are registered in the voters' list for that Water Users' Association, Distributory Committee or Project Committee respectively.

(3) Each candidate shall be nominated on a separate nomination paper.

(4) A candidate may be nominated by more than one proposer separately for the same elective office in a separate nomination form:

Provided that not more than four nominations shall be filed by or on behalf of a candidate.

20. Presentation of Nomination Paper and Requirements of Valid Nomination.-(1) on or before the date appointed, each candidate either in person or, by his proposer deliver to the authorised election officer, during the time and the place specified in the notice issued under rule 17, a duly completed nomination paper in form-3 and signed by the candidate and an eligible voter of the concerning Water Users' Association as proposer.

(2) On receiving nomination paper, the Election Officer shall forthwith number the nomination paper serially in the order in which it is presented and give a receipt as provided in Form-3 for Water Users' Association, in form-20 for the Distributory Committee and form-30 for Project Committee and the election Officer or such other authorised person shall satisfied himself that the name and number of the candidate and his proposer, as entered in the nomination paper, are the same as those entered in' the electoral roll. Whether necessary, he shall direct that the nomination form be amended so as to be in accordance with the electoral roll.

(3) The Election Officer may while interpreting an entry in the voters' list overlook the clerical or printing errors, only, but he shall record the interpretation adopted. by him, together with the reasons therefor, while making the formal acceptance or rejection on scrutiny of a nomination.

21. Security Deposits.-(1) (a) A candidate shall not deemed to be duly nominated for the election to the office of the Member of the Managing Committee and President of Water Users' Association unless has deposited or cause to be deposited a sum of two hundred rupees as security deposit with the Election Officer in cash and receipt obtained therefor before the time of presentation of his nomination paper.

(b) A candidate desirous to contest for the office of the President and also as Member of the Managing Committee of the Distributory Committee shall deposit or cause to be deposited a sum of Rs. 500/- (rupees five hundred only), and Rs. 300/- (Rupees three hundred only) respectively as security deposit respectively with Election Officer in cash and receipt obtained therefor before the time of presentation of his nomination paper. No candidate shall be deemed to have been duly nominated unless the said security deposit has, been made.

(c) A candidate desirous to contest for the office of the President and also as Member of the Managing Committee of the Project Committee shall deposit or cause to be deposited a sum of Rs. 1000/- (Rupees one thousand only), and Rs. 600/- (Rupees six hundred only) as security deposit respectively with Election Officer in cash and receipt obtained therefor before the time of presentation of his nomination paper. No candidate shall be deemed to have been duly nominated unless the said security deposit has been made:

Provided that where a candidate has been nominated in more than' one nomination paper, not more than one security deposit shall be required to be made.

(2) If no nomination paper. is received within the time appointed in that behalf, in respect of any person by whom/or whose behalf the security deposit referred to in sub-rule (1) has been made or if the nomination of any such person is rejected, or if he withdraws his candidature in the manner and within the time specified in sub-rule (1) of Rule 24, the security deposit shall be returned immediately to the person by whom it made and if any candidate dies before commencement of the poll, any such security deposit if made by him shall be returned to his legal representative, if not made by the candidate, shall be returned to the person by whom it was made.

(3) If a candidate by whom or on whose behalf the security deposit referred to in sub-rule (1) has been made, is not elected and the number of valid votes polled to him does not exceed one eighth of the total number of valid votes polled by all the candidates, the security deposit shall be forfeited to the Government.

(4) The security deposit made in respect of a candidate shall, .if it is not forfeited under sub-rule (3) be returned to the candidate or to the person who has made the security deposit on his behalf, as the case may be, within thirty days after publication of the result of election in accordance with Rule 55.

(5) A security deposit required to be returned to any person under sub-rule (4) shall, if such person is dead, be returned to his legal representative.

(6) Notwithstanding anything candidate in this rule immediately after publication of the result of election, the Election Officer or the person authorised by the District Election Authority in this behalf, shall pass an order as to whether a security deposit made under sub-rule (1) shall be refunded or forfeited. The Competent Authority of the concerning Water Users' Association shall within thirty days from the date of publication of the result, return the security deposit to the person who made the security deposit or to his legal representative when such security deposit is refundable. In the case of forfeited of security deposit under sub-rule (2), the Election Officer shall communicate an order to the person concerned who made the security deposit by giving the reasons for such forfeiture.

(7) The amounts received towards election security deposit, challenge fee etc., credited to the Water Users' Association / Distributory Committee / Project Committee as the case may be, the fund shall be remitted to Government Account by the concerning Competent Authority after deducting any refunds made to the concerned person for any reason provided under these rule.

22. Publication of Nominations.-Immediately after expiration of the time specified for receipt of the nomination papers on the date fixed for that purpose, the Election Officer or such other authorised person shall publish at his office in Hindi language a list in Form-'4 for Water Users' Association, in Form-21 for Distributory Committee and in Form-31 for Project Committee of all the nominations received, with a notice that the nomination papers will be taken up by the Election Officer for scrutiny at the specifying the place', the date and time.

23. Scrutiny of Nomination Papers.-(1) On the date appointed for scrutiny of the nominations, the candidates, the proposer of each candidate and one other person duly authorised in writing by each candidate, may attend at such time and place as may be specified under rule 23. No other person shall be entitled to be present. The Election Officer may, however, admit such other persons as he thinks fit to assist him. The Election Officer give such persons all reasonable

facilities to examine the nomination papers of all the candidates, which have been received as aforesaid.

(2) The Election Officer shall then examine the nomination papers and shall decide on all the objections which may be made to any nomination and may either on such objection or on his own motion after summary enquiry as he thinks necessary, reject any nomination on any of the following grounds, namely:

(a) that the candidate is disqualified for election as Member or President of Water Users' Association Distributory Committee and President of Project Committee as the case may be, under Section 19 of the Act; or

(b) that the name of the candidate or of his proposer or both is or are not registered in the voters' list; or

(c) that the candidate or his proposer has failed to comply with any of the provisions of rule 19 or 21; or

(d) that the signature or the thumb impression of the candidate or the proposer in the nomination paper is not genuine:

Provided that the Election Officer shall not reject any nomination paper on the ground of mere clerical or printing error or any defect which is not of a substantial character.

(3) The Election Officer shall endorse on each nomination paper, his decision, accepting or rejecting the same and, if the nomination paper is rejected, he shall record in writing brief statement of his reasons for such rejection. The scrutiny shall as far as practicable, be completed on the date appointed in this behalf under rule 23 and no adjournment of the proceedings shall ordinarily be permissible except to provide an opportunity to a candidate to rebut any contention raised against his candidature.

(4) For the purpose of this rule, a certified copy of an entry in the voters' list in force of a Water Users' Association / Distributory Committee / Project Committee as the case may be shall be conclusive evidence of the fact that the person referred to in that entry is an elector for the Water Users Association/Distributory Committee/Project Committee, unless it is proved that he is subject to any disqualification mentioned in the Act.

(5) Immediately after all the nomination papers have been scrutinized and the decision regarding accepting or rejecting the same have been recorded, the Election Officer shall prepare a list of validly nominated candidates, and affix it on the notice board of his office in Form 5 for Water Users' Association, in form 22 for Distributory Committee and in Form 32 for Project Committee as the case may be.

24. Withdrawal of Candidature.-(1) Any candidate may withdraw his candidature by notice in writing in Form 6 for Water Users' Association, in Form 23 for Distributory Committee and in Form 33 for Project Committee, signed by him and delivered to the Election Officer either by such candidate in person or by his proposer or by his election agent at any time after the presentation of his nomination paper and not later than 3.00 pm of the third day succeeding the day appointed for scrutiny of the nominations in case of Water Users' Association and between 1.00 PM to 1.30 PM of the same date in case of Distributory Committee and Project Committee, whether or not it is public holiday. The Election Officer shall give a receipt for the same as

provided in Form 6 for Water Users' Association, in Form 23 for Distributory Committee, in Form 33 for Project Committee on being satisfied as to the genuineness of the notice of withdrawal and the identity of the person delivering it.

(2) The Election Officer on receiving a notice of withdrawal under sub-rule (1) shall, as soon as may be, cause a notice of the withdrawal to be published in Form 7 for Water Users' Association, in Form 24 for Distributory Committee and in Form 34 for Project Committee as the case may be.

(3) A candidate who has withdrawn his candidature under sub-rule (1) shall not be allowed to cancel the withdrawal or to be re-nominated as a candidate for the same election.

25. Publication of list of contesting candidates.-(1) Two days after scrutinizing of the nominations, the Election Officer shall prepare in Hindi language a list in Form 8 for Water Users' Association, and on the same day in Form 25 for Distributory Committee and in Form 35 for Project Committee of persons whose nominations have not been rejected and who have not withdrawn their candidature and publish it on the notice board of his office.

(2) The list shall contain the names of the candidates in alphabetical order in Hindi and shall describe them as in their nomination paper and if poll is found to be necessary it shall also specify the distinctive symbols allotted to them under sub-rule (3).

(3) If a poll is found to be necessary, the Election Officer shall assign to each candidate subject to such directions as may be issued by the Divisional Election Authority in that behalf, a distinctive symbol.

(4) In every case where a symbol is assigned to a candidate under sub-rule (3) such candidate of his election agent shall be informed forthwith regarding the symbol so assigned and be supplied with a specimen thereof by the election officer.

26. Declaration of Result of Uncontested Candidate.-(1) If the number of contesting candidates is more than one, poll shall be conducted.

(2) If there is only one validly nominated candidate, the Election Officer shall forthwith declare such candidate as duly elected in Form 9 for Water Users' Association, in Form 28 for Distributory Committee and in Form 38 for Project Committee and send the same to the Divisional Election Authority and the District Election Authority.

27. Death of Candidate Before poll.- If a contesting candidate dies and a report of his death is received before commencement of the poll, the Election Officer shall after being satisfied of the fact of the death of the candidate, countermand the poll and election proceedings shall be started afresh in all respects as if it is a new election;

Provided that no fresh nomination, shall be necessary in the case of a candidate who stood validly nominated at the time of countermanding of the poll.

Provided further that no person who has given a notice of withdrawal of his candidature under rule 24 before the countermanding of the poll, shall be ineligible for being nominated as a candidate for the election of after such countermanding.

28. Appointment of agents.-(1) (a) A candidate at an election to the office of the President of a Water Users Association, may appoint anyone person to be his election agent. Such appointment

shall be given in Form 10 by forwarding the same in duplicate to the Election Officer who shall return one copy thereof to the election agent after affixing therein his seal and signature in token of his approval of the appointment.

(b) An election agent may perform such functions in connection with the election as are authorised by or under these rules to be performed by an election agent.

(2) (a) The number of polling agents that may be appointed by a contesting candidate of his election agent, shall, in respect of each polling station, be one agent and a relief agent.

(b) Every such appointment shall be made in Form 11 and shall be handed over to the polling agent for production at the polling station;

(c) No polling agent shall be admitted into the 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 thereon.

(d) A polling agent may perform such functions in connection with the poll as are authorised by or under these rules.

(3) (a) Each candidate may appoint such number of counting agents at the place of places fixed for counting as may be specified by the District Election Authority.

(b). Every such appointment shall be made in Form 12 in duplicate, one copy of which shall be forwarded to the Election Officer while the other copy shall be made over to the counting agent for production before the election Officer not later than one hour before the time fixed for counting.

(c) A counting agent may perform such functions in connection with the counting of votes as are authorised by or under these Rules.

(4) (a) 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.

(b) A contesting candidate himself or his election agent may do any act of thing which any polling agent or the counting agent of such contesting candidate if appointed would have been authorised by or under these rules to do, or may assist any polling agent or counting agent or such contesting candidate in doing any such act or thing.

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

29. Voting.- (1) If poll has to be taken, the Election Officer shall appoint forthwith one or more presiding Officers at each polling station and may pay the remuneration as fixed by the Government for their services. The Election Officer shall provided for each Presiding Officer such number of Polling Officers as may be necessary and also. If necessary appoint one or more identifying officers to assist the presiding Officer in identifying the electors.

(2) The Presiding Officer shall see that the election is fairly conducted and to that end keep order at the polling station to regulate 'the number of electors to be admitted at one time, and shall exclude all persons other than.

(a) the candidates, and at each booth one polling agent at a time of each candidate appointed in writing by the candidate;

(b) the police or other public servants on duty;

(c) Polling officers and such persons as the presiding Officers may from time to time admit for the purpose of identifying electors;

(d) persons authorised by Government;

(e) a child in arms accompanying an elector; and

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

(3) Where a woman elector cannot be identified by the identifying officers appointed under sub-rule (1) by reason of her observing purdah, she may be required to be identified by any of her near relatives unless she other wise satisfied the Presiding Officer of her identity.

Explanation: if any question arises as to whether a person is or is not a near relative within the meaning of this sub-rule be decided by the Presiding Officer and his decision shall be final.

30. Right to vote.-All electors voting shall vote in person. at the polling station as provided under' the rules.

31. Arrangements of polling station.-(1) Outside each polling station there shall be displayed prominently:

(a) a notice specifying the polling area, the serial number of electors in relevant voters' list who 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;

(b) copy of the list of contesting candidates with the serial numbers and the symbols assigned to them; and

(c) Each of the polling station shall contain one or more separate compartments in which electors are' to cast their votes.

Note: that the polling station should be able to accommodate voters as specified by the Divisional Election Authority.

(2) There shall be two ballot boxes in the polling booths-One for the Member of the Managing Committee and the other for President of Water Users' Association.

Provided that where for an election to Water Users Association, the number of voters is few, the district Election Authority may, depending upon the number of voters in each polling station use one ballot box for casting of votes for election the President and of the Members of the Managing Committee;

(3) The Election Officer shall provide at each polling station sufficient number of ballot boxes, together with copies of the electoral roll or such part thereof, as may contain the names of the electors entitled to vote at the station, and such other papers, and articles necessary for electors to mark the ballot papers, stationary and forms as may be necessary.

31-A. Preparation of ballot boxes.-(1) Where a paper seal is used for securing a ballot box, the Presiding Officer shall affix his own signature on the paper seal and obtain thereon the signature of such of the candidates or their election agents or the polling agents present as are desirous of affixing the same.

(2) 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 therein remains open.

(3) 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.

(4) Where it is not necessary to use paper seals or securing the ballot boxes, the Presiding Officer shall secure and seal the ballot box in such manner that the slit for the insertion of ballot papers remains open and shall allow the polling agents present to affix, if they so desire, their seals.

(5) Every ballot box used at a polling station shall bear label both inside and outside marked with:

(a) the description of the polling station;

(b) the serial number of the ballot box (to be filled in at the one of the polls on the label outside the ballot box only); and

(c) the date of poll.

(6) Immediately before commencement of the poll the Presiding officer shall demonstrate to the polling agents and other persons present that the ballot box is empty and bears the labels referred to in sub-rule (5).

(7) The ballot box shall then be closed sealed and secured and placed in full view of the Presiding Officer and polling agents.

(8) Immediately before commencement of the poll, the Presiding Officer shall demonstrate to the polling agents and other present the marked copy or, as the case may be, marked copies of the voters' list to be used during the poll.

32. Form of ballot paper.- (1) Every ballot paper shall have a counter-foil attached and the said ballot paper and the counterfoil shall be in such form as the Divisional Election Authority may, by order, direct.

(2) Every ballot paper shall, before issue to an elector, be,-

(a) Stamped or shall be written on its back such of the details as may be specified by the Divisional Election Authority,

Name and number of the polling station

Name of the Water User Association

Name of the Revenue Circle.

(b) signed in full on its back by the Presiding Officer.

33. Issue of Ballot Papers.-(1) Immediately before any ballot paper is issued to an elector the Presiding Officer shall

(a) call upon the number, name and description of the elector as stated in the voter list, and

(b) record on its counterfoil the voters' list number of the elector as entered in the marked copy of the voters' list and obtain the signature or the thumb impression of the elector on the said counterfoil:

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

(2) The Presiding Officer or Polling Officer, as the case may be, shall underline the entry relating to the elector in the marked copy of the voters' list with him in every case and where the elector is a female shall put a (√) mark also on the left hand side of the name of the female elector.

(3) The Presiding Officer or Polling Officer, as the case may be, shall apply the indelible mark on the ridge between the skin and the root of the nail of left-hand forefinger to him.

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

34. Maintenance of Secrecy of voting by Electors and Voting Procedure.-(1) Every elector to whom a ballot paper has been issued under rule 33 or under any other provisions of these rules shall maintain secrecy of voting within the polling station and for that purpose observe the voting procedure hereafter laid down.

(2) The elector on receiving the ballot papers as the case may be, shall forthwith:

(a) proceed to one of the voting compartments;

(b) make a mark on the ballot paper with the instrument supplied for the purpose on or near the symbol allotted to the candidate for whom. he intends to vote;

(c) fold the ballot paper vertically first and thereafter horizontally so as to conceal vote;

(d) insert the folded ballot paper into the specified ballot box, and;

(e) leave the polling station by the exit provided;

(3) Every elector shall vote without undue delay.

(4) No 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 Presiding Officer to observe the procedure laid shown 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 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 word "Cancelled" voting procedure violated" and put his signature below these words and all such papers shall be kept in a separate cover which shall bear on its face the words "Ballot papers-voting procedure violated".

(7) Without prejudice to any other penalty to which an elector, from whom a ballot paper has been taken back under sub-rule (5), may be liable and the vote, if any recorded on such ballot paper shall not be counted.

35. Blind and Infirm Voters.-(1). If owing to blindness or other physical infirmity an elector is unable to recognise the symbols on the ballot paper or to make thereon, the Presiding Officer shall record the vote on the ballot paper in accordance with the wishes of the elector, fold it so as to cancel the vote and insert it into the ballot-box.

(2) While acting under this rule, the Presiding Officer shall observe secrecy and shall keep a brief record of each such instances but shall not indicate therein the manner in which any vote has been given.

36. Facilities to Women Electors.-Special facilities in accordance with the instructions, if any, issued by Divisional Election Authority in that behalf may be accorded to women elector.

37. Identification of Electors.- When a person presents himself to vote and at any time before a ballot paper is supplied to him, the Presiding Officer may of his own accord and shall, if so required by a candidate or his polling agent, put to such person either one or both of the following questions:

(i) Are you the person enrolled as follows (reading the whole entry from the roll)?

(ii) Have you already at the present election at this polling station. or at any other polling station? And the person shall not be supplied with a ballot paper unless he gives an unqualified answer to the question or questions put to him/her in the affirmative to the first and in the negative to the second or such questions except as mentioned herein, every person whose name is found on the voters' list shall be entitled to. be supplied with a ballot paper.

38. Tendered Votes.-(1) If a person representing himself to be 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 provision to mark ballot paper (hereinafter in these rules referred to as a "Tendered Ballot Paper") in the same manner as any other elector.

(2) Every such person, shall before being supplied with a tendered ballot paper, sign his name against entry relating to him in a list in Form 13.

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

(a) taken serially from the bottom of the bundle of ballot papers issued for use at the polling stations in successive cases; and

(b) enforced on the back with the words "Tendered Ballot Paper" by the Presiding Officer in his hand and signed by him.

(4) The elector, after making 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 specifically kept for the purpose.

39. 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 five rupees in cash with the Presiding Officer for each such challenge.

(2) On such a deposit being made, the Presiding Officer shall-

(a) warn the person challenged of the penalty impression;

(b) read the relevant entry in the voters' list in full and ask him whether he is the person referred to in the entry;

(c) enter his name and address in the list of challenger votes in form-14; and

(d) require him to put his signature or thumb impression in the list.

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

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

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

(c) administer on oath to the challenger and any other person offering to give evidence.

(4) If, after the enquiry 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.

40. Safeguards against Impersonation.-(1) Every elector about whose identity the Presiding Officer or the Polling Officer, as the case may be, is satisfied shall allow his left forefinger to be inspected by the Presiding Officer or Polling Officer and an indelible ink mark to be put on it.

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

(3) The Presiding Officer shall be at liberty to refuse to deliver a ballot paper to any person for voting at the polling station if at the time such person applies for a ballot paper has already an indelible ink mark referred in sub-rule (1) and (2).

41. Spoilt and Returned ballot Papers.-(1) An elector who has inadvertently dealt with his ballot may, be delivering 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 as "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 paper cancelled under sub-rule (1) and sub-rule (2) shall be kept in a separate packet.

42. Closing of poll and sealing of Ballot Boxes and -covers after poll.-(1) The Presiding Officer shall close the polling station at the hour appointed for closing under clause (e) of sub-rule (5) of rule 17 and shall not thereafter admit any elector into a polling station :

Provided that all elector 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.

(3) The Presiding Officer of each polling station as soon as practicable after the close of the poll shall close the slit of ballot box and where the box does not contain any mechanical devise for closing the slit, he shall seal up the slit and also allow any polling agent present to affix his seal. The ballot box shall thereafter be sealed and secured.

(4) Where it becomes necessary to use a second ballot box by reason of the first ballot box getting full, the first box shall be closed; sealed and secured as provided in sub-rule (3) before another ballot box is put into use.

(5) The foregoing provisions of this rule shall not apply to a Presiding Officer of a polling station to whom Divisional Election Authority has issued a direction asking him to proceed in accordance with sub-rule (6).

(6) At any such polling station as may be specified under sub-rule (5) as soon as practicable, after the close of poll, the Presiding Officer shall

(a) transfer all the ballot papers, contained in the ballot boxes used at that polling station, without examining or counting them and due regard to the secrecy of the ballot, into a clothe bag or cloth lined cover after demonstrating to the polling agents present that the bag or cover is empty; and

(b) allow the polling agent present to inspect each ballot box and demonstrate to them that it has been emptied.

(7) The Presiding Officer of each polling station; as soon as practicable after the close of the poll, shall in the presence of any candidate or polling agents who may be present make up the following into separate packets and seal with his own seal and the seals of such candidates or agents as may decide to affix their seals:

(i) the tendered ballot papers;

(ii) the unused ballot papers;

(iii) the spoilt and returned ballot papers;

(iv) the marked copy of the electoral roll;

(v) the tendered voters' list;

(vi) the list of challenged votes with the statement or statements mentioned in sub-rule (2) of rule 39;

(vii) counterfoils of used ballot papers; and

(viii) the ballot papers cancelled for violation of voting procedure under rule 34.

(8) Each packet shall be numbered and shall bear a note as to its contents, description of the election and the polling stations. Where no vote has been recorded at any polling station, the Presiding Officer shall submit a 'nil' report together with the statement in form-15.

43. Account of Ballot Papers, Ballot Boxes, packet etc.-(1) the packets shall be accompanied by a statement in a separate cover in Form 15, made by the Presiding Officer showing the number of ballot papers, in the ballot boxes and unused, spoilt, returned and tendered ballot papers. The Presiding Officer shall then deliver or cause to be delivered to the election Officer at such place as the Election Officer may direct:

(a) the ballot boxes or, as the case may be, the bags or covers referred to in rule 33;

(b) the ballot paper account or accounts;

(c) sealed packets or sets of sealed packets referred to in rule 42; and

(d) all other papers used at the poll.

(2) The Election Officer shall make adequate arrangements for the safe transport of all ballot boxes, packets and other papers and for their safe custody until commencement of the counting of votes.

44. Scrutiny of Opening of ballot boxes and counting of Votes.-(1) (a) The counting of votes shall commence on the day and at the place and hour appointed in this behalf.

(b) the Election Officer shall, at least three days before the date, or the first of the dates, fixed for the poll appoint the 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 election Officer finds it necessary to do so, 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.

(c) Votes shall be counted by or under the supervision of the Election Officer. The Election Officer shall appoint such number of counting assistants as may be necessary to assist him in counting of votes.

(d) Each candidate, election agent of each candidate, and one representative of each candidate authorised in writing by the candidate shall have a right to be present except such person or persons as Election Officer may appoint to assist him in counting votes. No person shall be appointed to assist in counting the votes who has been employed by or on behalf of any candidate or any person whatsoever connected with the election of a candidate.

(2) (a) the election Officer shall open, or cause to be opened, simultaneously the ballot box or boxes used at more than one polling station and shall have the total number of ballot papers found in such box or boxes counted and recorded in Part II of Ballot Paper Account in Form-15.

(b) 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 form-15 minus the number of ballot papers cancelled as shown in item 4 thereof and the number of papers as shown in item 5 thereof, shall also be recorded in Part II of form-15.

(c) Before any ballot box is opened for counting of votes the counting agents presents thereat shall be allowed to inspect the paper seal or such other seal as might have been affixed thereon and to satisfy themselves that the ballot box is intact.

(d) The Election Officer shall satisfy himself that none of the ballot boxes has in fact been tampered with in any way.

(e) If the Election 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 in Rule 49 in respect of that polling station.

(3) The Election Officer shall, as far as practicable, proceed continuously; with the counting of votes, and shall, during any necessary intervals during which the counting has to be suspended. Place ballot papers, packets and other documents relating the election under his own seal and seals of such candidates or agents as may desire to affix them and shall cause adequate precautions to be taken for their safe custody.

45. Admission to the place fixed for counting.-The Presiding 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 Government;

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

(d) candidates, their election agents and one representative of each candidate appointed in writing by the candidates as counting agents;

46. Rejection of ballot papers.-(1) Subject to such general or special directions, if any, as may be given by the Divisional Election Authority in this behalf, the ballot papers shall be counted polling stationwise.

(2) The election Officer shall reject a ballot paper-

(a) if it bears any mark of writing by which the elector can be identified; or

(b) if it bears no mark at all to indicate the vote, it bears a mark elsewhere thereon or near the symbol of one of the candidates on the face of the ballot paper or, it bears a mark made other than with the instrument supplied to the purpose; or

(c) if votes are given on it in favour of more than one candidate;

(d) if the mark indicating the vote thereon is placed in such manner as to make it doubtful as to which candidate the vote has been given, or

(e) if it is a spurious ballot paper; or

(f) if it is so damaged or mutilated that its identity as a genuine ballot paper cannot be established; or

(g) if it bears a serial number-or is of a design, different from the serial numbers or, as the case may be design, of the ballot papers authorised for use at the particular polling station; or

(h) If it does not bear both the distinguishing mark and the signature which it should have borne under the provisions of sub-rule (2) of Rule 32;

Provided that where the Election 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 by the reason 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 a ballot paper under sub rule (1) the Election 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 Election 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 as one valid vote;

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

(7) After counting of all ballot papers contained in all the ballot boxes used in a Water Users' Association have been completed, the Election Officer shall make the entries in a result sheet in Form 16, and announce the particulars.

(8) The decision of the Election Officer as to the validity of a ballot paper shall be final subject to security only.

47. Recount of votes.-(1) After such announcement has been made under sub-rule (7) of rule 46, a candidate or, in his absence, his election agent or any of his counting agents may apply in writing to the Election Officer for recounting of the votes either wholly or in part stating the grounds on which he demands such recount.

(2) On such an application being made the Election Officer shall decide the matter and may allow the application in whole or in part or may reject it wholly if it appears to him to be frivolous or unreasonable.

(3) Every decision of the Election Officer under sub-rule (2) shall be in writing and contain the reason therefor;

(4) If the Election Officer decide under sub-rule (2) to allow a recount of the votes either wholly or in part he shall

(a) arrange for the recounting in accordance with Rule 45 and 46;

(b) amend the result sheet in Form 16 to the extent necessary after such recount; and

(c) announce the amendments so made by him.

(4) After the total number of votes polled by each candidate has been announced under sub-rule (4) the Election Officer shall complete and sign the Result Sheet in Form 16 and no application for a further or second recount shall be entertained thereafter.

48. 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 lead to any of those candidates being declared elected, the Election Officer shall forthwith decide between those candidates by lot, and proceed as if the candidate on whom the lot falls had received the additional vote.

49. Disturbances at the time of counting of votes.-(1) If at any time before the counting of votes is completed and ballot papers used at a polling station or at a place fixed for the poll are unlawfully taken out of the custody of the Election Officer or are accidentally or intentionally destroyed or lost or are damaged or tampered with, to such an extent -that the result of the poll at that polling station or place can not be ascertained, the Election Officer forthwith report the matter to the Divisional Election Authority.

(2) Thereupon, the Divisional Election Authority after taking all material, circumstances in to account, either

(a) direct that the counting of votes shall be stopped, declare the poll at that polling station or place to be void, appoint a day, and fix the hours for taking a fresh poll at that polling station or place and notify the date so appointed and hours so fixed in such manner as he, may deem fit, or

(b) if satisfied that the result of a fresh poll at that polling station or place will not, in any way, affect the result of the election, issue such directions to the Election Officer as may deem proper for the resumption and completion of the election and for further conduct and completion of the election in relation to which the votes have been counted.

(3) The provisions of these Rules and any rules or orders made there under shall apply to any and every such fresh poll as they apply to the original poll.

50. 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 up into a separate packet which, shall be sealed with the seals of the Election 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 be sealed shall be recorded the following particulars namely

(a) the number of the polling station number of ward/name of Water User Association/Janpad Panchayat, and

(b) the date of counting.

51. Transfer o ballot papers to cloth bags.-The provisions of Rules 45, 46 and 50 shall apply so far as may be in relation to counting of ballot papers and votes, which have been transferred from ballot boxes to cloth bags or cloth lined covers under sub-rule (6) of Rule 42.

Provided that every reference in the said Rules to a ballot box, shall be construed as a reference to a bag or cover to which the contents of a ballot box have been transferred.

52. Counting of votes in case of fresh poll.-(1) If a fresh poll is held under sub-rule (7) of Rule 57, the Election Officer shall after completion of the poll recommence the counting of votes on the date and at the time and place which have been fixed by him in that behalf and for which notice has been previously given to the candidates or their election agents.

(2) The Provisions of Rules 43 and 50, shall apply so far as may be to such, further counting.

53. Declaration of Result.-(1) The Election Officer shall, subject to the provisions of Rule 48, in so far as they apply to any particular case;

(a) declare in Form 17 the candidate to whom the largest number of valid votes have been given (to be elected under Rule 46 and ,send signed copies. thereof to the Divisional Election Authority and the District Election Authority; and

(b) complete the entries of the result of election in Form 16 and send signed copies thereof to the Divisional Election Authority and the District Election Authority.

(2) Copies of result sheet in Form 16 shall be supplied to the contesting candidates on payment of fee as charged for supply of certified copies of other Government records, Copies of Form 17 shall also be supplied to the contesting candidate on payment of rupees two for each copy. The District Election Authority, or Election Officer on receipt of an application shall issue the certified copies referred to above.

54. Grant of Election Certificate.-As soon as may be, after a candidate has been declared by the Election Officer under Rule 20 or as the case may be under Rule 55, to be elected, the Election Officer shall grant such candidate' a certificate of election in Form 18, and obtain from the candidate an acknowledgement of its receipt duly signed by him and immediately send the acknowledgement by a registered post to the District Election Authority under intimation to the Divisional Election Authority.

55. Publication of Results.- The Election Officer shall publish on the notice Board in the office of the Water Users' Association concerned a notification signed by him, stating the name of the candidate duly elected.

56. Disposal of ballot papers:(1) The Divisional Election Officer shall, after declaring the results forward a copy of the return of the Competent Authority concerned and shall hand-over to the Officer authorised by the Election Authority the packets of ballot papers, whether counted, rejected or tendered. These packets shall not be opened and their contents, shall not be inspected or produced except under the orders of an authority competent to decide election disputes.

(2) The Officer so authorised shall return packets and the marked copies of the voters' list for a year and shall then, unless otherwise directed by the orders of an authority competent to decide election disputes, cause them to be destroyed.

57. Adjournment of poll in emergencies.-(1) Where the proceedings at any polling station are seriously interrupted or obstructed by any riot of open violence or other wise or where a large number of electors are unable to attend the poll at a polling station by reason of an act of God, such as flood or fire, the Presiding Officer shall stop the poll, pending receipt of the orders of the District Election Authority. The fact that the poll has been so stopped shall be immediately announced by the Presiding Officer to the persons present at the polling stations.

(2) Where a Presiding Officer stops a poll under sub-rule (1) he shall observe the procedure laid down in Rules 42 and 43 and forthwith make a full report of the circumstances to the Election Officer, who shall forward the same expeditiously with his remarks thereon, if any, to the Divisional j Election Authority.

(3) The Divisional Election Authority shall thereupon order-

(a) that the poll continued at the polling station for the number of hours .for which it was not held on the previous occasion provided that not less that 50% of the voters have cast their votes; or

(b) that the proceedings at the poll held at the polling station on the previous occasion be ignored and that a fresh poll be held at such polling station for the full number of hours for which it should have been held on the previous occasion; and

(c) any order passed by the Divisional Election Authority under this sub-rule shall be final.

(4) a order passed under sub-rule (3) shall-

(a) State-

(i) the date on which, and the hours between which the continuation poll or the fresh poll, as the case may be shall be held; and

(ii) the date on which and the place and hour at which, the Election Officer, will commence the counting of the votes under Rule 52; and

(b) be given wide publicity in the polling area concerned by the Election Officer, in such matter as the District Election Authority may direct, announcing the date, place and hour of polling fixed under Clause (a)

(5) (a) where an order is passed under clause (a) of Sub rule (3) for the continuation of the poll, the Election Officer shall proceed afresh under sub-rule (I) of Rule 29 and return to the Presiding Officer appointment under that sub-rule all the packets received by him under sub-rule (2) of this rule.

(b) the Presiding Officer shall open the packets just before commencement of the continuation poll in the presence of such persons as may present at the polling station and commence such poll precisely at the hour fixed therefor in the order passed by, the Divisional Election Authority under clause (a) of sub-rule (3).

(c) at the continuation poll, the Presiding Officer shall allow only such electors to vote as did not vote in the previous occasion.

(d) the Election Officer shall not count votes cast at such election until such continuation poll or fresh poll has been completed.

(e) the Election Officer shall provide the Presiding Officer of the polling station. at which such continuation poll is held with the sealed packet containing the marked copy of the electoral roll, ballot-boxes and such other material required for the poll.

(6) Where an order is passed under clause (b) of sub-rule (3) for holding a fresh poll the Election Officer shall proceed afresh under sub-rule (I) of Rule 29 and a fresh poll shall be held at the polling station concerned in accordance with the provisions of these rules in all respects as if, it is being held at such polling station for the first time.

Explanation-There shall be no fresh nominations in cases falling under this sub-rule.

(7) Notwithstanding anything contained in this rule, if a candidate dies at any time before orders are passed by the Divisional Election Authority under sub-rule (3) or at any time after the passing of such orders but before commencement of the continuation poll, as the case may be, the Election Officer shall upon being satisfied of the fact of the death of the candidate intimate such fact to the Divisional Election Authority, stop all further proceedings in connection with the election and start election proceedings afresh in' all respects as if for a new election;

Provided that no fresh nomination shall be necessary in the case of the remaining candidates who stood nominated at the time when the poll was stopped.

58. Filling up of casual vacancies.- Any casual vacancy of Member of a President of a Water Users' Association shall be filled up with in a period of thirty days from the date of occurrence of such, vacancy 'on issue of a notification by the Divisional Election Authority following the provisions of these rules and orders made thereunder.

59. Power of government in certain cases.-If any question arises to the interpretation of these Rules otherwise ,than in connection with an enquiry held under these Rules, for the decision of disputes as, to the validity of an election or in removing any difficulty in giving effect to the provisions of the act, the question shall be referred to the Government whose' decision thereon shall be final;

60. Power of Election Officer to fix dates etc, certain cases -Notwithstanding anything in these foregoing provision of these Rules, the Government of the Divisional Election' Authority may, before the filing of nominations in the case of any Water Users' Association, in particular empower the Election Officer to fix dates and period other than those specified or fixed by or under these Rules for all or any of the stages of the election proceedings connected therewith.

Chapter- VI

61. Election of member of the managing committee and president of the distributory committee.- Notwithstanding anything contained in these rules, the election of the members specified in sub-section (2) of section 8 of the Act, shall be held in the office of the notified Janpad Panchayat at a special meeting of the members of the Distributory Committee specified in sub-section (2) of section 7 thereof The Election Officer shall be the collector or any Gazetted officer of the Government authorised by the District Election Authority.

62. The Election Officer shall display the voters' list for the purpose of the election and exhibit it on the notice board of the Janpad Panchayat along with the notice for election.

63. The notice of election giving the date, place and time of the election in Form 19 shall be displayed in Hindi language and sent to the members' of the Distributory Committee specified in sub-section (2) of section 7 of the Act at-least two clear days in advance of the date of election of the members under sub-section (2) of section 8 of the Act, by the Election Officer.

64. The election shall be by secret ballot and shall conclude on a single day. The Programme shall be as follows:

- | | | |
|-------|--|--------------------------------|
| (i) | Receipt of Nominations | 11.00 A. M. to 12.00
Noon |
| (ii) | Scrutiny of nominations and
publication of final list of
nominations | 12.30 P.M. to 1.00 P.M. |
| (iii) | Withdrawal of nominations | 1.00 P.M. to 1.30 P.M. |
| (iv) | Publication of final list of
contestants | 2.00 P.M. |
| (v) | Elections in' the event of contest | 3.00 P.M. to 5.00 P.M. |
| (vi) | Counting and declaration of results- | Immediately after the
poll. |

Provided that the Procedure that the procedure for filing of nominations shall be according to rules 13 to 19.

65. If the number of contesting candidates is more, than one, poll shall be conducted. If there is only one validly nominated candidate, the Election Officer shall forthwith declare such candidate as duly elected (in Form 28) and send the same to the Divisional Election Authority and the District Election Authority.

66. In the event of the contest, ballot papers shall be prepared in Form 26 and 27 containing names of the contesting candidates in Hindi language in alphabetical order, for the post of President and Members of the Managing Committee, separately and the election shall be conducted as directed by the Divisional Election Authority.

67. At the end of the poll, the Election Officer shall arrange Forthwith, the counting of votes polled for the contesting candidates for President and Members of the Managing Committee separately and declare the candidates as elected in Form 28 as follows:-

(i) the candidate who secured the highest number of votes polled. for the post of President, as elected to the post of President of that Distributory Committee; and

(ii) the candidates who secured the highest number of votes polled in the descending order as elected to the posts of Member managing Committee to the extent of the strength of the Managing Committee in that Distributory Committee.

68. In the event of equality of votes between the two candidates the Election Officer shall draw lots in the presence of the members and the candidate whose name is first drawn shall be declared to have been duly elected.

69. Immediately after the declaration of the result of the election, the Election Officer shall prepare a record of the proceedings of the meeting and sign it attesting with his initials every correction made therein and shall also have the said record of proceedings attested by a majority of the number of members who participated in the meeting. He shall also publish on the notice board of the Janpad Panchayat a notice signed by him stating the name of the person elected as a Member of the Managing Committee and President of the Distributory Committee as specified under subsection (2) of section 8 of the Act and send a copy of such notice of the District Election Authority concerned and the Divisional Election Authority. A copy of this notice shall also be given to the candidate who is declared elected as Member of the Distributory Committee.

70. Notwithstanding anything contained in these rules, Election Officer may, for sufficient reasons to be recorded in writing, direct from time to time, the alteration of the date of the special meeting convened under rule 61 and inform the District Election Authority and Divisional Election Authority.

71. No meeting for the conduct of election of member specified in sub-section (2) of: Section 8 of the Act. shall be held unless one-half of the number of members .of the Distributory Committee who are entitled to vote at the election .are present.

Chapter- VII

72. Election of member of the managing committee and president of the project committee.-

Notwithstanding anything contained in these rules, the election of the members specified in sub-section (2) of section 11 of the Act, shall be held in the office of the notified Janpad Panchayat at a special meeting of the members of the Project Committee specified in sub-section (2) (3) (4) of section 10 thereof the Election Officer shall be the collector or any Gazetted Officer of the Government authorised by the District Election Authority.

73. The Election Officer shall display the voters' list for the purpose of the election and exhibit it on the notice board of the Janpad Panchayat along with the notice for election.

74. The notice of election giving the date, place and time of the election shall be displayed in Form 29 in Hindi language and sent to the members of the Project Committee specified in sub-section (2) (3) (4) of section 10 of the Act at-least two clear days in advance of the date of election of the members under sub-section (2) of section 11 of the Act, by the Election Officer.

75. The election shall be by secret ballot and shall conclude on a single day. The programme shall be as follows;

- | | | |
|-------|--|--------------------------------|
| (i) | Receipt of Nominations | 11.00 A. M. to 12.00
Noon |
| (ii) | Scrutiny of nominations and
publication of final list of
nominations | 12.30 P.M. to 1.00 P.M. |
| (iii) | Withdrawal of nominations | 1.00 P.M. to 1.30 P.M. |
| (iv) | Publication of final list of
contestants | 2.00 P.M. |
| (v) | Elections in' the event of contest | 3.00 P.M. to 5.00 P.M. |
| (vi) | Counting and declaration of results- | Immediately after the
poll. |

Provided that the Procedure that the procedure for filing of nominations shall be according to rule 17 to 25 in Chapter-III of the Election rules.

76. If the number of contesting candidates is more than one, poll shall be conducted. If there is only one validly nominated candidate, the Election Officer shall forthwith declare such candidate as duly elected in Form 36 and send a copy to the Divisional Election Authority and the District Election Authority.

77. In the event of the contest, ballot papers shall be prepared in Form 36 and 37 containing names of the contesting candidates in Hindi language in alphabetical order, for the post of President and the Members of the managing Committee, separately and the election shall be conducted as specified by the divisional Election Authority.

78. At the end of the poll, the Election Officer shall arrange, forthwith, the counting of votes polled for the contesting candidates for President and members of the Managing Committee separately and declare the candidates as elected in Form 38 as follows;

(i) the candidate who secured the highest number of votes polled. for the post of President, as elected to the post of President of that Project Committee; and

(ii) the candidates who secured the highest number of votes polled in the descending order as elected to the posts of Member managing Committee to the extent of the strength of the Managing Committee in that Project Committee.

79. In the event of equality 'of votes between the two candidates, the Election Officer shall draw lots in the presence of the members and the candidate whose name is first drawn shall be declared to have been duly elected.

80. Immediately after the declaration of the result of the election, the Election Officer shall prepare a record of the Proceedings of the meeting and sign it attesting with his initials every correction made therein and shall also, have the said record of proceedings attested by a majority of the number of members who participated in the meeting. He shall also publish on the notice board of the Janpad Panchayat a notice signed by him stating the name of the person elected as a Member of the Managing Committee and President of the Project Committee as specified under subsection (2) of section 11 of the Act and send a copy of such notice to the District Election Authority concerned and the Divisional Election Authority. A copy of this notice shall also be given to the candidate, who is declared elected' as Member of the Project Committee.

81. Notwithstanding anything contained in these rules, the Election Officer may, for sufficient reasons to be recorded in writing direct from time to time, the alteration of the date of the special meeting convened under rule 61 and inform the District Election Authority and Divisional Election Authority.

82. No Meeting for the conduct of election of member specified in sub-section (2) of section 11 of the Act, shall be held unless one-half of the number of members of the, Project Committee who are entitled to vote at the election are present.

FORM 1

[See sub rule (2) of Rule17]

**NOTICE FOR THE ELECTION OF THE PRESIDENT / MEMBER OF
THE MANAGING COMMITTEEOF THE
WATER USERS' ASSOCIATION (s)
inDistrict**

It is hereby notified that elections to the President members of managing Committee of the Water User's Association in District Shall be conducted as per the following;

- (i) Nomination papers shall be presented:
 - (a) on (date)
 - (b) Time.....betweentohours
- (ii) Date of scrutiny of nomination papers
- (iii) Date of withdrawal of candidature
- (iv) Date of polling
- (v) Date of counting of votes by the Election Officer.
- (vi) Declaration and publication of results.

Divisional Election Authority /District Election Authority.

FORM 2

[See sub rule (2) of Rule17]

**NOTICE FOR THE ELECTION FOR OFFICE OF THE PRESIDENT/
MEMBER OF THE MANAGING COMMITTEEOF THE
.....WATER USERS' ASSOCIATION**

Notice is hereby given that-

- (1) An election to be held for election of the President/ Member of the Managing Committeeof theWater Users' Association.
- (2) Nomination papers may be delivered by a candidate or his proposer to the undersigned between 10.30 AM and 5.0 PM from to(date).
- (3) Forms for nomination papers may be obtained the place and time aforesaid.
- (4) The nomination papers will be taken up for scrutiny at(place) on Dateat(hrs)
- (5) Notice of withdrawal of candidature may be delivered by a candidate or his proposer of his election agent to the undersigned atoffice before 3.00 PM on the
- (6) In the event of election being contested the poll will be taken on between the 7.00 Hrs and 13.00 Hrs.
- (7) Counting will commence after the Poll is over and results declared immediately thereafter.

ELECTION OFFICER

Place:

Date:

FORM 3

[See sub rule (1) of Rule19]

WATER USERS' ASSOCIATION.....

NOMINATION PAPER

1. Name of the Office the President Member of the Managing Committee of WUA.
2. Name of number of the territorial constituency.
3. Full name of the candidate.
4. Father's or husband name.
5. Serial number of candidate in the Electoral Roll
6. Age
7. Sex
8. Caste (SC/ST/OBC/General)
9. Occupation and Address
10. Full name of the proposer
11. Serial number of proposer in the electoral roll.
12. Signature of the proposer.

Candidates' Declaration

I declare that I am eligible and willing to stand for election and my age as shown above is correct.

SIGNATURE OF CANDIDATE

The above declaration is solemnly affirmed before me (name of the officer in block letters by who is personally known to me (who has been identified to my satisfaction byof

Signature of village administrative officer or any other officer not below the rank of a mandal revenue officer (Endorsement by the Election Officer or other authorised person serial number):

This nomination paper was presented to me (person) at (date and hour)

Signature of the election officer or other authorised person

Decision of election officer accepting or rejecting the, nomination paper.

I have explained this nomination' paper in accordance with Rule 8 and decide as follows:

Election Officer

Date:

RECEIPT FOR NOMINATION PAPER AND NOTICE FOR SCRUTINY

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

Serial No. of Nomination Paper. The nomination Paper of a candidate for election of the president/ Member of ,the managing Committee of the water user association. territorial constituency No. was delivered to me at (hour) on (date) by the

Candidate / Proposer.

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

ELECTION OFFICER

Date :'

FORM 4
[See Rule 22]

LIST OF NOMINATIONS RECEIVED ON (DATE)
FOR THE OFFICE OF THE PRESIDENT / MANAGING COMMITTEE
OF WATER USERS' ASSOCIATION

Sl. No. of Nomination Paper	Name of the Candidate	Father's Name	Age	Sex	Caste (SC / ST / OBC / General)	Occupation & Address	Voters List No. of Candidate	Name of the proposer	Voters List No. of proposer
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)

The nomination papers will be taken up for scrutiny at AM/PM.
on the date at (Place)

Signature of the election officer
Or other authorised person

Place:
Date:

FORM 5
[See sub rule (5) of Rule23]

LIST OF VALIDLY NOMINATED CANDIDATES

Name of District.....

Name of territorial constituency /WUA.....

Election to the President/member of the managing committee of
Water User Association

Sl. No. Allotted	Name of the candidate	Address of the Candidate
(1)	(2)	(3)
1		
2		
3		
4		
etc.		

Place:

Date:

Election Officer

FORM 6
[See sub rule (1) of Rule24]

NOTICE OF WITHDRAWAL

Election to the Office of the President / Member of the Managing Committee of Water User Association.

To,
The Election Officer,

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

Place:
Date: **Signature of candidate**

RECEIPT FOR NOTICE OF WITHDRAWAL

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

This notice of withdrawal of candidature by a candidate at the election to the office of the President/ Member of the Managing Committee.of WUAas delivered to me by theat my office at (hour) on(date)

Date:
Election Officer

FORM 7
[See sub rule (2) of Rule24]

NOTICE OF WITHDRAWAL OF CANDIDATURE

Election to the Office of the President/Member of the Managing
Committee of Water Users Association

Notice is hereby given that the following validly nominated candidate /
candidates at the above election withdraws his candidature/their candidature
today.

S. No. Allotted	Name of the candidate	Symbol Allotted
(1)	(2)	(3)
1		
2		
3		
etc.		

Date:

Election Officer

FORM 8
[See sub rule (1) of Rule25]

NOTICE OF CONTESTING CANDIDATE

Election to the Office of the President/Member of the Managing
Committee of WUA

S. No. Allotted	Name of the candidate	Symbol Allotted/Assigned
(1)	(2)	(3)
1		
2		
3		
4		
5		
etc.		

Place:

Date:

Election Officer

FORM 9

[See sub rule (2) of Rule26]

**DECLARATION OF THE RESULTS OF ELECTION UNDER RULE
11(2) OF THE ELECTION RULES**

In accordance with rule 20 (2) of the Election rules, I declare that the following candidate has been duly elected for the Office of the President/ Member of the managing Committee of Water Users Association.....

Name

Address.....

Place:

Date: **Signature of Election Officer**

FORM 10

[See sub rule (1) of Rule 28]

**APPOINTMENT OF ELECTION AGENT
(To be submitted in two copies)**

Election to the Office of the President/ Member of the Managing Committee of Water Users Association

To,
The Election Officer,

I,..... a candidate at the above election for the post of the president of Managing Committee of Water User Association do hereby appoint of as my election agent from this day at the above election.

Place:

Date: Signature of candidate

I accept the above appointment

.....
Signature of Election Agent

I, hereby, accept and approve the above appointment.

Place:

Date: **Signature of Election Officer.**

FORM 11
[See sub rule (2) (b) of Rule 28]

APPOINTMENT OF POLLING AGENT
(To be submitted in two copies)

Election to the Office of the President/ Member of the Managing /Committee of Water Users Association

I,..... a candidate/ the election agent of who is a candidate at the above election do hereby appoint as a Polling Agent to attend polling station No. Fixed for the poll at

.....
Signature of candidate election Agent

I, hereby, accept and approve the above appointment.

Place:
Date: **Signature of Election Officer.**

FORM 12
[See sub rule (3) (b) of Rule 28]

APPOINTMENT OF COUNTING AGENT
(To be submitted in duplicate)

Election to the Office of the President/Member of the Managing Committee of WUA
To,
The Election Officer,

I,.....a candidate/the election agent ofwho is a candidate at the
above election do hereby appoint the following persons as may counting agent to attend the
counting of votes at

Name of the Counting Agent	Address of the Counting Agent
(1)	(2)
1	
2	
3	

I/We agree to act as such counting agents.

.....
Signature of candidate election agent.

.....
Signature of the Agent

.....
Signature of Election Officer

Place:
Date:

FORM 13

[See sub rule (2) of Rule 38]

LIST OF TENDERED BALLOT PAPERS

Polling Station No. Territorial Constituency No.

.....
WUA..... Election to the Office of the President/Member
of the Managing Committee of the WUA.

S. No.	Name of the Elector	No. in the Voters List/Section No. Name of WUA	Serial No. of Tendered Ballot Paper	Signature of Elector or thumb impression of person tendering vote	Serial No. of Ballot paper issued to the person who has already voted.
(1)	(2)	(3)	(4)	(5)	(6)

Date:
Station:

.....
Signature of presiding Officer

FORM 14
[See sub rule (2) (c) of Rule 39]

LIST OF CHALLENGED BALLOT PAPERS

Polling Station No. Territorial Constituency No.
 Water Users Association Election to the Office of the President/Member
 of the Managing Committee of the Water Users Association.

S. No.	No. in the Voters List/ Section No. Name of WUA	Name of the Elector	Signature or thumb impression of the person challenged and his address	Name of challenger	Signature and thumb impression of identifier if any	Order of Polling Officer	Signature of challenger on receiveing refund of deposit
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

Date:
 Station:

.....
 Signature of Presiding Officers

FORM 15

[See sub rule (8) of Rule 42]

Part-I

BALLOT PAPER ACCOUNT
Election to the Office of the President/Member of the Managing
Committee of Water Users Association

No. & Name of the Polling Station	Territ. Const. No.....	
	WUA	
	S.Nos.	Total No.
	From.....	To.....

1. Ballot papers received
 2. Ballot papers unused
(i.e. not issued to voters)
 - (a) with the signature of Polling Officer
 - (b) without the signature of Polling Officer
 3. * Ballot Papers used at the Polling Station (1-2=3)

Total * (A+B)
-
4. Ballot papers used at the Polling Stations but not inserted into the Ballot Box.
 - (a) Ballot Papers cancelled for violation of voting procedure under rule 20.
 - (b) Ballot papers cancelled for other reasons
 - (c) Ballot papers used as tendered ballot papers.

*(Total (A+B+C))

*Ballot, Papers to be found in the ballot box

(3-4=5)

***Serial Numbers need not be given.**

**PART-II
RESULT OF COUNTING**

S.No.	Name of Candidate	Name of Valid Votes Cast
(1)	(2)	(3)
1		
2		
3		
4		
5		
etc.		
II	Rejected Ballot papers	
III.	Total	

.....
Signature of Presiding Officer

Whether the total number of ballot papers shown against item No. above tallies with the total shown against item No. 5 of Part-I or discrepancy noticed between these two totals.....

Place:
Date:
Place:
Date:

.....
Signature of Counting supervisor
.....
Signature of Election Officer

*Score off the words which are not applicable.

FORM 16

[See sub rule (7) of Rule 46] and sub rule (1)(b) of Rule 53]

FINAL RESULT SHEET

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

Election to the Office of the president/Member of the Managing Committee of the Water Users Association

Sl. No.	Polling Station No.	Name of valid votes cast in favour of				Total No. of valid Votes	Total No. of Rejected votes	Total	Total No. of Tendered Votes
		(A)	(B)	(C)	(D)				
(1)	(2)	(3)				(4)	(5)	(6)	(7)

Total No of votes recorded at Polling Stations.
Numbers of votes recorded on Postal Ballot Papers.

Date:
Station: **Election Officer**

FORM 17

[See sub rule (1) (a) of Rule 53]

(For use in election when the seat is contested)

DECLARATION OF RESULT OF ELECTION UNDER RULE 53 OF THE RULES

In accordance with rule 53 of the Chhattisgarh Sincahi Prabandhan Me Krishko ki Bhagidari Nirvachan Niyam, 2006, I declare that the following candidates have been duly elected to the Office of the President/Member of the Managing Committee of the Water Users Association.

Member, Managing Committee/ President Water Users Association .
Name.....
Address.....

.....
Signature of Election Officer

Score off the words which are not applicable.

FORM 18
(See Rule 54)

CERTIFICATE OF ELECTION

I,.....election Officer for the Water User Association certify that on the (day) of20.....I have declared Sri..... to have duly elected to the Office of the President/Member of the Committee of the WUA and that in token thereof, I have granted to him this certificate of election.

.....
Election Officer

Seal

FORM 19
(See Rule 63 and 64)

**NOTICE OF ELECTION FOR THE OFFICE OF THE PRESIDENT/ MEMBER OF THE
MANAGING COMMITTEE OF**

DISTRUBUTORY COMMITTEE OF IRRIGATION SYSTEM

Notice is hereby given that-

1. An election will be held for electing the President / Members of the Managing Committee of Distrubutory CommitteeIrrigation System on(Date).
2. Nomination papers may be delivered or filed by a candidate or his proposer to the, or file before the undersigned between 11.00 Hrs. and 12.00 Hrs. on (date) at (place).
3. Forms of nomination papers may be obtained from the undersigned on hour the time specified for filling as aforesaid.
4. The nomination papers will be taken up for scrutiny at (place) of Date between 12.00 Hrs.to 13.00 Hrs.
5. Notice of withdrawal of candidature may be delivered by a candidate or his proposer to undersigned between 13.00 Hrs. to 13.30 Hrs. on theat
6. In the event of election being held, the poll will be taken on(Date).....between the 15.00 Hrs. and 17.00 Hrs.
7. Counting will commence after the poll is over, and results declared immediately thereafter.

Place:
Date:

.....
Election Officer

FORM 20
[See sub rule (1) of Rule19]

DISTRUBUTORY COMMITTEE

Nomination Paper

1. Name of the Office:
 - (a) President of the Managing Committee.
 - (b) Member of the Managing Committee.
2. Name of the Water Users Associations for which he is elected as president.
3. Full Name of including Surname of the candidate:
4. Father's or Husband's name:
5. Age :
6. Sex:
7. Caste (SC/ST/OBC/General):
8.
 - (a) Occupation:
 - (b) Address Permanent:
 - (c) Address Temporary:
9. Full Name of the Proposer:
10. Water Users Associations for which he is declared as President:
11. Signature of the proposer:

(Name in Capital Letters)
Date

Candidate's Declaration

I declare that I am eligible and willing to stand for an election.

.....
Signature of the Candidate
(Name in Capital Letters)

This nomination paper was presented to me by.....(person) at
..... Date and Hour.

.....
**Signature of the Election Officer
Or Other Authorised person.**

Decision of Election Officer accepting or rejecting the nomination paper.

I have examined this nomination paper and decode as follows:

.....

Date:

.....
Election Officer.

RECEIPT FOR NOMINATION PAPER AND NOTICE FOR SCRUTINY

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

Serial No. of Nomination paper..... The Nomination Paper of
..... a candidate for Election of President / Member of the Managing
Committee of the Distributory Committee was delivered to me at(hour) on
..... (Date) by the Candidate / Proposer.

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

.....

Date:

Election Officer

FORM 21
(See Rule 22)

**LIST OF NOMINATIONS RECEIVED ON.....(DATE) FOR
THE OFFICE OF THE PRESIDENT/MEMBER OF THE MANAGING
COMMITTEE OF
DISTRIBUTORY COMMITTEE**

S. No. Nomination	Name of the Candidate	Father's Name	Name of WUA	Occupation and address	Sl. No. in Voters list	Name of the Proposer	Name of WUA of the proposer
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

The nomination papers will be taken up for scrutiny between 12.30 P.M. to 1.00 P.M. on
.....the date.....
at..... (place)

Date:

Station: **Signature of election Officer or other authorised person**

FORM 22
[See sub rule (5) of Rule23]

LIST OF VALID NOMINATIONS AFTER SCRUTINY

Name of distrubutory Committee.....
Election of President/Member of the Managing Committee of
.....Distributory Committee.

S. No. Allotted (1)	Name of the Candidate (2)	Name of the Water Users Association he represents (3)
1		
2		
3		
4		
etc.		

Place:

Date: **Election Officer**

FORM 23
[See sub rule (1) of Rule24]

NOTICE OF WITHDRAWAL GIVEN BY THE CANDIDATE

**Election of President/ Member of the Managing Committee of
Distributory Committee**

I, being 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 (hours) on
.....(date) by(name).

Date:
Election Officer

FORM 24
[See sub rule (2) of Rule24]

**NOTICE INTIMATING THE WITHDRAWAL MADE BY THE
CANDIDATE**

**Election of Office of the President/Member of the Managing
Committee of Distributory Committee.....**

S. No. Allotted (1)	Name of the Candidate (2)	Date of which withdrawal notice delivered (3)
1		
2		
3		
4		
5		
etc.		

Place:

Date: **Election Officer**

FORM 25
[See sub rule (1) of Rule25]

LIST OF CONTESTING CANDIDATE

**Election to the President/Member of the Managing Committee of
Distributory Committee.....**

S. No. Allotted (1)	Name of the Candidate (2)
1	
2	
3	
4	
5	
etc.	

Place:

Date: **Election Officer**

FORM 26
[See Rule 66]

BALLOT PAPER

.....**DISTRIBUTORY COMMITTEE**

Ballot Paper for President of the Managing Committee

S.No. of the Voter.....
R.No.
.....**DISTRIBUTORY COMMITTEE**

Signature/Thumb Impression

Ballot Paper for President of the Managing Committee

R. No.	Name of the Candidate in Hindi in Alphabetical Order	R. No.....	Put mark against one name on in the box space provided.
1	NAME		<input type="checkbox"/>
2	NAME		<input type="checkbox"/>
3	NAME		<input type="checkbox"/>
4	NAME		<input type="checkbox"/>
5	NAME		<input type="checkbox"/>
6	NAME		<input type="checkbox"/>
etc.	NAME		<input type="checkbox"/>

1. Name of Distributory Committee

2. Date of Poll

3. Place of Poll

Date:

.....

Signature of the Election Officer

FORM 27
[See Rule 66]

BALLOT PAPER

.....DISTRIBUTORY COMMITTEE

Member of the Managing Committee

S.No. of the
Voter.....

.....

R.No.
.....

Signature/Thumb Impression. Signature/Thumb Impression
.....DISTRIBUTORY COMMITTEE

Member/ Managing Committee

R. No.	Name of the Candidate in Hindi in Alphabetical Order	R. No.....
		Put (√) mark against as many candidates as the number of posts in Managing Committee in the box space provided.
1	NAME	<input type="checkbox"/>
2	NAME	<input type="checkbox"/>
3	NAME	<input type="checkbox"/>
4	NAME	<input type="checkbox"/>
5	NAME	<input type="checkbox"/>
6	NAME	<input type="checkbox"/>
etc.	NAME	<input type="checkbox"/>

1. Name of Distributory Committee

2. Date of Poll

3. Place of Poll

Date:

.....

Signature of the Election Officer

FORM 28
[See sub rule (2) of Rule26 and rule 67]

DECLARATION OF THE RESULT OF ELECTION

In accordance with rule 62 I declare that following candidate(s) has/ have been
duly elected for the Office of the President/ Managing Committee/ Distributory Committee.

Name:

Address:

Place:

Date: **Signature of Election Officer**

FORM 29
(See Rule 74)

**NOTICE OF ELECTION FOR THE OFFICE OF THE
PRESIDENT/ MEMBER OF THE MANAGING COMMITTEE OF**

.....

PROJECT COMMITTEE OF IRRIGATION SYSTEM

Notice is hereby given that –

1. An election will be held for electing the President/ Members of the Managing Committee ofProject CommitteeIrrigation System on(Date).
2. Nomination Papers may be delivered or filled by a candidate or his proposer to the, or file before the undersigned between 11.00 Hrs. and 12.00 Hrs. on(date) at(place).
3. Forms of nomination papers may be obtained from the undersigned one hour before the time specified for filling as aforesaid.
4. The nomination papers will be taken up for scrutiny at(place of Datebetween 12.00 Hrs. to 13.00 Hrs.
5. Notice of withdrawal of candidature may be delivered by a candidate or his proposer to undersigned between 13.00 Hrs. to 13.30 Hrs. on the at
6. In the event of election being held, the poll will be taken on(date)between the 15.00 Hrs. and 17.00 Hrs.
7. Counting will commence after the Poll is over, and the results declared immediately thereafter.

Place:

Date: **Election Officer**

FORM 30
[See sub rule (1) of Rule19]

PROJECT COMMITTEE

Nomination Paper

1. Name of the Office:
 - (a) President of the Managing Committee.
 - (b) Member of the Managing Committee.
2. Name of the Water Users Associations for which he is elected as president.
3. Full Name of including Surname of the candidate:
4. Father's or Husband's name:
5. Age:
6. Sex:
7. Caste (SC/ST/OBC/General):
8.
 - (a) Occupation:
 - (b) Address Permanent:
 - (c) Address Temporary:
9. Full Name of the Proposer:
10. Distributory Committee for which he is declared as President :
11. Signature of the proposer:

(Name in Capital Letters)
Date

CANDIDATE'S DECLARATION

I declare that I am eligible and willing to stand for an election.

.....
**Signature of the Candidate
(Name in Capital Letters)**

This nomination paper was presented to me by.....(person) at
.....Date and Hour.

.....
**Signature of the Election Officer
Or Other Authorised person.**

Decision of Election Officer accepting or rejecting the nomination paper.

I have examined this nomination paper and decode as follows:

.....

Date:
Election Officer.

RECEIPT FOR NOMINATION PAPER AND NOTICE FOR SCRUTINY

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

Serial No. of Nomination paper..... The Nomination Paper of
..... a candidate for Election of President / Member of the Managing
Committee of the Distributory Committee was delivered to me at(hour) on
..... (Date) by the Candidate / Proposer.

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

.....

Date: **Election Officer**

FORM 31
(See Rule 22)

**LIST OF NOMINATIONS RECEIVED ON.....(DATE) FOR
THE OFFICE OF THE PRESIDENT OF THE
MANAGING COMMITTEE OF
PROJECT COMMITTEE**

S. No. Nomination Paper	Name of the Candidate	Father's Name	Name of DC	Occupation and address	Sl. No. in Voters list	Name of the Proposer	Name of WUA of the proposer
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

The nomination papers will be taken up for scrutiny between 12.30 P.M.
to 1.00 P.M. onthedate.....at
.....(place)

Date:

Station: **Signature of election Officer
or other authorised person**

FORM 32
[See sub rule (5) of Rule23]

LIST OF VALID NOMINATIONS AFTER SCRUTINY

Name of Project Committee.....

Election to the President/ Member of the Managing Committee of Project Committee

S.No. (1)	Name of the Candidate (2)	Name of the Distributory Committee he represents (3)
1		
2		
3		
4		
etc.		

Place:

Date: **Election Officer**

FORM 33
[See sub rule (1) of Rule24]

NOTICE OF WITHDRAWAL GIVEN BY THE CANDIDATE

**Election of President/Member of the Managing Committee of
Project Committee**

I,being 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(hours) on
..... (date) by.....(name)

.....

Date: **Election Officer**

FORM 34
[See sub rule (2) of Rule24]

NOTICE INTIMATING THE WITHDRAWAL MADE BY THE CANDIDATE

Election of the office of the President/Member of the Managing Committee of Project Committee

S.No.	Name of the Candidate	Date of which withdrawal notice delivered
(1)	(2)	(3)
1		
2		
3		
4		
5		
etc.		

Place:

Date:

.....
Election Officer

FORM 35
[See sub rule (1) of Rule25]

LIST OF CONTESTING CANDIDATE

**Election to the President/ Member of the Managing Committee of Project
Committee.....**

S.No. (1)	Name of the Candidate (2)
1	
2	
3	
4	
5	
etc.	

Place:

Date: **Election Officer**

FORM 36
(See Rule 76)

BALLOT PAPER

.....PROJECT COMMITTEE

Ballot Paper for President of the Managing Committee

S. No. of the Voter.....

R. No. Signature / Thumb
Impression

.....PROJECT COMMITTEE

Ballot Paper for President

R. No.

R. No.

.....
Name of the Candidate in Hindi
in Alphabetical Order

.....
Put () mark against one name only
in the box space provided.

1	NAME	<input type="checkbox"/>
2	NAME	<input type="checkbox"/>
3	NAME	<input type="checkbox"/>
4	NAME	<input type="checkbox"/>
5	NAME	<input type="checkbox"/>
6	NAME	<input type="checkbox"/>

1	Name of Project Committee
2	Date of Poll
3	Place of Poll

.....
Signature of the Election Officer

FORM 37
(See Rule 76)

BALLOT PAPER

.....PROJECT COMMITTEE

Member of the Managing Committee

S. No. of the Voter.....
R. No. Signature / Thumb Impression

.....PROJECT COMMITTEE

Member of the Managing Committee

R. No.
Name of the Candidate in Hindi in Alphabetical Order
R. No.
Put () mark against one name only in the box space provided.

1	NAME	<input type="checkbox"/>
2	NAME	<input type="checkbox"/>
3	NAME	<input type="checkbox"/>
4	NAME	<input type="checkbox"/>
5	NAME	<input type="checkbox"/>
6	NAME	<input type="checkbox"/>

- 1 Name of Project Committee
- 2 Date of Poll
- 3 Place of Poll

.....
Signature of the Election Officer

FORM 38
[See sub rule (2) of Rule 26 and rule 78]

**DECLARATION OF THE RESULT OF ELECTION UNDER RULE
73 OF ELECTION RULES**

In accordance with the rule 73 of the Election Rule, I declare that the following candidate (s) has/have been duly elected for the Office of the President/Member of the Managing Committee/Project Committee.

Name:

Address:

Place:

Date:

.....
Signature of Election Officer

By order and in the name of the Governor of Chhattisgarh,

**PIM
ELECTION RULES**

Chhattisgarh Sinchai Prabandhan Me
Krishkon Ki Bhagidari
Nirvachan Niyam, 2006

PIM
ELECTION RULES

"CHHATTISGARH SINCHAI PRABANDHAN ME KRISHKON KI
BHAGIDARI NIRVACHAN NIYAM, 2006 "

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PIM ELECTION RULES

NOTIFICATION

In exercise of the powers conferred by Section 55 of the Chhattisgarh Sinchai Prabandhan Me Krishkon Ki Bhagidari Adhiniyam, 2006 (No. 7 of 2006), the State Government hereby makes the following Rules, namely:-

Rules

CHAPTER-I

1. Short title and commencement.-(1) These rules may be called the Chhattisgarh Sinchai Prabandhan Me Krishkon Ki Bhagidari Nirvachan Niyam, 2006
(2) It shall come into force from the date of its publication in the Official Gazette".

2. Defintions.-In these Rules, unless the context otherwise requires,- .

"Act" means the Chhattisgarh Sinchai Prabandhan Me Krishkon Ki Bhagidari Adhiniyam, 2006 (No.7 of 2006);

(a) "Competent Authority" means the competent authority appointed under Section 21 of the Act;

(b) "Candidate" means a person a contesting in the election;

(c) "District Election Officer" means the Collector of the District for conduct of the election under these rules;

(d) "Forms" means the Forms appended to these Rules;

(e) "Returning Officer" means an officer appointed by the District Election Officer;

(g)"Voter List" means the list prepared under sub-rule (1) of rule 4 of the Chhattisgarh Sinchai Prabandhan Me Krishkon Ki Bhagidari Niyam, 2006;

(h)The words and expressions used but not defined in these rules shall have the respective meanings assigned to them in the Chhattisgarh Sinchai Prabandhan Me Krishkon Ki Bhagidari Adhiniyam, 2006 (No.7 of 2006) and the Chhattisgarh Sinchai Prabandhan Me Krishkon Ki Bhagidari Niyam, 2006

CHAPTER-II

ADMINISTRATIVE MACHINERY FOR THE CONDUCT OF ELECTIONS

3. Authorities for the Conduct of elections.-(1) The Secretary of the Government appointed under Section 48 of the Act shall be Divisional Election Authority for the purpose of conducting elections within their respective jurisdiction.

(2) The elections of Members of the Managing Committee and President of the Farmers Organisation shall be conducted under the superintendence, direction, control of District Election Authority.

(3) The District Collector shall be the District Election Authority. The functions of the Divisional Election Authority under these rules may also be performed, by the District Election Authority within his jurisdictions, as may be authorised by the Divisional Election Authority.

(4) The Additional Collector of the District shall be Additional District Election Authority. The Tehsildar, or the Sub-divisional Officer (Revenue), as the case may be in the District shall be the Deputy District Election Authority.

(5) The Additional District Election Authority and the Deputy, District Election Authority shall perform such of those functions as may be assigned to them by the District Election Authority. The District Election Authority may authorise in writing, the Additional District Election Officer or the Deputy Election Authority to exercise in any local area in the District in regard, to any Water Users' Association, the Distributory Committee or the Project Committee in that area any of the powers vested in him under these rules.

4. District Election Authority - Subject to the general superintendence, direction and control of the Divisional Election Authority, the District Election Authority shall be responsible for the conduct, co-ordination and supervision of all works in connection with the conduct of elections of the Members of the managing Committee and President of Water Users' Association and Distributory Committee and the President and members of the Managing Committee of the Project Committee.

5. Election Officer - For every election to fill the seats of Member of the Managing Committee and President of Water Users' Association and the Distributory Committee, and for the office of the President and Member of the Managing Committee of the Project Committee, the District Election Authority shall designate or nominate by order an officer as an Election Officer, who shall be as far as possible be a Gazetted Officer of the State Government of a local authority not below the rank of a Tehsildar..

6. Assistant Election Officers -The District Election Authority may appoint one or more persons as Assistant Election Officers to assist any Election Officer :

Provided that every such person shall be an officer of the State Government or of a local authority.

7. Assistant Election Officer to perform functions of the Election Officer - Every Assistant Election Officer shall, subject to the control of the Election Officer, be competent to perform all or any of the functions of the Election Officer : .

Provided that no Assistant Election Officer shall perform any functions of the Election Officer, which relate to the scrutiny of nominations papers unless the Election Officer is unavoidably prevented from performing the said functions. .

8. Election Officer to act in the manner provided -It shall be the general duty of 'the Election Officer at any election to do all such acts and things as may be necessary for conducting the election in the manner provided under the Act and under these Rules or orders made thereunder.

9. Polling Stations -The District Election Authority shall, subject to such directions as may be issued by the Election Authority, provide as many polling stations as are necessary for the conduct of elections and shall in such manner as the Election Authority may direct publish a list showing the polling stations and the areas or groups of voters for which they have been provided respectively.

10 . Presiding Officers and Polling Officers - (1) The District Election Authority or any officer authorised by him shall appoint 'a Presiding Officer for each Polling Station and such other polling officers as he thinks necessary but he shall not appoint any person ' who has been employed by or on behalf of, or has been otherwise working for a candidate in or about election :

Provided that if a Polling Officer is absent, the Presiding Officer may appoint any person who is present at the polling station other than a person who has been employed by or on behalf of, or has been otherwise working for a candidate in or about the election to be the Polling Officer and inform the Election Officer accordingly:

Provided further that the polling personnel appointed for the conduct of poll for Member of the Managing Committee and President of Water Users' Association, any other officer authorised by him in this' behalf under this rule may also conduct the poll for any other elective office for which the election is conducted simultaneously.

(2) A Polling Officer shall, if so directed the Presiding Officer, perform all or any of the functions of a Presiding Officer under these Rules.

(3) If a Presiding Officer owing to illness or due to unavoidable cause, absents from the polling station his functions, shall be performed by such Polling Officer, as has been authorised by the Election Officer to perform such function during any such absence.

(4) It shall be the general duty of the Presiding Officer at the polling station to keep and maintain public order there at, and to see that the poll is taken in a fair manner.

CHAPTER III

RESERVATION OF TERRITORIAL CONSTITUENCIES AND IN FARMERS ORGANISATION

11. Powers of Collector to determine reserved seats for Territorial Constituencies -

(1) Subject to the provisions of Section 5 of the Act the territorial constituency or territorial constituencies in which seats shall be reserved for women and the members of the Scheduled castes or Scheduled tribes or other backward classes shall be determined by the Collector.

(2) The total number of seats to be reserved for the members of scheduled castes or scheduled tribes or other backward classes shall be in proportion to the total number of water users of such caste, tribe or backward class with the total number of water users of the Water Users Area. Fraction less than half shall be ignored and half and more than half shall be counted as one.

(3) Seats reserved either for the Scheduled Castes, the Scheduled Tribes or other backward classes shall as far as practicable, be allotted in the territorial constituencies in which the percentage of number of water users of the Scheduled Castes, the Scheduled Tribes or other backward classes, as the case may be, worked out by the Collector is found by him to be correspondingly higher in descending number.

(4) Out of the territorial constituencies reserved for women in accordance with sub section 13 of Section 5 number of territorial constituencies shall be reserved for women of scheduled castes or scheduled tribes and/or other backward classes as may bear, as nearly as may be, the same proportion to the total number of seats reserved for women as the total number of territorial constituencies reserved for scheduled castes or scheduled tribes and/or other backward classes bear to the total number of territorial constituencies in the Water Users Area. Seats for women belonging to scheduled castes scheduled tribes and other backward classes shall be allotted from out of the territorial constituencies reserved for scheduled castes and/or scheduled tribes and/or other backward classes under sub-rule (3). Seats belonging to women of general category be allotted from out of the remaining territorial constituencies.

(5) (a) The prescribed authority shall for the purpose of fixing the territorial constituencies in which seats shall be allotted under sub-rule (4) draw lots separately for the territorial constituencies reserved for other backward classes and for women.

(b) For the purpose of allotting territorial constituencies the prescribed authority shall publish a notice at a conspicuous place at the headquarter of the concerned Water Users Association stating that the lots shall be drawn in the office to be named in such notice and on the date and at the time specified therein before the persons who are present to witness the drawl of lots.

(c) For the purposes of allotment of territorial constituencies for women separate chits shall be prepared for general territorial constituencies and territorial constituencies reserved for scheduled castes and/or scheduled tribes and/or other backward classes giving the individual number of territorial constituencies on each of such chit. All the chits meant for general territorial constituencies shall be kept in one pot and those chits for reserved territorial constituencies shall be kept in separate pot/pots. As many chits as are required for allotment of seats for women of general category shall be drawn out and the number of territorial constituencies written on the chits shall be read out before the persons witnessing the draw. Similar procedure shall be adopted for drawing chits from the pots meant for allotment of territorial constituencies for women belonging to scheduled castes, scheduled tribes and/or other backward classes.

(d) The proceedings shall be recorded in writing and signed by the prescribed authority. Signatures of at least two non-official persons witnessing the draw of lots shall also be obtained on proceedings. Their names and addresses shall be written below their signatures.

(e) For the categories of seats which are to be reserved by drawing lots and by rotation, in subsequent election of Water User Association the territorial constituencies previously reserved shall be excluded from drawing lots, for that category till all such territorial constituencies are exhausted.

(f) In accordance with section 5(11) of the Act the reservation of territorial constituencies is subject to the condition that in no case more than fifty percent of the total seats shall be reserved in the Managing Committees of the Water Users Association.

12. Reservation in Distributory Committee and Project Committee-

(1) In accordance with Section 8(6) and Section 11(6) of the Act, the total number of seats to be reserved for the members of scheduled castes or scheduled tribes or other backward classes in the Managing Committees of the Distributory Committee and the Project Committee shall be in proportion to the total number of water users of such caste, tribe or backward class with the total number of water users of the Distributory and the Project Area respectively. Fraction less than half shall be ignored and half and more than half shall be counted as one.

(2) In accordance with sub-rule (1) and subject to Section 8 and Section 11 of the Act the State Government shall reserve seats in every Managing Committee of the Distributory Committee and the Project Committee.

CHAPTER IV

ELECTORAL ROLL FOR THE WATER USERS ASSOCIATION

13. Electoral Roll For The Water Users Association – The electoral roll for Water Users Association shall be the voters list prepared under Rule 4 of the Chhatisgarh Sinchai Prabandhan Mein Krishkon Ki Bhagidari Niyam, 2006

14. Language of the Roll- The roll shall be prepared in Hindi. The roll may also be prepared in such other language or languages considering the necessity therefor.

15. Preparation of copies of rolls – Arrangements shall be made to provide as many copies of the roll as deemed necessary by the Collector for conducting the elections. One copy of all parts of the rolls relating to all the Water Users Association falling within his jurisdiction shall be placed on record at the the office of the Collector. One copy of all parts of the roll related to individual Water Users Association Territorial Constituency-wise shall be placed on record at the office of Water Users Association concerned.

16. Sale of electoral rolls and custody of rolls – (1) The copies of rolls may be sold to the public at the process determined by the Collector, from time to time, and the proceeds shall be remitted into relevant Head of Account of the Government.

(2) One copy of such roll may be kept in the office of the Collector for a period of five years from the date of its final publication or till a new roll is published, whichever is earlier.

CHAPTER-V

ELECTION OF MEMBER OF THE MANAGING COMMITTEE AND PRESIDENT OF WATER USERS' ASSOCIATION

17. Public Notice of Election.-(1) The election shall be held for the purpose of constituting a Water Users' Association after the commencement of the Act and on the expiration of the term of the Water Users' Association or on vacancy in such office either by death, resignation or recall.

(2) For the purpose of sub-rule (1) Divisional Election Authority shall, subject to such directions as may be issued by the State Government in pursuance of and in consonance with the provisions of the Act in this behalf, publish a notice in Form-I, for conducting the election of the Member of the Managing Committee and President of the Water Users' Association in accordance with the provisions of the Act, and under these Rules and orders made thereunder.

(3) The defaulter list shall be displayed, 15 days in advance before the date of publication of the notice in Form-I.

Explanation.-Defaulter means a person who has not paid any sum due by him under Chhatisgarh SInchai Prabhandhan Mein Krishkon Ki Bhagidari Adhinyam, 2006 (No. 7 of 20006) for a period of three years or more.

(4) On the issue of the notice under sub-rule (2) the Election Officer shall give public notice of the elections for Water Users' Association, in form-2 in Hindi language which shall be published at prominent places and in such manner as the Election Officer may direct.

(5) The dates fixed for the, various stages of the election shall be subject to the following

(a) The last date for making nominations shall be not earlier than the fourth day and not later the tenth day after the publication of the notice referred to in sub-rule (2) whether or not it is a public holiday;

(b) The date for the scrutiny of nominations shall be the day immediately following the last date for making nominations whether or not it, is a public holiday;

(c) The last date and time for withdrawal of the' candidature shall not be later than 3.00 p.m. of the third day succeeding the day appointed for scrutiny of the nominations, whether or not it is a public holiday;

(d) The date or dates on a poll shall be taken, which or first of which shall be a date not earlier than the tenth day after the last date for withdrawal of the candidature;

(e) The poll shall commence on the day fixed, at 8.00 a.m. and shall be closed by 2.00 p.m. soon after the polling is over, counting shall commence and the results shall be declared on the same day;

18. Special Election Programme.-Notwithstanding anything contained in these rules, where the election process is interrupted or the. election programme has to be altered on account of the orders of any Court of Law or for other valid reasons to be recorded in writing, it shall be competent for the Election Authority either generally or in respect of specified Water Users' Association to alter the election programme as he deemed fit, in the circumstances of the case without having regard to sub-rule (5) of rule 17 and the Election Officer shall give effect to the same:

Provided that where the election programme is re-notified under this rule commencing from the making of nominations, the nominations already made shall be disregarded and the deposits, if any, made under Rule 21 shall be refunded.

19. Nomination of Candidates.-(1) Any person may be nominated as a candidate to fill the office of Member of the managing Committee and President Water Users' Association and Distributory committee, President / Member of Managing Committee of Project Committee if he is qualified to be chosen to fill the seat under the provisions of the Act. Every nomination paper shall be in Form-3, for Water Users' Association, in form-20 for the Distributory Committee and in form-30 for the Project committee and shall be presented on or before the date appointed, by the candidate or by his proposer in person in form-3 for Water Users' Association in form-20 for the distributory Committee and in Form-30 for the Project Committee, between the hours specified [in sub-rule (5) of rule 17] duly signed by the candidate and by the proposer. The candidate shall sign' the declaration on the nomination paper.

(2) A candidate for the office of Member or President of Water Users' Association, Distributory committee and Member of President of Project Committee and his proposer shall be such persons whose names are registered in the voters' list for that Water Users' Association, Distributory Committee or Project Committee respectively.

(3) Each candidate shall be nominated on a separate nomination paper.

(4) A candidate may be nominated by more than one proposer separately for the same elective office in a separate nomination form:

Provided that not more than four nominations shall be filed by or on behalf of a candidate.

20. Presentation of Nomination Paper and Requirements of Valid Nomination.-(1) on or before the date appointed, each candidate either in person or, by his proposer deliver to the authorised election officer, during the time and the place specified in the notice issued under rule 17, a duly completed nomination paper in form-3 and signed by the candidate and an eligible voter of the concerning Water Users' Association as proposer.

(2) On receiving nomination paper, the Election Officer shall forthwith number the nomination paper serially in the order in which it is presented and give a receipt as provided in Form-3 for Water Users' Association, in form-20 for the Distributory Committee and form-30 for Project Committee and the election Officer or such other authorised person shall satisfied himself that the name and number of the candidate and his proposer, as entered in the nomination paper, are the same as those entered in' the electoral roll. Whether necessary, he shall direct that the nomination form be amended so as to be in accordance with the electoral roll.

(3) The Election Officer may while interpreting an entry in the voters' list overlook the clerical or printing errors, only, but he shall record the interpretation adopted. by him, together with the reasons therefor, while making the formal acceptance or rejection on scrutiny of a nomination.

21. Security Deposits.-(1) (a) A candidate shall not deemed to be duly nominated for the election to the office of the Member of the Managing Committee and President of Water Users' Association unless has deposited or cause to be deposited a sum of two hundred rupees as security deposit with the Election Officer in cash and receipt obtained therefor before the time of presentation of his nomination paper.

(b) A candidate desirous to contest for the office of the President and also as Member of the Managing Committee of the Distributory Committee shall deposit or cause to be deposited a sum of Rs. 500/- (rupees five hundred only), and Rs. 300/- (Rupees three hundred only) respectively as security deposit respectively with Election Officer in cash and receipt obtained therefor before the time of presentation of his nomination paper. No candidate shall be deemed to have been duly nominated unless the said security deposit has, been made.

(c) A candidate desirous to contest for the office of the President and also as Member of the Managing Committee of the Project Committee shall deposit or cause to be deposited a sum of Rs. 1000/- (Rupees one thousand only), and Rs. 600/- (Rupees six hundred only) as security deposit respectively with Election Officer in cash and receipt obtained therefor before the time of presentation of his nomination paper. No candidate shall be deemed to have been duly nominated unless the said security deposit has been made:

Provided that where a candidate has been nominated in more than' one nomination paper, not more than one security deposit shall be required to be made.

(2) If no nomination paper. is received within the time appointed in that behalf, in respect of any person by whom/or whose behalf the security deposit referred to in sub-rule (1) has been made or if the nomination of any such person is rejected, or if he withdraws his candidature in the manner and within the time specified in sub-rule (1) of Rule 24, the security deposit shall be returned immediately to the person by whom it made and if any candidate dies before commencement of the poll, any such security deposit if made by him shall be returned to his legal representative, if not made by the candidate, shall be returned to the person by whom it was made.

(3) If a candidate by whom or on whose behalf the security deposit referred to in sub-rule (1) has been made, is not elected and the number of valid votes polled to him does not exceed one eighth of the total number of valid votes polled by all the candidates, the security deposit shall be forfeited to the Government.

(4) The security deposit made in respect of a candidate shall, .if it is not forfeited under sub-rule (3) be returned to the candidate or to the person who has made the security deposit on his behalf, as the case may be, within thirty days after publication of the result of election in accordance with Rule 55.

(5) A security deposit required to be returned to any person under sub-rule (4) shall, if such person is dead, be returned to his legal representative.

(6) Notwithstanding anything candidate in this rule immediately after publication of the result of election, the Election Officer or the person authorised by the District Election Authority in this behalf, shall pass an order as to whether a security deposit made under sub-rule (1) shall be refunded or forfeited. The Competent Authority of the concerning Water Users' Association shall within thirty days from the date of publication of the result, return the security deposit to the person who made the security deposit or to his legal representative when such security deposit is refundable. In the case of forfeited of security deposit under sub-rule (2), the Election Officer shall communicate an order to the person concerned who made the security deposit by giving the reasons for such forfeiture.

(7) The amounts received towards election security deposit, challenge fee etc., credited to the Water Users' Association / Distributory Committee / Project Committee as the case may be, the fund shall be remitted to Government Account by the concerning Competent Authority after deducting any refunds made to the concerned person for any reason provided under these rule.

22. Publication of Nominations.-Immediately after expiration of the time specified for receipt of the nomination papers on the date fixed for that purpose, the Election Officer or such other authorised person shall publish at his office in Hindi language a list in Form-4 for Water Users' Association, in Form-21 for Distributory Committee and in Form-31 for Project Committee of all the nominations received, with a notice that the nomination papers will be taken up by the Election Officer for scrutiny at the specifying the place', the date and time.

23. Scrutiny of Nomination Papers.-(1) On the date appointed for scrutiny of the nominations, the candidates, the proposer of each candidate and one other person duly authorised in writing by each candidate, may attend at such time and place as may be specified under rule 23. No other person shall be entitled to be present. The Election Officer may, however, admit such other persons as he thinks fit to assist him. The Election Officer give such persons all reasonable

facilities to examine the nomination papers of all the candidates, which have been received as aforesaid.

(2) The Election Officer shall then examine the nomination papers and shall decide on all the objections which may be made to any nomination and may either on such objection or on his own motion after summary enquiry as he thinks necessary, reject any nomination on any of the following grounds, namely:

(a) that the candidate is disqualified for election as Member or President of Water Users' Association Distributory Committee and President of Project Committee as the case may be, under Section 19 of the Act; or

(b) that the name of the candidate or of his proposer or both is or are not registered in the voters' list; or

(c) that the candidate or his proposer has failed to comply with any of the provisions of rule 19 or 21; or

(d) that the signature or the thumb impression of the candidate or the proposer in the nomination paper is not genuine:

Provided that the Election Officer shall not reject any nomination paper on the ground of mere clerical or printing error or any defect which is not of a substantial character.

(3) The Election Officer shall endorse on each nomination paper, his decision, accepting or rejecting the same and, if the nomination paper is rejected, he shall record in writing brief statement of his reasons for such rejection. The scrutiny shall as far as practicable, be completed on the date appointed in this behalf under rule 23 and no adjournment of the proceedings shall ordinarily be permissible except to provide an opportunity to a candidate to rebut any contention raised against his candidature.

(4) For the purpose of this rule, a certified copy of an entry in the voters' list in force of a Water Users' Association / Distributory Committee / Project Committee as the case may be shall be conclusive evidence of the fact that the person referred to in that entry is an elector for the Water Users Association/Distributory Committee/Project Committee, unless it is proved that he is subject to any disqualification mentioned in the Act.

(5) Immediately after all the nomination papers have been scrutinized and the decision regarding accepting or rejecting the same have been recorded, the Election Officer shall prepare a list of validly nominated candidates, and affix it on the notice board of his office in Form 5 for Water Users' Association, in form 22 for Distributory Committee and in Form 32 for Project Committee as the case may be.

24. Withdrawal of Candidature.-(1) Any candidate may withdraw his candidature by notice in writing in Form 6 for Water Users' Association, in Form 23 for Distributory Committee and in Form 33 for Project Committee, signed by him and delivered to the Election Officer either by such candidate in person or by his proposer or by his election agent at any time after the presentation of his nomination paper and not later than 3.00 pm of the third day succeeding the day appointed for scrutiny of the nominations in case of Water Users' Association and between 1.00 PM to 1.30 PM of the same date in case of Distributory Committee and Project Committee, whether or not it is public holiday. The Election Officer shall give a receipt for the same as

provided in Form 6 for Water Users' Association, in Form 23 for Distributory Committee, in Form 33 for Project Committee on being satisfied as to the genuineness of the notice of withdrawal and the identity of the person delivering it.

(2) The Election Officer on receiving a notice of withdrawal under sub-rule (1) shall, as soon as may be, cause a notice of the withdrawal to be published in Form 7 for Water Users' Association, in Form 24 for Distributory Committee and in Form 34 for Project Committee as the case may be.

(3) A candidate who has withdrawn his candidature under sub-rule (1) shall not be allowed to cancel the withdrawal or to be re-nominated as a candidate for the same election.

25. Publication of list of contesting candidates.-(1) Two days after scrutinizing of the nominations, the Election Officer shall prepare in Hindi language a list in Form 8 for Water Users' Association, and on the same day in Form 25 for Distributory Committee and in Form 35 for Project Committee of persons whose nominations have not been rejected and who have not withdrawn their candidature and publish it on the notice board of his office.

(2) The list shall contain the names of the candidates in alphabetical order in Hindi and shall describe them as in their nomination paper and if poll is found to be necessary it shall also specify the distinctive symbols allotted to them under sub-rule (3).

(3) If a poll is found to be necessary, the Election Officer shall assign to each candidate subject to such directions as may be issued by the Divisional Election Authority in that behalf, a distinctive symbol.

(4) In every case where a symbol is assigned to a candidate under sub-rule (3) such candidate of his election agent shall be informed forthwith regarding the symbol so assigned and be supplied with a specimen thereof by the election officer.

26. Declaration of Result of Uncontested Candidate.-(1) If the number of contesting candidates is more than one, poll shall be conducted.

(2) If there is only one validly nominated candidate, the Election Officer shall forthwith declare such candidate as duly elected in Form 9 for Water Users' Association, in Form 28 for Distributory Committee and in Form 38 for Project Committee and send the same to the Divisional Election Authority and the District Election Authority.

27. Death of Candidate Before poll.- If a contesting candidate dies and a report of his death is received before commencement of the poll, the Election Officer shall after being satisfied of the fact of the death of the candidate, countermand the poll and election proceedings shall be started afresh in all respects as if it is a new election;

Provided that no fresh nomination, shall be necessary in the case of a candidate who stood validly nominated at the time of countermanding of the poll.

Provided further that no person who has given a notice of withdrawal of his candidature under rule 24 before the countermanding of the poll, shall be ineligible for being nominated as a candidate for the election of after such countermanding.

28. Appointment of agents.-(1) (a) A candidate at an election to the office of the President of a Water Users Association, may appoint anyone person to be his election agent. Such appointment

shall be given in Form 10 by forwarding the same in duplicate to the Election Officer who shall return one copy thereof to the election agent after affixing therein his seal and signature in token of his approval of the appointment.

(b) An election agent may perform such functions in connection with the election as are authorised by or under these rules to be performed by an election agent.

(2) (a) The number of polling agents that may be appointed by a contesting candidate of his election agent, shall, in respect of each polling station, be one agent and a relief agent.

(b) Every such appointment shall be made in Form 11 and shall be handed over to the polling agent for production at the polling station;

(c) No polling agent shall be admitted into the 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 thereon.

(d) A polling agent may perform such functions in connection with the poll as are authorised by or under these rules.

(3) (a) Each candidate may appoint such number of counting agents at the place of places fixed for counting as may be specified by the District Election Authority.

(b). Every such appointment shall be made in Form 12 in duplicate, one copy of which shall be forwarded to the Election Officer while the other copy shall be made over to the counting agent for production before the election Officer not later than one hour before the time fixed for counting.

(c) A counting agent may perform such functions in connection with the counting of votes as are authorised by or under these Rules.

(4) (a) 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.

(b) A contesting candidate himself or his election agent may do any act of thing which any polling agent or the counting agent of such contesting candidate if appointed would have been authorised by or under these rules to do, or may assist any polling agent or counting agent or such contesting candidate in doing any such act or thing.

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

29. Voting.- (1) If poll has to be taken, the Election Officer shall appoint forthwith one or more presiding Officers at each polling station and may pay the remuneration as fixed by the Government for their services. The Election Officer shall provided for each Presiding Officer such number of Polling Officers as may be necessary and also. If necessary appoint one or more identifying officers to assist the presiding Officer in identifying the electors.

(2) The Presiding Officer shall see that the election is fairly conducted and to that end keep order at the polling station to regulate 'the number of electors to be admitted at one time, and shall exclude all persons other than.

(a) the candidates, and at each booth one polling agent at a time of each candidate appointed in writing by the candidate;

(b) the police or other public servants on duty;

(c) Polling officers and such persons as the presiding Officers may from time to time admit for the purpose of identifying electors;

(d) persons authorised by Government;

(e) a child in arms accompanying an elector; and

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

(3) Where a woman elector cannot be identified by the identifying officers appointed under sub-rule (1) by reason of her observing purdah, she may be required to be identified by any of her near relatives unless she other wise satisfied the Presiding Officer of her identity.

Explanation: if any question arises as to whether a person is or is not a near relative within the meaning of this sub-rule be decided by the Presiding Officer and his decision shall be final.

30. Right to vote.-All electors voting shall vote in person. at the polling station as provided under' the rules.

31. Arrangements of polling station.-(1) Outside each polling station there shall be displayed prominently:

(a) a notice specifying the polling area, the serial number of electors in relevant voters' list who 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;

(b) copy of the list of contesting candidates with the serial numbers and the symbols assigned to them; and

(c) Each of the polling station shall contain one or more separate compartments in which electors are' to cast their votes.

Note: that the polling station should be able to accommodate voters as specified by the Divisional Election Authority.

(2) There shall be two ballot boxes in the polling booths-One for the Member of the Managing Committee and the other for President of Water Users' Association.

Provided that where for an election to Water Users Association, the number of voters is few, the district Election Authority may, depending upon the number of voters in each polling station use one ballot box for casting of votes for election the President and of the Members of the Managing Committee;

(3) The Election Officer shall provide at each polling station sufficient number of ballot boxes, together with copies of the electoral roll or such part thereof, as may contain the names of the electors entitled to vote at the station, and such other papers, and articles necessary for electors to mark the ballot papers, stationary and forms as may be necessary.

31-A. Preparation of ballot boxes.-(1) Where a paper seal is used for securing a ballot box, the Presiding Officer shall affix his own signature on the paper seal and obtain thereon the signature of such of the candidates or their election agents or the polling agents present as are desirous of affixing the same.

(2) 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 therein remains open.

(3) 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.

(4) Where it is not necessary to use paper seals or securing the ballot boxes, the Presiding Officer shall secure and seal the ballot box in such manner that the slit for the insertion of ballot papers remains open and shall allow the polling agents present to affix, if they so desire, their seals.

(5) Every ballot box used at a polling station shall bear label both inside and outside marked with:

(a) the description of the polling station;

(b) the serial number of the ballot box (to be filled in at the one of the polls on the label outside the ballot box only); and

(c) the date of poll.

(6) Immediately before commencement of the poll the Presiding officer shall demonstrate to the polling agents and other persons present that the ballot box is empty and bears the labels referred to in sub-rule (5).

(7) The ballot box shall then be closed sealed and secured and placed in full view of the Presiding Officer and polling agents.

(8) Immediately before commencement of the poll, the Presiding Officer shall demonstrate to the polling agents and other present the marked copy or, as the case may be, marked copies of the voters' list to be used during the poll.

32. Form of ballot paper.- (1) Every ballot paper shall have a counter-foil attached and the said ballot paper and the counterfoil shall be in such form as the Divisional Election Authority may, by order, direct.

(2) Every ballot paper shall, before issue to an elector, be,-

(a) Stamped or shall be written on its back such of the details as may be specified by the Divisional Election Authority,

Name and number of the polling station

Name of the Water User Association

Name of the Revenue Circle.

(b) signed in full on its back by the Presiding Officer.

33. Issue of Ballot Papers.-(1) Immediately before any ballot paper is issued to an elector the Presiding Officer shall

(a) call upon the number, name and description of the elector as stated in the voter list, and

(b) record on its counterfoil the voters' list number of the elector as entered in the marked copy of the voters' list and obtain the signature or the thumb impression of the elector on the said counterfoil:

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

(2) The Presiding Officer or Polling Officer, as the case may be, shall underline the entry relating to the elector in the marked copy of the voters' list with him in every case and where the elector is a female shall put a (√) mark also on the left hand side of the name of the female elector.

(3) The Presiding Officer or Polling Officer, as the case may be, shall apply the indelible mark on the ridge between the skin and the root of the nail of left-hand forefinger to him.

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

34. Maintenance of Secrecy of voting by Electors and Voting Procedure.-(1) Every elector to whom a ballot paper has been issued under rule 33 or under any other provisions of these rules shall maintain secrecy of voting within the polling station and for that purpose observe the voting procedure hereafter laid down.

(2) The elector on receiving the ballot papers as the case may be, shall forthwith:

(a) proceed to one of the voting compartments;

(b) make a mark on the ballot paper with the instrument supplied for the purpose on or near the symbol allotted to the candidate for whom he intends to vote;

(c) fold the ballot paper vertically first and thereafter horizontally so as to conceal vote;

(d) insert the folded ballot paper into the specified ballot box, and;

(e) leave the polling station by the exit provided;

(3) Every elector shall vote without undue delay.

(4) No 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 Presiding Officer to observe the procedure laid shown 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 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 word "Cancelled" voting procedure violated" and put his signature below these words and all such papers shall be kept in a separate cover which shall bear on its face the words "Ballot papers-voting procedure violated".

(7) Without prejudice to any other penalty to which an elector, from whom a ballot paper has been taken back under sub-rule (5), may be liable and the vote, if any recorded on such ballot paper shall not be counted.

35. Blind and Infirm Voters.-(1). If owing to blindness or other physical infirmity an elector is unable to recognise the symbols on the ballot paper or to make thereon, the Presiding Officer shall record the vote on the ballot paper in accordance with the wishes of the elector, fold it so as to cancel the vote and insert it into the ballot-box.

(2) While acting under this rule, the Presiding Officer shall observe secrecy and shall keep a brief record of each such instances but shall not indicate therein the manner in which any vote has been given.

36. Facilities to Women Electors.-Special facilities in accordance with the instructions, if any, issued by Divisional Election Authority in that behalf may be accorded to women elector.

37. Identification of Electors.- When a person presents himself to vote and at any time before a ballot paper is supplied. to him, the Presiding Officer may of his own accord and shall, if so required by a candidate or his polling agent, put to such person either one or both of the following questions:

(i) Are you the person enrolled as follows (reading the whole entry from the roll)?

(ii) Have you already at the present election at this polling station. or at any other polling station? And the person shall not be supplied with a ballot paper unless he gives an unqualified answer to the question or questions put to him/her in the affirmative to the first and in the negative to the second or such questions except as mentioned herein, every person whose name is found on the voters' list shall be entitled to. be supplied with a ballot paper.

38. Tendered Votes.-(1) If a person representing himself to be 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 provision to mark ballot paper (hereinafter in these rules referred to as a "Tendered Ballot Paper") in the same manner as any other elector.

(2) Every such person, shall before being supplied with a tendered ballot paper, sign his name against entry relating to him in a list in Form 13.

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

(a) taken serially from the bottom of the bundle of ballot papers issued for use at the polling stations in successive cases; and

(b) enforced on the back with the words "Tendered Ballot Paper" by the Presiding Officer in his hand and signed by him.

(4) The elector, after making 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 specifically kept for the purpose.

39. 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 five rupees in cash with the Presiding Officer for each such challenge.

(2) On such a deposit being made, the Presiding Officer shall-

(a) warn the person challenged of the penalty impression;

(b) read the relevant entry in the voters' list in full and ask him whether he is the person referred to in the entry;

(c) enter his name and address in the list of challenger votes in form-14; and

(d) require him to put his signature or thumb impression in the list.

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

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

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

(c) administer on oath to the challenger and any other person offering to give evidence.

(4) If, after the enquiry 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.

40. Safeguards against Impersonation.-(1) Every elector about whose identity the Presiding Officer or the Polling Officer, as the case may be, is satisfied shall allow his left forefinger to be inspected by the Presiding Officer or Polling Officer and an indelible ink mark to be put on it.

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

(3) The Presiding Officer shall be at liberty to refuse to deliver a ballot paper to any person for voting at the polling station if at the time such person applies for a ballot paper has already an indelible ink mark referred in sub-rule (1) and (2).

41. Spoilt and Returned ballot Papers.-(1) An elector who has inadvertently dealt with his ballot may, be delivering 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 as "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 paper cancelled under sub-rule (1) and sub-rule (2) shall be kept in a separate packet.

42. Closing of poll and sealing of Ballot Boxes and -covers after poll.-(1) The Presiding Officer shall close the polling station at the hour appointed for closing under clause (e) of sub-rule (5) of rule 17 and shall not thereafter admit any elector into a polling station :

Provided that all elector 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.

(3) The Presiding Officer of each polling station as soon as practicable after the close of the poll shall close the slit of ballot box and where the box does not contain any mechanical devise for closing the slit, he shall seal up the slit and also allow any polling agent present to affix his seal. The ballot box shall thereafter be sealed and secured.

(4) Where it becomes necessary to use a second ballot box by reason of the first ballot box getting full, the first box shall be closed; sealed and secured as provided in sub-rule (3) before another ballot box is put into use.

(5) The foregoing provisions of this rule shall not apply to a Presiding Officer of a polling station to whom Divisional Election Authority has issued a direction asking him to proceed in accordance with sub-rule (6).

(6) At any such polling station as may be specified under sub-rule (5) as soon as practicable, after the close of poll, the Presiding Officer shall

(a) transfer all the ballot papers, contained in the ballot boxes used at that polling station, without examining or counting them and due regard to the secrecy of the ballot, into a clothe bag or cloth lined cover after demonstrating to the polling agents present that the bag or cover is empty; and

(b) allow the polling agent present to inspect each ballot box and demonstrate to them that it has been emptied.

(7) The Presiding Officer of each polling station; as soon as practicable after the close of the poll, shall in the presence of any candidate or polling agents who may be present make up the following into separate packets and seal with his own seal and the seals of such candidates or agents as may decide to affix their seals:

(i) the tendered ballot papers;

(ii) the unused ballot papers;

(iii) the spoilt and returned ballot papers;

(iv) the marked copy of the electoral roll;

(v) the tendered voters' list;

(vi) the list of challenged votes with the statement or statements mentioned in sub-rule (2) of rule 39;

(vii) counterfoils of used ballot papers; and

(viii) the ballot papers cancelled for violation of voting procedure under rule 34.

(8) Each packet shall be numbered and shall bear a note as to its contents, description of the election and the polling stations. Where no vote has been recorded at any polling station, the Presiding Officer shall submit a 'nil' report together with the statement in form-15.

43. Account of Ballot Papers, Ballot Boxes, packet etc.-(1) the packets shall be accompanied by a statement in a separate cover in Form 15, made by the Presiding Officer showing the number of ballot papers, in the ballot boxes and unused, spoilt, returned and tendered ballot papers. The Presiding Officer shall then deliver or cause to be delivered to the election Officer at such place as the Election Officer may direct:

(a) the ballot boxes or, as the case may be, the bags or covers referred to in rule 33;

(b) the ballot paper account or accounts;

(c) sealed packets or sets of sealed packets referred to in rule 42; and

(d) all other papers used at the poll.

(2) The Election Officer shall make adequate arrangements for the safe transport of all ballot boxes, packets and other papers and for their safe custody until commencement of the counting of votes.

44. Scrutiny of Opening of ballot boxes and counting of Votes.-(1) (a) The counting of votes shall commence on the day and at the place and hour appointed in this behalf.

(b) the Election Officer shall, at least three days before the date, or the first of the dates, fixed for the poll appoint the 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 election Officer finds it necessary to do so, 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.

(c) Votes shall be counted by or under the supervision of the Election Officer. The Election Officer shall appoint such number of counting assistants as may be necessary to assist him in counting of votes.

(d) Each candidate, election agent of each candidate, and one representative of each candidate authorised in writing by the candidate shall have a right to be present except such person or persons as Election Officer may appoint to assist him in counting votes. No person shall be appointed to assist in counting the votes who has been employed by or on behalf of any candidate or any person whatsoever connected with the election of a candidate.

(2) (a) the election Officer shall open, or cause to be opened, simultaneously the ballot box or boxes used at more than one polling station and shall have the total number of ballot papers found in such box or boxes counted and recorded in Part II of Ballot Paper Account in Form-15.

(b) 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 form-15 minus the number of ballot papers cancelled as shown in item 4 thereof and the number of papers as shown in item 5 thereof, shall also be recorded in Part II of form-15.

(c) Before any ballot box is opened for counting of votes the counting agents presents thereat shall be allowed to inspect the paper seal or such other seal as might have been affixed thereon and to satisfy themselves that the ballot box is intact.

(d) The Election Officer shall satisfy himself that none of the ballot boxes has in fact been tampered with in any way.

(e) If the Election 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 in Rule 49 in respect of that polling station.

(3) The Election Officer shall, as far as practicable, proceed continuously; with the counting of votes, and shall, during any necessary intervals during which the counting has to be suspended. Place ballot papers, packets and other documents relating the election under his own seal and seals of such candidates or agents as may desire to affix them and shall cause adequate precautions to be taken for their safe custody.

45. Admission to the place fixed for counting.-The Presiding 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 Government;

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

(d) candidates, their election agents and one representative of each candidate appointed in writing by the candidates as counting agents;

46. Rejection of ballot papers.-(1) Subject to such general or special directions, if any, as may be given by the Divisional Election Authority in this behalf, the ballot papers shall be counted polling stationwise.

(2) The election Officer shall reject a ballot paper-

(a) if it bears any mark of writing by which the elector can be identified; or

(b) if it bears no mark at all to indicate the vote, it bears a mark elsewhere thereon or near the symbol of one of the candidates on the face of the ballot paper or, it bears a mark made other than with the instrument supplied to the purpose; or

(c) if votes are given on it in favour of more than one candidate;

(d) if the mark indicating the vote thereon is placed in such manner as to make it doubtful as to which candidate the vote has been given, or

(e) if it is a spurious ballot paper; or

(f) if it is so damaged or mutilated that its identity as a genuine ballot paper cannot be established; or

(g) if it bears a serial number-or is of a design, different from the serial numbers or, as the case may be design, of the ballot papers authorised for use at the particular polling station; or

(h) If it does not bear both the distinguishing mark and the signature which it should have borne under the provisions of sub-rule (2) of Rule 32;

Provided that where the Election 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 by the reason 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 a ballot paper under sub rule (1) the Election 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 Election 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 as one valid vote;

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

(7) After counting of all ballot papers contained in all the ballot boxes used in a Water Users' Association have been completed, the Election Officer shall make the entries in a result sheet in Form 16, and announce the particulars.

(8) The decision of the Election Officer as to the validity of a ballot paper shall be final subject to security only.

47. Recount of votes.-(1) After such announcement has been made under sub-rule (7) of rule 46, a candidate or, in his absence, his election agent or any of his counting agents may apply in writing to the Election Officer for recounting of the votes either wholly or in part stating the grounds on which he demands such recount.

(2) On such an application being made the Election Officer shall decide the matter and may allow the application in whole or in part or may reject it wholly if it appears to him to be frivolous or unreasonable.

(3) Every decision of the Election Officer under sub-rule (2) shall be in writing and contain the reason therefor;

(4) If the Election Officer decide under sub-rule (2) to allow a recount of the votes either wholly or in part he shall

(a) arrange for the recounting in accordance with Rule 45 and 46;

(b) amend the result sheet in Form 16 to the extent necessary after such recount; and

(c) announce the amendments so made by him.

(4) After the total number of votes polled by each candidate has been announced under sub-rule (4) the Election Officer shall complete and sign the Result Sheet in Form 16 and no application for a further or second recount shall be entertained thereafter.

48. 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 lead to any of those candidates being declared elected, the Election Officer shall forthwith decide between those candidates by lot, and proceed as if the candidate on whom the lot falls had received the additional vote.

49. Disturbances at the time of counting of votes.-(1) If at any time before the counting of votes is completed and ballot papers used at a polling station or at a place fixed for the poll are unlawfully taken out of the custody of the Election Officer or are accidentally or intentionally destroyed or lost or are damaged or tampered with, to such an extent -that the result of the poll at that polling station or place can not be ascertained, the Election Officer forthwith report the matter to the Divisional Election Authority.

(2) Thereupon, the Divisional Election Authority after taking all material, circumstances in to account, either

(a) direct that the counting of votes shall be stopped, declare the poll at that polling station or place to be void, appoint a day, and fix the hours for taking a fresh poll at that polling station or place and notify the date so appointed and hours so fixed in such manner as he, may deem fit, or

(b) if satisfied that the result of a fresh poll at that polling station or place will not, in any way, affect the result of the election, issue such directions to the Election Officer as may deem proper for the resumption and completion of the election and for further conduct and completion of the election in relation to which the votes have been counted.

(3) The provisions of these Rules and any rules or orders made there under shall apply to any and every such fresh poll as they apply to the original poll.

50. 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 up into a separate packet which, shall be sealed with the seals of the Election 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 be sealed shall be recorded the following particulars namely

(a) the number of the polling station number of ward/name of Water User Association/Janpad Panchayat, and

(b) the date of counting.

51. Transfer o ballot papers to cloth bags.-The provisions of Rules 45, 46 and 50 shall apply so far as may be in relation to counting of ballot papers and votes, which have been transferred from ballot boxes to cloth bags or cloth lined covers under sub-rule (6) of Rule 42.

Provided that every reference in the said Rules to a ballot box, shall be construed as a reference to a bag or cover to which the contents of a ballot box have been transferred.

52. Counting of votes in case of fresh poll.-(1) If a fresh poll is held under sub-rule (7) of Rule 57, the Election Officer shall after completion of the poll recommence the counting of votes on the date and at the time and place which have been fixed by him in that behalf and for which notice has been previously given to the candidates or their election agents.

(2) The Provisions of Rules 43 and 50, shall apply so far as may be to such, further counting.

53. Declaration of Result.-(1) The Election Officer shall, subject to the provisions of Rule 48, in so far as they apply to any particular case;

(a) declare in Form 17 the candidate to whom the largest number of valid votes have been given (to be elected under Rule 46 and ,send signed copies. thereof to the Divisional Election Authority and the District Election Authority; and

(b) complete the entries of the result of election in Form 16 and send signed copies thereof to the Divisional Election Authority and the District Election Authority.

(2) Copies of result sheet in Form 16 shall be supplied to the contesting candidates on payment of fee as charged for supply of certified copies of other Government records, Copies of Form 17 shall also be supplied to the contesting candidate on payment of rupees two for each copy. The District Election Authority, or Election Officer on receipt of an application shall issue the certified copies referred to above.

54. Grant of Election Certificate.-As soon as may be, after a candidate has been declared by the Election Officer under Rule 20 or as the case may be under Rule 55, to be elected, the Election Officer shall grant such candidate' a certificate of election in Form 18, and obtain from the candidate an acknowledgement of its receipt duly signed by him and immediately send the acknowledgement by a registered post to the District Election Authority under intimation to the Divisional Election Authority.

55. Publication of Results.- The Election Officer shall publish on the notice Board in the office of the Water Users' Association concerned a notification signed by him, stating the name of the candidate duly elected.

56. Disposal of ballot papers:(1) The Divisional Election Officer shall, after declaring the results forward a copy of the return of the Competent Authority concerned and shall hand-over to the Officer authorised by the Election Authority the packets of ballot papers, whether counted, rejected or tendered. These packets shall not be opened and their contents, shall not be inspected or produced except under the orders of an authority competent to decide election disputes.

(2) The Officer so authorised shall return packets and the marked copies of the voters' list for a year and shall then, unless otherwise directed by the orders of an authority competent to decide election disputes, cause them to be destroyed.

57. Adjournment of poll in emergencies.-(1) Where the proceedings at any polling station are seriously interrupted or obstructed by any riot of open violence or other wise or where a large number of electors are unable to attend the poll at a polling station by reason of an act of God, such as flood or fire, the Presiding Officer shall stop the poll, pending receipt of the orders of the District Election Authority. The fact that the poll has been so stopped shall be immediately announced by the Presiding Officer to the persons present at the polling stations.

(2) Where a Presiding Officer stops a poll under sub-rule (1) he shall observe the procedure laid down in Rules 42 and 43 and forthwith make a full report of the circumstances to the Election Officer, who shall forward the same expeditiously with his remarks thereon, if any, to the Divisional j Election Authority.

(3) The Divisional Election Authority shall thereupon order-

(a) that the poll continued at the polling station for the number of hours .for which it was not held on the previous occasion provided that not less that 50% of the voters have cast their votes; or

(b) that the proceedings at the poll held at the polling station on the previous occasion be ignored and that a fresh poll be held at such polling station for the full number of hours for which it should have been held on the previous occasion; and

(c) any order passed by the Divisional Election Authority under this sub-rule shall be final.

(4) a order passed under sub-rule (3) shall-

(a) State-

(i) the date on which, and the hours between which the continuation poll or the fresh poll, as the case may be shall be held; and

(ii) the date on which and the place and hour at which, the Election Officer, will commence the counting of the votes under Rule 52; and

(b) be given wide publicity in the polling area concerned by the Election Officer, in such matter as the District Election Authority may direct, announcing the date, place and hour of polling fixed under Clause (a)

(5) (a) where an order is passed under clause (a) of Sub rule (3) for the continuation of the poll, the Election Officer shall proceed afresh under sub-rule (I) of Rule 29 and return to the Presiding Officer appointment under that sub-rule all the packets received by him under sub-rule (2) of this rule.

(b) the Presiding Officer shall open the packets just before commencement of the continuation poll in the presence of such persons as may present at the polling station and commence such poll precisely at the hour fixed therefor in the order passed by, the Divisional Election Authority under clause (a) of sub-rule (3).

(c) at the continuation poll, the Presiding Officer shall allow only such electors to vote as did not vote in the previous occasion.

(d) the Election Officer shall not count votes cast at such election until such continuation poll or fresh poll has been completed.

(e) the Election Officer shall provide the Presiding Officer of the polling station. at which such continuation poll is held with the sealed packet containing the marked copy of the electoral roll, ballot-boxes and such other material required for the poll.

(6) Where an order is passed under clause (b) of sub-rule (3) for holding a fresh poll the Election Officer shall proceed afresh under sub-rule (I) of Rule 29 and a fresh poll shall be held at the polling station concerned in accordance with the provisions of these rules in all respects as if, it is being held at such polling station for the first time.

Explanation-There shall be no fresh nominations in cases falling under this sub-rule.

(7) Notwithstanding anything contained in this rule, if a candidate dies at any time before orders are passed by the Divisional Election Authority under sub-rule (3) or at any time after the passing of such orders but before commencement of the continuation poll, as the case may be, the Election Officer shall upon being satisfied of the fact of the death of the candidate intimate such fact to the Divisional Election Authority, stop all further proceedings in connection with the election and start election proceedings afresh in' all respects as if for a new election;

Provided that no fresh nomination shall be necessary in the case of the remaining candidates who stood nominated at the time when the poll was stopped.

58. Filling up of casual vacancies.- Any casual vacancy of Member of a President of a Water Users' Association shall be filled up with in a period of thirty days from the date of occurrence of such, vacancy 'on issue of a notification by the Divisional Election Authority following the provisions of these rules and orders made thereunder.

59. Power of government in certain cases.-If any question arises to the interpretation of these Rules otherwise ,than in connection with an enquiry held under these Rules, for the decision of disputes as, to the validity of an election or in removing any difficulty in giving effect to the provisions of the act, the question shall be referred to the Government whose' decision thereon shall be final;

60. Power of Election Officer to fix dates etc, certain cases -Notwithstanding anything in these foregoing provision of these Rules, the Government of the Divisional Election' Authority may, before the filing of nominations in the case of any Water Users' Association, in particular empower the Election Officer to fix dates and period other than those specified or fixed by or under these Rules for all or any of the stages of the election proceedings connected therewith.

Chapter- VI

61. Election of member of the managing committee and president of the distributory committee.- Notwithstanding anything contained in these rules, the election of the members specified in sub-section (2) of section 8 of the Act, shall be held in the office of the notified Janpad Panchayat at a special meeting of the members of the Distributory Committee specified in sub-section (2) of section 7 thereof The Election Officer shall be the collector or any Gazetted officer of the Government authorised by the District Election Authority.

62. The Election Officer shall display the voters' list for the purpose of the election and exhibit it on the notice board of the Janpad Panchayat along with the notice for election.

63. The notice of election giving the date, place and time of the election in Form 19 shall be displayed in Hindi language and sent to the members' of the Distributory Committee specified in sub-section (2) of section 7 of the Act at-least two clear days in advance of the date of election of the members under sub-section (2) of section 8 of the Act, by the Election Officer.

64. The election shall be by secret ballot and shall conclude on a single day. The Programme shall be as follows:

- | | | |
|-------|--|--------------------------------|
| (i) | Receipt of Nominations | 11.00 A. M. to 12.00
Noon |
| (ii) | Scrutiny of nominations and
publication of final list of
nominations | 12.30 P.M. to 1.00 P.M. |
| (iii) | Withdrawal of nominations | 1.00 P.M. to 1.30 P.M. |
| (iv) | Publication of final list of
contestants | 2.00 P.M. |
| (v) | Elections in' the event of contest | 3.00 P.M. to 5.00 P.M. |
| (vi) | Counting and declaration of results- | Immediately after the
poll. |

Provided that the Procedure that the procedure for filing of nominations shall be according to rules 13 to 19.

65. If the number of contesting candidates is more, than one, poll shall be conducted. If there is only one validly nominated candidate, the Election Officer shall forthwith declare such candidate as duly elected (in Form 28) and send the same to the Divisional Election Authority and the District Election Authority.

66. In the event of the contest, ballot papers shall be prepared in Form 26 and 27 containing names of the contesting candidates in Hindi language in alphabetical order, for the post of President and Members of the Managing Committee, separately and the election shall be conducted as directed by the Divisional Election Authority.

67. At the end of the poll, the Election Officer shall arrange Forthwith, the counting of votes polled for the contesting candidates for President and Members of the Managing Committee separately and declare the candidates as elected in Form 28 as follows:-

(i) the candidate who secured the highest number of votes polled. for the post of President, as elected to the post of President of that Distributory Committee; and

(ii) the candidates who secured the highest number of votes polled in the descending order as elected to the posts of Member managing Committee to the extent of the strength of the Managing Committee in that Distributory Committee.

68. In the event of equality of votes between the two candidates the Election Officer shall draw lots in the presence of the members and the candidate whose name is first drawn shall be declared to have been duly elected.

69. Immediately after the declaration of the result of the election, the Election Officer shall prepare a record of the proceedings of the meeting and sign it attesting with his initials every correction made therein and shall also have the said record of proceedings attested by a majority of the number of members who participated in the meeting. He shall also publish on the notice board of the Janpad Panchayat a notice signed by him stating the name of the person elected as a Member of the Managing Committee and President of the Distributory Committee as specified under subsection (2) of section 8 of the Act and send a copy of such notice of the District Election Authority concerned and the Divisional Election Authority. A copy of this notice shall also be given to the candidate who is declared elected as Member of the Distributory Committee.

70. Notwithstanding anything contained in these rules, Election Officer may, for sufficient reasons to be recorded in writing, direct from time to time, the alteration of the date of the special meeting convened under rule 61 and inform the District Election Authority and Divisional Election Authority.

71. No meeting for the conduct of election of member specified in sub-section (2) of: Section 8 of the Act. shall be held unless one-half of the number of members .of the Distributory Committee who are entitled to vote at the election .are present.

Chapter- VII

72. Election of member of the managing committee and president of the project committee.-

Notwithstanding anything contained in these rules, the election of the members specified in sub-section (2) of section 11 of the Act, shall be held in the office of the notified Janpad Panchayat at a special meeting of the members of the Project Committee specified in sub-section (2) (3) (4) of section 10 thereof the Election Officer shall be the collector or any Gazetted Officer of the Government authorised by the District Election Authority.

73. The Election Officer shall display the voters' list for the purpose of the election and exhibit it on the notice board of the Janpad Panchayat along with the notice for election.

74. The notice of election giving the date, place and time of the election shall be displayed in Form 29 in Hindi language and sent to the members of the Project Committee specified in sub-section (2) (3) (4) of section 10 of the Act at-least two clear days in advance of the date of election of the members under sub-section (2) of section 11 of the Act, by the Election Officer.

75. The election shall be by secret ballot and shall conclude on a single day. The programme shall be as follows;

- | | | |
|-------|--|--------------------------------|
| (i) | Receipt of Nominations | 11.00 A. M. to 12.00
Noon |
| (ii) | Scrutiny of nominations and
publication of final list of
nominations | 12.30 P.M. to 1.00 P.M. |
| (iii) | Withdrawal of nominations | 1.00 P.M. to 1.30 P.M. |
| (iv) | Publication of final list of
contestants | 2.00 P.M. |
| (v) | Elections in' the event of contest | 3.00 P.M. to 5.00 P.M. |
| (vi) | Counting and declaration of results- | Immediately after the
poll. |

Provided that the Procedure that the procedure for filing of nominations shall be according to rule 17 to 25 in Chapter-III of the Election rules.

76. If the number of contesting candidates is more than one, poll shall be conducted. If there is only one validly nominated candidate, the Election Officer shall forthwith declare such candidate as duly elected in Form 36 and send a copy to the Divisional Election Authority and the District Election Authority.

77. In the event of the contest, ballot papers shall be prepared in Form 36 and 37 containing names of the contesting candidates in Hindi language in alphabetical order, for the post of President and the Members of the managing Committee, separately and the election shall be conducted as specified by the divisional Election Authority.

78. At the end of the poll, the Election Officer shall arrange, forthwith, the counting of votes polled for the contesting candidates for President and members of the Managing Committee separately and declare the candidates as elected in Form 38 as follows;

(i) the candidate who secured the highest number of votes polled. for the post of President, as elected to the post of President of that Project Committee; and

(ii) the candidates who secured the highest number of votes polled in the descending order as elected to the posts of Member managing Committee to the extent of the strength of the Managing Committee in that Project Committee.

79. In the event of equality 'of votes between the two candidates, the Election Officer shall draw lots in the presence of the members and the candidate whose name is first drawn shall be declared to have been duly elected.

80. Immediately after the declaration of the result of the election, the Election Officer shall prepare a record of the Proceedings of the meeting and sign it attesting with his initials every correction made therein and shall also, have the said record of proceedings attested by a majority of the number of members who participated in the meeting. He shall also publish on the notice board of the Janpad Panchayat a notice signed by him stating the name of the person elected as a Member of the Managing Committee and President of the Project Committee as specified under subsection (2) of section 11 of the Act and send a copy of such notice to the District Election Authority concerned and the Divisional Election Authority. A copy of this notice shall also be given to the candidate, who is declared elected' as Member of the Project Committee.

81. Notwithstanding anything contained in these rules, the Election Officer may, for sufficient reasons to be recorded in writing direct from time to time, the alteration of the date of the special meeting convened under rule 61 and inform the District Election Authority and Divisional Election Authority.

82. No Meeting for the conduct of election of member specified in sub-section (2) of section 11 of the Act, shall be held unless one-half of the number of members of the, Project Committee who are entitled to vote at the election are present.

FORM 1

[See sub rule (2) of Rule17]

**NOTICE FOR THE ELECTION OF THE PRESIDENT / MEMBER OF
THE MANAGING COMMITTEEOF THE
WATER USERS' ASSOCIATION (s)
inDistrict**

It is hereby notified that elections to the President members of managing Committee of the Water User's Association in District Shall be conducted as per the following;

- (i) Nomination papers shall be presented:
 - (a) on (date)
 - (b) Time.....betweentohours
- (ii) Date of scrutiny of nomination papers
- (iii) Date of withdrawal of candidature
- (iv) Date of polling
- (v) Date of counting of votes by the Election Officer.
- (vi) Declaration and publication of results.

Divisional Election Authority /District Election Authority.

FORM 2

[See sub rule (2) of Rule17]

**NOTICE FOR THE ELECTION FOR OFFICE OF THE PRESIDENT/
MEMBER OF THE MANAGING COMMITTEEOF THE
.....WATER USERS' ASSOCIATION**

Notice is hereby given that-

- (1) An election to be held for election of the President/ Member of the Managing Committeeof theWater Users' Association.
- (2) Nomination papers may be delivered by a candidate or his proposer to the undersigned between 10.30 AM and 5.0 PM from to(date).
- (3) Forms for nomination papers may be obtained the place and time aforesaid.
- (4) The nomination papers will be taken up for scrutiny at(place) on Dateat(hrs)
- (5) Notice of withdrawal of candidature may be delivered by a candidate or his proposer of his election agent to the undersigned atoffice before 3.00 PM on the
- (6) In the event of election being contested the poll will be taken on between the 7.00 Hrs and 13.00 Hrs.
- (7) Counting will commence after the Poll is over and results declared immediately thereafter.

ELECTION OFFICER

Place:

Date:

FORM 3

[See sub rule (1) of Rule19]

WATER USERS' ASSOCIATION.....

NOMINATION PAPER

1. Name of the Office the President Member of the Managing Committee of WUA.
2. Name of number of the territorial constituency.
3. Full name of the candidate.
4. Father's or husband name.
5. Serial number of candidate in the Electoral Roll
6. Age
7. Sex
8. Caste (SC/ST/OBC/General)
9. Occupation and Address
10. Full name of the proposer
11. Serial number of proposer in the electoral roll.
12. Signature of the proposer.

Candidates' Declaration

I declare that I am eligible and willing to stand for election and my age as shown above is correct.

SIGNATURE OF CANDIDATE

The above declaration is solemnly affirmed before me (name of the officer in block letters by who is personally known to me (who has been identified to my satisfaction byof

Signature of village administrative officer or any other officer not below the rank of a mandal revenue officer (Endorsement by the Election Officer or other authorised person serial number):

This nomination paper was presented to me (person) at (date and hour)

Signature of the election officer or other authorised person

Decision of election officer accepting or rejecting the, nomination paper.

I have explained this nomination' paper in accordance with Rule 8 and decide as follows:

Election Officer

Date:

RECEIPT FOR NOMINATION PAPER AND NOTICE FOR SCRUTINY

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

Serial No. of Nomination Paper. The nomination Paper of a candidate for election of the president/ Member of ,the managing Committee of the water user association. territorial constituency No. was delivered to me at (hour) on (date) by the

Candidate / Proposer.

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

ELECTION OFFICER

Date :'

FORM 4
[See Rule 22]

LIST OF NOMINATIONS RECEIVED ON (DATE)
FOR THE OFFICE OF THE PRESIDENT / MANAGING COMMITTEE
OF WATER USERS' ASSOCIATION

Sl. No. of Nomination Paper	Name of the Candidate	Father's Name	Age	Sex	Caste (SC / ST / OBC / General)	Occupation & Address	Voters List No. of Candidate	Name of the proposer	Voters List No. of proposer
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)

The nomination papers will be taken up for scrutiny at AM/PM.
on the date at (Place)

Signature of the election officer
Or other authorised person

Place:
Date:

FORM 5
[See sub rule (5) of Rule23]

LIST OF VALIDLY NOMINATED CANDIDATES

Name of District.....

Name of territorial constituency /WUA.....

Election to the President/member of the managing committee of
Water User Association

Sl. No. Allotted	Name of the candidate	Address of the Candidate
(1)	(2)	(3)
1		
2		
3		
4		
etc.		

Place:

Date:

Election Officer

FORM 6
[See sub rule (1) of Rule24]

NOTICE OF WITHDRAWAL

Election to the Office of the President / Member of the Managing Committee of Water User Association.

To,
The Election Officer,

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

Place:
Date: **Signature of candidate**

RECEIPT FOR NOTICE OF WITHDRAWAL

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

This notice of withdrawal of candidature by a candidate at the election to the office of the President/ Member of the Managing Committee.of WUAas delivered to me by theat my office at (hour) on(date)

Date:
Election Officer

FORM 7
[See sub rule (2) of Rule24]

NOTICE OF WITHDRAWAL OF CANDIDATURE

Election to the Office of the President/Member of the Managing
 Committee of Water Users Association

Notice is hereby given that the following validly nominated candidate /
 candidates at the above election withdraws his candidature/their candidature
 today.

S. No. Allotted	Name of the candidate	Symbol Allotted
(1)	(2)	(3)
1		
2		
3		
etc.		

Date:

Election Officer

FORM 8
[See sub rule (1) of Rule25]

NOTICE OF CONTESTING CANDIDATE

Election to the Office of the President/Member of the Managing
 Committee of WUA

S. No. Allotted	Name of the candidate	Symbol Allotted/Assigned
(1)	(2)	(3)
1		
2		
3		
4		
5		
etc.		

Place:

Date:

Election Officer

FORM 9

[See sub rule (2) of Rule26]

**DECLARATION OF THE RESULTS OF ELECTION UNDER RULE
11(2) OF THE ELECTION RULES**

In accordance with rule 20 (2) of the Election rules, I declare that the following candidate has been duly elected for the Office of the President/ Member of the managing Committee of Water Users Association.....

Name

Address.....

Place:

Date: **Signature of Election Officer**

FORM 10

[See sub rule (1) of Rule 28]

**APPOINTMENT OF ELECTION AGENT
(To be submitted in two copies)**

Election to the Office of the President/ Member of the Managing Committee of Water Users Association

To,
The Election Officer,

I,..... a candidate at the above election for the post of the president of Managing Committee of Water User Association do hereby appoint of as my election agent from this day at the above election.

Place:

Date: **Signature of candidate**

I accept the above appointment

.....
Signature of Election Agent

I, hereby, accept and approve the above appointment.

Place:

Date: **Signature of Election Officer.**

FORM 11
[See sub rule (2) (b) of Rule 28]

APPOINTMENT OF POLLING AGENT
(To be submitted in two copies)

Election to the Office of the President/ Member of the Managing /Committee of Water Users Association

I,..... a candidate/ the election agent of who is a candidate at the above election do hereby appoint as a Polling Agent to attend polling station No. Fixed for the poll at

.....
Signature of candidate election Agent

I, hereby, accept and approve the above appointment.

Place:
Date:
Signature of Election Officer.

FORM 12
[See sub rule (3) (b) of Rule 28]

APPOINTMENT OF COUNTING AGENT
(To be submitted in duplicate)

Election to the Office of the President/Member of the Managing Committee of WUA
To,
The Election Officer,

I,.....a candidate/the election agent ofwho is a candidate at the
above election do hereby appoint the following persons as may counting agent to attend the
counting of votes at

Name of the Counting Agent	Address of the Counting Agent
(1)	(2)
1	
2	
3	

I/We agree to act as such counting agents.

.....
Signature of candidate election agent.

.....
Signature of the Agent

.....
Signature of Election Officer

Place:
Date:

FORM 13

[See sub rule (2) of Rule 38]

LIST OF TENDERED BALLOT PAPERS

Polling Station No. Territorial Constituency No.

.....
WUA..... Election to the Office of the President/Member
of the Managing Committee of the WUA.

S. No.	Name of the Elector	No. in the Voters List/Section No. Name of WUA	Serial No. of Tendered Ballot Paper	Signature of Elector or thumb impression of person tendering vote	Serial No. of Ballot paper issued to the person who has already voted.
(1)	(2)	(3)	(4)	(5)	(6)

Date:
Station:

.....
Signature of presiding Officer

FORM 14
[See sub rule (2) (c) of Rule 39]

LIST OF CHALLENGED BALLOT PAPERS

Polling Station No. Territorial Constituency No.
 Water Users Association Election to the Office of the President/Member
 of the Managing Committee of the Water Users Association.

S. No.	No. in the Voters List/ Section No. Name of WUA	Name of the Elector	Signature or thumb impression of the person challenged and his address	Name of challenger	Signature and thumb impression of identifier if any	Order of Polling Officer	Signature of challenger on receiveing refund of deposit
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

Date:
 Station:

.....
 Signature of Presiding Officers

FORM 15

[See sub rule (8) of Rule 42]

Part-I

BALLOT PAPER ACCOUNT
Election to the Office of the President/Member of the Managing
Committee of Water Users Association

No. & Name of the Polling Station	Territ. Const. No.....	
	WUA	
	S.Nos.	Total No.
	From.....	To.....

1. Ballot papers received
2. Ballot papers unused
(i.e. not issued to voters)
 - (a) with the signature of Polling Officer
 - (b) without the signature of Polling Officer
3. * Ballot Papers used at the Polling Station (1-2=3)

Total * (A+B)

4. Ballot papers used at the Polling Stations but not inserted into the Ballot Box.
 - (a) Ballot Papers cancelled for violation of voting procedure under rule 20.
 - (b) Ballot papers cancelled for other reasons
 - (c) Ballot papers used as tendered ballot papers.

*(Total (A+B+C))

*Ballot, Papers to be found in the ballot box

(3-4=5)

***Serial Numbers need not be given.**

**PART-II
RESULT OF COUNTING**

S.No.	Name of Candidate	Name of Valid Votes Cast
(1)	(2)	(3)
1		
2		
3		
4		
5		
etc.		
II	Rejected Ballot papers	
III.	Total	

.....
Signature of Presiding Officer

Whether the total number of ballot papers shown against item No. above tallies with the total shown against item No. 5 of Part-I or discrepancy noticed between these two totals.....

Place:
Date:
Place:
Date:

.....
Signature of Counting supervisor
.....
Signature of Election Officer

*Score off the words which are not applicable.

FORM 16

[See sub rule (7) of Rule 46] and sub rule (1)(b) of Rule 53]

FINAL RESULT SHEET

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

Election to the Office of the president/Member of the Managing Committee of the Water Users Association

Sl. No.	Polling Station No.	Name of valid votes cast in favour of				Total No. of valid Votes	Total No. of Rejected votes	Total	Total No. of Tendered Votes
		(A)	(B)	(C)	(D)				
(1)	(2)	(3)			(4)	(5)	(6)	(7)	

Total No of votes recorded at Polling Stations.
Numbers of votes recorded on Postal Ballot Papers.

Date:
Station: **Election Officer**

FORM 17

[See sub rule (1) (a) of Rule 53]

(For use in election when the seat is contested)

DECLARATION OF RESULT OF ELECTION UNDER RULE 53 OF THE RULES

In accordance with rule 53 of the Chhattisgarh Sincahi Prabandhan Me Krishko ki Bhagidari Nirvachan Niyam, 2006, I declare that the following candidates have been duly elected to the Office of the President/Member of the Managing Committee of the Water Users Association.

Member, Managing Committee/ President Water Users Association .
Name.....
Address.....

.....
Signature of Election Officer

Score off the words which are not applicable.

FORM 18
(See Rule 54)

CERTIFICATE OF ELECTION

I,.....election Officer for the Water User Association certify that on the (day) of20.....I have declared Sri..... to have duly elected to the Office of the President/Member of the Committee of the WUA and that in token thereof, I have granted to him this certificate of election.

.....
Election Officer

Seal

FORM 19
(See Rule 63 and 64)

**NOTICE OF ELECTION FOR THE OFFICE OF THE PRESIDENT/ MEMBER OF THE
MANAGING COMMITTEE OF**

DISTRUBUTORY COMMITTEE OF IRRIGATION SYSTEM

Notice is hereby given that-

1. An election will be held for electing the President / Members of the Managing Committee of Distrubutory CommitteeIrrigation System on(Date).
2. Nomination papers may be delivered or filed by a candidate or his proposer to the, or file before the undersigned between 11.00 Hrs. and 12.00 Hrs. on (date) at (place).
3. Forms of nomination papers may be obtained from the undersigned on hour the time specified for filling as aforesaid.
4. The nomination papers will be taken up for scrutiny at (place) of Date between 12.00 Hrs.to 13.00 Hrs.
5. Notice of withdrawal of candidature may be delivered by a candidate or his proposer to undersigned between 13.00 Hrs. to 13.30 Hrs. on theat
6. In the event of election being held, the poll will be taken on(Date).....between the 15.00 Hrs. and 17.00 Hrs.
7. Counting will commence after the poll is over, and results declared immediately thereafter.

Place:
Date:

.....
Election Officer

FORM 20
[See sub rule (1) of Rule19]

DISTRUBUTORY COMMITTEE

Nomination Paper

1. Name of the Office:
 - (a) President of the Managing Committee.
 - (b) Member of the Managing Committee.
2. Name of the Water Users Associations for which he is elected as president.
3. Full Name of including Surname of the candidate:
4. Father's or Husband's name:
5. Age :
6. Sex:
7. Caste (SC/ST/OBC/General):
8.
 - (a) Occupation:
 - (b) Address Permanent:
 - (c) Address Temporary:
9. Full Name of the Proposer:
10. Water Users Associations for which he is declared as President:
11. Signature of the proposer:

(Name in Capital Letters)
Date

Candidate's Declaration

I declare that I am eligible and willing to stand for an election.

.....
Signature of the Candidate
(Name in Capital Letters)

This nomination paper was presented to me by.....(person) at
..... Date and Hour.

.....
**Signature of the Election Officer
Or Other Authorised person.**

Decision of Election Officer accepting or rejecting the nomination paper.

I have examined this nomination paper and decode as follows:

.....

Date:
Election Officer.

RECEIPT FOR NOMINATION PAPER AND NOTICE FOR SCRUTINY

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

Serial No. of Nomination paper..... The Nomination Paper of
..... a candidate for Election of President / Member of the Managing
Committee of the Distributory Committee was delivered to me at(hour) on
..... (Date) by the Candidate / Proposer.

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

.....

Date: **Election Officer**

FORM 21
(See Rule 22)

**LIST OF NOMINATIONS RECEIVED ON.....(DATE) FOR
THE OFFICE OF THE PRESIDENT/MEMBER OF THE MANAGING
COMMITTEE OF
DISTRIBUTORY COMMITTEE**

S. No. Nomination	Name of the Candidate	Father's Name	Name of WUA	Occupation and address	Sl. No. in Voters list	Name of the Proposer	Name of WUA of the proposer
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

The nomination papers will be taken up for scrutiny between 12.30 P.M. to 1.00 P.M. on
.....the date.....
at..... (place)

Date:

Station: **Signature of election Officer or other authorised person**

FORM 22
[See sub rule (5) of Rule23]

LIST OF VALID NOMINATIONS AFTER SCRUTINY

Name of distrubutory Committee.....
Election of President/Member of the Managing Committee of
.....Distributory Committee.

S. No. Allotted (1)	Name of the Candidate (2)	Name of the Water Users Association he represents (3)
1		
2		
3		
4		
etc.		

Place:

Date: **Election Officer**

FORM 23
[See sub rule (1) of Rule24]

NOTICE OF WITHDRAWAL GIVEN BY THE CANDIDATE

**Election of President/ Member of the Managing Committee of
Distributory Committee**

I, being 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 (hours) on
.....(date) by(name).

Date:
Election Officer

FORM 24
[See sub rule (2) of Rule24]

**NOTICE INTIMATING THE WITHDRAWAL MADE BY THE
CANDIDATE**

**Election of Office of the President/Member of the Managing
Committee of Distributory Committee.....**

S. No. Allotted (1)	Name of the Candidate (2)	Date of which withdrawal notice delivered (3)
1		
2		
3		
4		
5		
etc.		

Place:

Date: **Election Officer**

FORM 25
[See sub rule (1) of Rule25]

LIST OF CONTESTING CANDIDATE

**Election to the President/Member of the Managing Committee of
Distributory Committee.....**

S. No. Allotted (1)	Name of the Candidate (2)
1	
2	
3	
4	
5	
etc.	

Place:

Date: **Election Officer**

FORM 26
[See Rule 66]

BALLOT PAPER

.....**DISTRIBUTORY COMMITTEE**

Ballot Paper for President of the Managing Committee

S.No. of the Voter.....
R.No.
.....**DISTRIBUTORY COMMITTEE**

Signature/Thumb Impression

Ballot Paper for President of the Managing Committee

R. No.	Name of the Candidate in Hindi in Alphabetical Order	R. No.....	Put mark against one name on in the box space provided.
1	NAME		<input type="checkbox"/>
2	NAME		<input type="checkbox"/>
3	NAME		<input type="checkbox"/>
4	NAME		<input type="checkbox"/>
5	NAME		<input type="checkbox"/>
6	NAME		<input type="checkbox"/>
etc.	NAME		<input type="checkbox"/>

1. Name of Distributory Committee

2. Date of Poll

3. Place of Poll

Date:

.....

Signature of the Election Officer

FORM 27
[See Rule 66]

BALLOT PAPER

.....**DISTRIBUTORY COMMITTEE**

Member of the Managing Committee

S.No. of the
Voter.....
.....
R.No.
.....
Signature/Thumb Impression. _____ Signature/Thumb Impression
.....**DISTRIBUTORY COMMITTEE**

Member/ Managing Committee

R. No.	Name of the Candidate in Hindi in Alphabetical Order	R. No.....	Put (√) mark against as many candidates as the number of posts in Managing Committee in the box space provided.
1	NAME		<input type="checkbox"/>
2	NAME		<input type="checkbox"/>
3	NAME		<input type="checkbox"/>
4	NAME		<input type="checkbox"/>
5	NAME		<input type="checkbox"/>
6	NAME		<input type="checkbox"/>
etc.	NAME		<input type="checkbox"/>

1. Name of Distributory Committee

2. Date of Poll

3. Place of Poll

Date:

.....

Signature of the Election Officer

FORM 28
[See sub rule (2) of Rule26 and rule 67]

DECLARATION OF THE RESULT OF ELECTION

In accordance with rule 62 I declare that following candidate(s) has/ have been
duly elected for the Office of the President/ Managing Committee/ Distributory Committee.

Name:

Address:

Place:

Date: **Signature of Election Officer**

FORM 29
(See Rule 74)

**NOTICE OF ELECTION FOR THE OFFICE OF THE
PRESIDENT/ MEMBER OF THE MANAGING COMMITTEE OF**

.....

PROJECT COMMITTEE OF IRRIGATION SYSTEM

Notice is hereby given that –

1. An election will be held for electing the President/ Members of the Managing Committee ofProject CommitteeIrrigation System on(Date).
2. Nomination Papers may be delivered or filled by a candidate or his proposer to the, or file before the undersigned between 11.00 Hrs. and 12.00 Hrs. on(date) at(place).
3. Forms of nomination papers may be obtained from the undersigned one hour before the time specified for filling as aforesaid.
4. The nomination papers will be taken up for scrutiny at(place of Datebetween 12.00 Hrs. to 13.00 Hrs.
5. Notice of withdrawal of candidature may be delivered by a candidate or his proposer to undersigned between 13.00 Hrs. to 13.30 Hrs. on the at
6. In the event of election being held, the poll will be taken on(date)between the 15.00 Hrs. and 17.00 Hrs.
7. Counting will commence after the Poll is over, and the results declared immediately thereafter.

Place:

Date: **Election Officer**

FORM 30
[See sub rule (1) of Rule19]

PROJECT COMMITTEE

Nomination Paper

1. Name of the Office:
 - (a) President of the Managing Committee.
 - (b) Member of the Managing Committee.
2. Name of the Water Users Associations for which he is elected as president.
3. Full Name of including Surname of the candidate:
4. Father's or Husband's name:
5. Age:
6. Sex:
7. Caste (SC/ST/OBC/General):
8.
 - (a) Occupation:
 - (b) Address Permanent:
 - (c) Address Temporary:
9. Full Name of the Proposer:
10. Distributory Committee for which he is declared as President :
11. Signature of the proposer:

(Name in Capital Letters)
Date

CANDIDATE'S DECLARATION

I declare that I am eligible and willing to stand for an election.

.....
**Signature of the Candidate
(Name in Capital Letters)**

This nomination paper was presented to me by.....(person) at
.....Date and Hour.

.....
**Signature of the Election Officer
Or Other Authorised person.**

Decision of Election Officer accepting or rejecting the nomination paper.

I have examined this nomination paper and decode as follows:

.....

Date:
Election Officer.

RECEIPT FOR NOMINATION PAPER AND NOTICE FOR SCRUTINY

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

Serial No. of Nomination paper..... The Nomination Paper of
..... a candidate for Election of President / Member of the Managing
Committee of the Distributory Committee was delivered to me at(hour) on
..... (Date) by the Candidate / Proposer.

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

.....

Date: **Election Officer**

FORM 31
(See Rule 22)

**LIST OF NOMINATIONS RECEIVED ON.....(DATE) FOR
THE OFFICE OF THE PRESIDENT OF THE
MANAGING COMMITTEE OF
PROJECT COMMITTEE**

S. No. Nomination Paper	Name of the Candidate	Father's Name	Name of DC	Occupation and address	Sl. No. in Voters list	Name of the Proposer	Name of WUA of the proposer
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

The nomination papers will be taken up for scrutiny between 12.30 P.M.
to 1.00 P.M. onthedate.....at
.....(place)

Date:

Station: **Signature of election Officer
or other authorised person**

FORM 32
[See sub rule (5) of Rule23]

LIST OF VALID NOMINATIONS AFTER SCRUTINY

Name of Project Committee.....

Election to the President/ Member of the Managing Committee of Project Committee

S.No. (1)	Name of the Candidate (2)	Name of the Distributory Committee he represents (3)
1		
2		
3		
4		
etc.		

Place:

Date: **Election Officer**

FORM 33
[See sub rule (1) of Rule24]

NOTICE OF WITHDRAWAL GIVEN BY THE CANDIDATE

**Election of President/Member of the Managing Committee of
Project Committee**

I,being 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(hours) on
..... (date) by.....(name)**

.....

Date: **Election Officer**

FORM 34
[See sub rule (2) of Rule24]

NOTICE INTIMATING THE WITHDRAWAL MADE BY THE CANDIDATE

Election of the office of the President/Member of the Managing Committee of Project Committee

S.No.	Name of the Candidate	Date of which withdrawal notice delivered
(1)	(2)	(3)
1		
2		
3		
4		
5		
etc.		

Place:

Date:

.....
Election Officer

FORM 35
[See sub rule (1) of Rule25]

LIST OF CONTESTING CANDIDATE

**Election to the President/ Member of the Managing Committee of Project
Committee.....**

S.No. (1)	Name of the Candidate (2)
1	
2	
3	
4	
5	
etc.	

Place:

Date: **Election Officer**

FORM 36
(See Rule 76)

BALLOT PAPER

.....PROJECT COMMITTEE

Ballot Paper for President of the Managing Committee

S. No. of the Voter.....

R. No. Signature / Thumb
Impression

.....PROJECT COMMITTEE

Ballot Paper for President

R. No.	R. No.
.....
Name of the Candidate in Hindi in Alphabetical Order	Put () mark against one name only in the box space provided.
1 NAME	<input type="checkbox"/>
2 NAME	<input type="checkbox"/>
3 NAME	<input type="checkbox"/>
4 NAME	<input type="checkbox"/>
5 NAME	<input type="checkbox"/>
6 NAME	<input type="checkbox"/>

1 Name of Project Committee
2 Date of Poll
3 Place of Poll

.....
Signature of the Election Officer

FORM 37
(See Rule 76)

BALLOT PAPER

.....PROJECT COMMITTEE

Member of the Managing Committee

S. No. of the Voter.....
R. No. Signature / Thumb Impression

.....PROJECT COMMITTEE

Member of the Managing Committee

R. No.
.....
Name of the Candidate in Hindi Put () mark against one name only in the box
in Alphabetical Order space provided.

1	NAME	<input type="checkbox"/>
2	NAME	<input type="checkbox"/>
3	NAME	<input type="checkbox"/>
4	NAME	<input type="checkbox"/>
5	NAME	<input type="checkbox"/>
6	NAME	<input type="checkbox"/>

- 1 Name of Project Committee
- 2 Date of Poll
- 3 Place of Poll

.....
Signature of the Election Officer

FORM 38
[See sub rule (2) of Rule 26 and rule 78]

**DECLARATION OF THE RESULT OF ELECTION UNDER RULE
73 OF ELECTION RULES**

In accordance with the rule 73 of the Election Rule, I declare that the following candidate (s) has/have been duly elected for the Office of the President/Member of the Managing Committee/Project Committee.

Name:

Address:

Place:

Date:

.....
Signature of Election Officer

By order and in the name of the Governor of Chhattisgarh,