

**THE ARUNACHAL PRADESH
PANCHAYAT RAJ
MANUAL
(ACT & RULES)**

2019



सत्यमेव जयते

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ARUNACHAL PRADESH
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GOVERNMENT OF ARUNACHAL PRADESH
LAW, LEGISLATIVE AND JUSTICE DEPARTMENT
ITANAGAR

NOTIFICATION
The 30th April, 2001

No. LAW/LEGN-15/95 – The following Act of the Arunachal Pradesh Legislative Assembly which received the assent of the President of India on 13th April, 2001 is hereby published for general information.

THE ARUNACHAL PRADESH PANCHAYAT RAJ ACT, 1997
(Act No. 5 of 2001) AN
ACT

to replace the North East Frontier Agency Panchayat Raj Regulation, 1967 (Regulation No. 3 of 1967) relating to Panchayats by a comprehensive law.

BE it enacted by the Legislative Assembly of Arunachal Pradesh in the Forty-eighth Year of the Republic of India as follows:-

- | | | |
|----|--|-------------------------------------|
| 1. | (1) This Act may be called the ARUNACHAL PRADESH PANCHAYAT RAJ ACT, 1997.
(2) It extends to the whole of the Arunachal Pradesh.
(3) It shall come into force on such date as the Government may by notification, appoint and different dates may be appointed for different provisions of this Act and for different areas. | Short title extent and commencement |
| 2. | In this Act, unless the context otherwise, requires -
(i) 'Additional Deputy Commissioner' means the Additional Deputy Commissioner attached to the establishment of the Deputy Commissioner of a district.
(ii) 'Adult' means a person, male or female, who has completed his or her 18 years on the 1st January of the year in which the election takes place;
(iii) *Deleted
(iv) *Deleted
(v) 'Casual Vacancy' means a vacancy occurring otherwise than by efflux of time;
(vi) 'Circle Officer' means a Circle Officer-in-Charge of a Circle;
(vii) 'Deputy Commissioner' means the Deputy Commissioner of a District; | Definitions |

- (viii) 'District' means a district of the State of Arunachal Pradesh;
- (ix) *Deleted
- (x) 'Government' means the Government of Arunachal Pradesh;
- (xi) 'Governor' means the Governor of Arunachal Pradesh;
- (xii) 'Gram Panchayat' means a Gram Panchayat constituted under Section 10;
- (xiii) 'Gram Sabha' means a body consisting of persons registered in the Electoral Rolls relating to a village comprised within the area of Gram Panchayat;
- (xiv) 'Notification' means a notification published in the Arunachal Pradesh Gazette;
- (xv) 'Prescribed' means prescribed by rules made under this Act;
- (xvi) 'Presiding Officer' means an officer appointed by the Deputy Commissioner to conduct the election under this Act;
- (xvii) 'Village' means an area recognized to be a village at the commencement of this Act and includes any area which the Government may, by notification, declare to be a village;
- (xviii) 'Zilla Parishad' means a Zilla Parishad constituted under Section 85.

CHAPTER-II

GRAM SABHA

Gram Sabha

3. Subject to general orders of the Government, the Gram Sabha shall meet from time to time but six months shall not intervene between any two meetings.

Agenda

4. The Gram Panchayat shall prepare the agenda for discussion of the Gram Sabha and such matters shall relate to the following, namely:-
 - a) the annual statement of accounts of the Gram Panchayat, the report of administration of the preceding financial year and the last audit note and replies if any, made thereto;
 - b) the report in respect of development programmes of the Gram Panchayat relating to the preceding year and development programmes proposed to be under taken during the current year.

5. Any resolution relating to the functions entrusted to the Gram Sabha under Section 6, shall have to be passed by a majority of votes of the members present and voting in the meeting of the Gram Sabha.

Resolution

6. A Gram Sabha shall exercise the following functions, namely:-
 - (a) rendering assistance in the implementation of development schemes pertaining to the village;
 - (b) identification of beneficiaries for the implementation of development schemes pertaining to the village;

Provided that in case the Gram Sabha fails to identify the beneficiaries within a reasonable time the Gram Panchayat can identify the beneficiaries
 - (c) mobilize voluntary labour and contributions in kind or cash or both for the community welfare programmes;

Functions of
Gram Sabha

- (d) to promote adult education and family welfare within the village;
- (e) promotion of unity and harmony among all sections of society in the village;
- (f) Such other matters as may be prescribed.

7. Every meeting of Gram Sabha shall be presided over by the Chairperson of the concerned Gram Panchayat and in his absence by a member of the Gram Panchayat to be chosen from amongst the members of the Panchayat.

Gram Sabha meeting

8. (a) The quorum for a meeting of the Gram Sabha shall be one-tenth of its total membership.

quorum

(b) If at the time appointed for the meeting a quorum is not present, the person presiding shall wait for thirty minutes, and if within such period, there is no quorum, the person presiding shall adjourn the meeting to the same time on the same day in the following week. He shall similarly, after waiting for thirty minutes, adjourn the meeting if at any time after it has begun; attention is drawn to the want of a quorum. A notice of the meeting so fixed shall be pasted in the office of the Gram Panchayat. The business which could not be considered at the meeting so postponed for want of quorum shall be brought before and disposed of at the meeting so fixed at any subsequent adjourned meeting at which there is a quorum.

CHAPTER- III GRAM PANCHAYAT

9. (1) Subject to the general or special order of the *State Election Commission, the Deputy Commissioner may, if, in his opinion it is expedient to declare any area comprising a village or group of villages having a population of not less than three hundred to be a Panchayat area, after previous publication, declare such area as a Panchayat area for the purposes of this Act:

Declaration of Panchayat area and establishment of Gram Panchayat

Provided that the Deputy Commissioner may, with the previous approval of the *State Election Commission, declare any area comprising a village or group of villages having a population of less than three hundred as special cases, as Panchayat area for the purposes of this Act.

(2) Subject to the provisions of this Act, the Deputy Commissioner may, at the request of the Gram Panchayat concerned-

- (i) increase the area of any Panchayat area by including within such Panchayat area, any village or group of villages;
- (ii) diminish area of any Panchayat area by excluding from such Panchayat area, any village or group of villages;
- (iii) alter the name of any Panchayat area; or
- (iv) declare that any area ceases to be a Panchayat area.

(3) There shall be established a Gram Panchayat in every Panchayat area declared as such under this section.

****Provided that the State Government may review the size of the population for determining the area of Gram Panchayats from time to time.

**10 (1) The Gram Panchayat shall consist of such number of Members of the Gram Sabha or the Gram Sabhas as may be notified from time to time by the Deputy Commissioner, at the rate of one member for every hundred populations;

Constitution of Gram Panchayat

Provided that in case the population of a village is less than one hundred and more than fifty then one member can be elected to represent that particular village;

* Amended on 18th March, 2015

** Amended on 23rd August, 2002

**** Ammended on 21st April, 2018

	<p>Provided that in case the population is more than one hundred fifty but less than three hundred in a particular village or the group of villages, the number may be increased to two members.</p> <p>(2) The election of Gram Panchayat shall be held by ballot in accordance with such rules as may be prescribed.</p> <p>(3) The term of office of the Gram Panchayat shall be for five years from the date of notification by the Deputy Commissioner.</p> <p>(4) The Deputy Commissioner shall publish, in the prescribed manner the name of members elected or deemed to have been duly elected.</p>	Term of Gram Panchayat
11.	<p>(1) Every voter shall have as many votes as there are members to be elected for the constituency. No voter shall give more than one vote to any one candidate.</p> <p>*** (2) Subject to the provisions of this Act elections to the Gram Panchayat shall be held by ballot in accordance with such rules as may be prescribed.</p>	Method of voting and procedure for elections
12.	<p>(1) Not less than one third of the total number of seats to be filled by direct election in every Gram Panchayat shall be reserved for women.</p> <p>(2) The Deputy Commissioner shall by notification determine the number of seats and constituency or constituencies in which seats are reserved under sub-section (1), above:</p> <p>Provided that the seats reserved under sub-sections (1) and (2) shall be allotted by rotation to different constituencies in the Gram Panchayats in such manner as may be prescribed.</p>	Reservation of seats
13.	Any person shall be disqualified for being chosen as, and for being a member of the Gram Panchayat if he suffers from any of the disqualifications specified under Section 57.	Disqualifications for membership
14.	'Casual Vacancy' shall be filled up in the same manner as specified under sub-section (2) of Section 60 of this Act.	
15.	The Circle Officer or such other officer as shall be authorized by the Deputy Commissioner shall be the Member Secretary of the Gram Panchayat.	Filling of casual vacancy
16.	<p>(1) Every Gram Panchayat shall, at its first meeting at which a quorum is present, elect, in the prescribed manner, one of its members to be the Chairperson of the Gram Panchayat and any dispute relating to the validity of the election of Chairperson shall be made before the prescribed authority.</p> <p>(2) The meeting to be held under sub-section (1) shall be convened by the prescribed authority in the prescribed manner.</p> <p>(3) Not less than one-third of the total number of offices of Chairperson of Gram Panchayats shall be reserved for women in different Gram Panchayats.</p> <p>(4) The Deputy Commissioner shall, by notification determine the number of seats and constituency or constituencies in which seats are reserved under sub-section (3) above:</p> <p>Provided that the seats so reserved under this section shall be allotted by rotation to different Gram Panchayat constituencies in the district.</p> <p>(5) The term of office of every Chairperson shall, save as otherwise provided in this Act cease on the expiry of his term of office as a member of the Gram Panchayat.</p>	<p>Member Secretary of Gram Panchayat</p> <p>Chairperson of Gram Panchayat</p>
17.	<p>(1) The Chairperson shall -</p> <p>(a) be responsible for convening the meeting of Gram Sabha and preside over its meetings;</p> <p>(b) be responsible for convening the meeting of Gram Panchayat and preside over its meetings;</p>	Powers and functions of Chairperson

- (c) be responsible for maintenance of the records of the Gram Panchayat;
- (d) have the general responsibility for the financial and executive administration of the Gram Panchayat;
- (e) exercise administrative supervision and control over the work of the staff of the Gram Panchayat and the officers and employees whose services may be placed at the disposal of the Gram Panchayat by any other authority;
- (f) for the transaction of business connected with this Act, or for the purpose of making any order authorized thereby, exercise such powers, perform such functions and discharge such duties as may be exercised, performed or discharged by the Gram Panchayat under this Act, or the rules made thereunder;
 Provided that the Chairperson shall not exercise such power, perform such functions or discharge such duties as may be required, by the rules made under this Act to be exercised, performed or discharge by the Gram Panchayat at a meeting; and
- (g) exercise such other powers, perform such other functions and discharge such other duties as the Gram Panchayat may, by general or special resolution direct or as the Government may by rules made in this behalf, prescribe.
18. The Government may, by order, remove from office of Chairpersons or any other member of a Gram Panchayat in the same manner as provided under Section 64 of this Act. Power of removing Chairpersons or members of Gram Panchayat
19. *If, in any occasion the circumstances so arises, and, the Government is so satisfied, it may issue notification for cancellation of the Gram Panchayat Constituency or Constituencies of any location(s) constituted earlier, and, the Government may also order for cancellation or suspension of the election process, if any already undertaken for that Constituency or Constituencies for election of Gram Panchayat Member(s) forthwith and such action shall not be questioned in any court of law.
20. (1) Every person whose name appears in the voters list relating to a Constituency shall, subject to the other provisions of this Act, be entitled to vote at any election which takes place in that Constituency while the voters list remains in force and no person whose name does not appear in such voter list shall vote at any such election. Right to vote
 (2) No person shall vote at an election under this Act in more than one constituency or more than once in the same constituency and if he does so, all his votes shall be invalid.
21. (1) Subject to the provisions of sub-section (2), the electoral roll of the Gram Panchayat shall be deemed to be the list of voters for such Gram Panchayat Constituency. List of voters
 (2) No amendment transposition or deletion of any entry in the electoral roll of the Gram Panchayat made after the last date of making nominations for an election in any Gram Panchayat Constituency and before the completion of such election shall form part of the list of voters for such election for the purpose of this section.
 (3) The Member Secretary of the Gram Panchayat or when there is no Member Secretary such officer as may be authorized by the Deputy Commissioner shall maintain in the prescribed manner a list of voters for each Gram Panchayat Constituency.
22. The Members of a Gram Panchayat shall, save as otherwise provided in this Act, hold office for a term of five years. Term of office
23. The procedure at a meeting of the Gram Panchayat shall be as prescribed.

* Amended on 21st April, 2018

24. (1) A Gram Panchayat shall meet for the transaction of business at least once in two months at the office of the Gram Panchayat and at such time as the Chairperson may determine.
- (2) The Chairperson may, whenever he thinks fit, and shall, upon the written request of not less than one-third of the total number of members and on a date within fifteen days from the receipt of such request, call a special meeting.
- 3) Seven clear days notice of an ordinary meeting and three clear days notice of a special meeting specifying the place, date and time of such meeting and the business to be transacted thereat, shall be given by the Chairperson of the Gram Panchayat to the members and such officers as the Government may prescribe, and affix on the notice board of the Gram Panchayat.
- (4) The officers to whom notice is given under sub-section (3) and other Government officers having jurisdiction over the Panchayat area or any part thereof shall be entitled to attend every meeting of the Gram Panchayat and take part in the proceedings but shall not be entitled to vote.
- (5) If the Chairperson fails to call a special meeting as provided in sub-section (2), any member so chosen by one-third of total number of members, may call such a meeting for a day within fifteen days after such written request so received from such one-third of the total number of members of the Gram Panchayat and to take such action as may be necessary to onvene the meeting.
25. (1) The quorum for a meeting of the Gram Panchayat shall be one-third of the total number of members. If at the time appointed for the meeting a quorum is not present, the presiding authority shall wait for thirty minutes, and if within such period there is no quorum the presiding authority shall adjourn the meeting to such time on the following day or such future day as he may fix. He shall similarly after waiting for thirty minutes adjourn the meeting if at any time after it has began, attention is drawn to the want of a quorum. A notice of the meeting so fixed shall be pasted in the office of the Gram Panchayat. The business which could not be considered at the meetingso postponed for want of quorum, shall be brought before and disposed of at the meeting so fixed or at any subsequent adjourned meeting at which there is a quorum.
- (2) Save as otherwise provided by or under this Act, at every meeting of Gram Panchayat, the Chairperson in the absence of him, the members present shall, choose one from amongstthemselves to provide for the occasion.
- (3) All questions shall, unless otherwise specifically provided, be decided by a majority of votes of the members present and voting. The Chairperson or person presiding, as the case may be unless he refrains from voting shall give his vote before declaring the number of votes for and against a question and in the case of equality of votes he may give his casting vote.
- (4) No member of a Gram Panchayat shall vote on, or take part in the discussion of, any question coming up for consideration at a meeting of a Gram Panchayat, if the question is one in which, apart from its general application to the public, he has any pecuniary interest, and if the person presiding has such an interest, he shall not preside over the meeting when such question comes up for consideration.
- (5) If the person presiding is believed by any member present at the meeting to have any such pecuniary interest in any matter under discussion and if a motion to that effect be carried, he shall not preside at the meeting during such discussion or vote on or take part in it. Any member of the Gram Panchayat may be chosen to preside at the meeting during the continuance of such discussion.
26. No resolution of a Gram Panchayat shall be modified or cancelled within six months after the passing thereof, except by a resolution passed by not less than one-half of the total number of members at an ordinary or special meeting, notice whereof shall have been given fulfilling the requirement of sub-section (3) of section 24 setting forth fully the resolution which it is

Procedure at meetings

Meeting of the Gram Panchayat

Quorum and procedure

Modification or cancelation of resolution

proposed to modify or cancel at such meeting and the motion or proposition for the modification or cancellation of such resolution.

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| 27. | (1) Minutes shall be kept of the names of the members and of the officers, if any present, and of the proceedings at each meeting of the Gram Panchayat and if any member present at the meeting so desires, of the name of the members voting respectively for or against any resolution, in a book to be provided for the purpose and after they are read over and agreed to shall be signed by the Chairperson or person presiding at such meeting, and shall at all reasonable times be open to inspection, by any member of the Gram Panchayat. Any person may inspect the copy of the minutes of the meeting. The minute's book shall always be kept in the office of the Gram Panchayat and shall be in the custody of the Chairperson of the Gram Panchayat.

*(2) A copy of every resolution passed by the Gram Panchayat shall within ten days from the date of meeting, be forwarded by the Chairperson to the Member Secretary of Zilla Parishad. | Minutes |
| 28. | (1) Any member may call the attention of the Chairperson to any neglect in the execution of the Gram Panchayat work, to any waste of Gram Panchayat property or to the wants of any locality and may suggest any improvements which may appear desirable.

(2) Every member shall have a right to move resolutions and to interpellate the Chairperson on matters connected with the administration of the Gram Panchayat, subject to such rules as may be prescribed. | Interpellations and resolutions |
| 29. | (1) No disqualification of or defect in the election or appointment of any person acting as member, or as the Chairperson of the Gram Panchayat or Chairperson or member of a Committee of a Gram Panchayat constituted if any, under this Act shall be deemed to vitiate any act or proceeding of the Gram Panchayat or any such committee, as the case may be, in which such person has taken part whenever the majority who were parties to such act or proceeding were entitled to act.

(2) No resolution of a Gram Panchayat or any committee of a Gram Panchayat constituted under this Act shall be deemed invalid on account of any irregularity in the service of notice upon any member, provided that the proceedings of the Gram Panchayat or Committee were not prejudicially affected by such irregularity.

(3) Until the contrary is proved, every meeting of a Gram Panchayat or of a committee of a Gram Panchayat constituted if any under this Act in respect or proceedings whereof a minute have been made and signed in accordance with this Act shall be deemed to have been duly convened and held and all the members of the meeting shall be deemed to have been duly qualified, and where the proceedings are the proceedings of a committed, such committee shall be deemed to have been duly constituted and to have had the power to deal with matters referred to in the minute.

(4) During any vacancy in a Gram Panchayat or committee of a Gram Panchayat, he continuing members may act as if no vacancy had occurred. | Validity of proceedings |
| 30. | The Gram Panchayat shall perform such of the assigned functions enumerated in Schedule I, subject to such condition as may be specified by the State Government from time to time. | Powers and functions of Gram Panchayat |
| 31. | Where the State Government assigns any function to a Gram Panchayat under Section 30, or where it directs a Gram Panchayat to make provision for any of the items enumerated in Schedule I, it may place such funds at the disposal of the Gram Panchayat as may be required for the due performance or such functions or for making such provision, as the case may be. | State Government to place fund |
| 32. | (1) No person shall erect any new structure or new building or make any addition to any structure or building in any area within the jurisdiction of | |

Gram Panchayat except with the previous permission in writing of the Gram Panchayat.

Control of building operation

(2) Every person seeking permission under sub-section (1) shall make an application in writing to such authority, in such form, containing such particulars and on payment of such fee, not exceeding Rs.10 as may be prescribed.

Provided that no permission under sub-section (1) shall be necessary for erection of any thatched structure, tin shed or tile shed without brick wall covering an area not exceeding 750 square feet;

Provided further that the State Government may by order exempt any structure or building or any class or structures or buildings from the operation of the provisions of this Section.

33. (1) For the improvement of sanitation, a Gram Panchayat shall have the power to do all acts necessary for, and incidental to, the same and in particular and without prejudice to the generality of the foregoing power, a Gram Panchayat may by order require the owner or occupier of any land or building within such reasonable period as may be specified in the notice served upon him and after taking into consideration his financial position.

Improvement of sanitation

(a) to close, remove, alter, repair, cleanse, disinfect or put good order any latrine, urinal water closet, drain, cesspool, or other receptacle for filth sullage, rubbish or refuse pertaining to such land or buildings, or to remove or alter any door or trap or construct any drain for any such latrine, urinals or water-closet Power of Gram Panchayat over public street, waterways and other matters which opens on to a street or drain or to shut off such latrine, urinal or water closet by a sufficient roof or wall or fence from the view of persons passing by or dwelling in the neighbourhood;

(b) To cleanse, repair, cover, fill-up, drain off or remove water from a private well, tank reservoir, pool, pit depression or excavation therein which may be injurious to health or offensive to the neighbourhood;

(c) To clear any vegetation, under growth, prickly pear or shrub jungle there from; and

(d) To remove any dirt, dung, night soil, manure or any obnoxious or offensive matter there from and to cleanse the land or building;

Provided that a person on whom a notice has been served as aforesaid may, within thirty days of receipt of such notice, appeal to the prescribed authority against the order contained thereon whereupon the prescribed authority may stay the operation of the order contained in the notice till the disposal of appeal and it may, after giving such notice of the appeal to the Gram Panchayat concerned as may be prescribed, modify, set aside or confirm the order;

Provided further that the prescribed authority shall, when it confirms or modifies the order contained in the notice after the expiry of the period mentioned therein fix a fresh period within which the order contained in the notice, as confirmed or modified by it, shall be carried out.

(2) If the order contained in a notice served as aforesaid has not been set aside by the prescribed authority and if the person upon whom the notice has been served fails, without sufficient reason, to comply with the order in its original form of the order as modified by the prescribed authority, within the time specified in the notice or within the time fixed by the prescribed authority, as the case may be, he shall be liable, on conviction by a magistrate, to a fine which may extend to five hundred rupees.

34. (1) Subject to such conditions or restrictions as may be prescribed, a Gram Panchayat shall have control over all public streets and waterways within its jurisdiction other than canals constructed, maintained or controlled by the Government, not being private property and not being under the control of the Central or State Government or, any local authority, and may do all things necessary for the maintenance and repair thereof, and may-

Power of Gram Panchayat in respect of polluted water supply¹¹

(a) Construct new bridges and culverts;

- b) Divert or close any such public street, bridge or culvert;
 - (c) Widen, open, Widen, open, enlarge or otherwise improve any such public street, bridge or culvert and with minimum damage to the neighbouring fields, plants and preserve trees on the side of such street;
 - (d) Deepen or otherwise improve such waterways;
 - (e) With the sanction of the State Government or with the sanction of such officer or authority as the State Government may prescribe, undertake irrigation projects;
 - (f) Trim hedges and branches of trees projecting on public streets;
 - (g) Set apart, by public notice, any public source of water supply for drinking or culinary purpose and likewise prohibit all bathing washing or other acts likely to pollute the source so set apart.

(2) A Gram Panchayat may, by a notice in writing, require any person who has caused obstruction or encroachment on or damage to any public street or drain or other property under the control and management of the said Gram Panchayat, to remove such damage as the case may be within the time to be specified in the notice.

(3) If the obstruction or encroachment is not removed or damage is not repaired within the time so specified, the Gram Panchayat may cause obstruction or encroachment to be removed or such damage to be repaired and the expenses of such removal or repair shall be recoverable from such person as arrears of land revenue.

(4) For the purpose of removal of obstruction or encroachment under subsection (3) the Gram Panchayat may apply to the Sub-Divisional Officer and the Sub-Divisional Officer shall, on such application provide such help as may be necessary for the removal of such obstruction or encroachment.

- 35. (1) A Gram Panchayat may, by written notice, require the owner of or the person having control over, a private water course, spring, tank, well or other place, the water of which is used for drinking or culinary purpose after taking into consideration his financial position, to take all or any of the following steps within a reasonable period to be specified in such notice namely-

- (a) To keep and maintain the same in good repair;
- (b) To clean the same, from time to time, of silt, refuse or decaying vegetation;
- (c) To protect it from pollution; and
- (d) To prevent its use, if it has become so polluted as to be hazardous to the public health;

Provided that a person upon whom a notice as aforesaid has been served may within thirty days from the date of receipt of the notice, appeal to the prescribed authority against the order contained in the notice where upon the prescribed authority may stay the operation of the order contained in the notice till the disposal of the appeal and it may, after giving such notice of the appeal to the Gram Panchayat concerned as may be prescribed modify, set aside or confirm the order;

Provided further that the prescribed authority shall when it confirms or modifies the order contained in the notice after the expiry of the period mentioned therein, fix a fresh period within which the order contained in the notice as confirmed or modified by it, shall be carried out.

- (2) If the order contained in a notice served as aforesaid has not been set aside by the prescribed authority and if the person upon whom the notice has been served fails, without sufficient reason, to comply with the order in its original form or the order as modified by the

Power of Gram Panchayat in respect of polluted water supply

prescribed authority, within the time specified in the notice or within the time fixed by the prescribed authority, as the case may be, he shall be liable, on conviction by a Magistrate, to a fine which may extend to five hundred rupees.

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| 36. | <p>(1) A gram Panchayat may, by written notice, require the owner or occupier of any land or premises, containing a tank or similar deposit of water, after taking into consideration his financial position, not to allow water hyacinth or any other weed which may pollute water to grow there and to eradicate the same there from within such reasonable period as may be specified in the notice.</p> <p>Provided that a person on whom a notice as aforesaid has been served may within thirty days from the date of receipt of the notice, appeal to the prescribed authority and it may stay the operation of the order contained in the notice till the disposal of the appeal and it may, after giving such notice of the appeal to the Gram Panchayat concerned as may be prescribed, modify, set aside or confirm the order.</p> <p>Provided further that the prescribed authority shall when it confirms or modifies the order contained in the notice after the expiry of the period mentioned therein, fix a fresh period within which the order contained in the notice as confirmed or modified by it, shall be carried out.</p> <p>(2) If the order contained in a notice served as aforesaid has not been set aside by the prescribed authority and if the owner or occupier upon whom the notice has been served fails, without sufficient reason, to comply with the order in its original form or the order as modified by the prescribed authority, within the time as specified in the notice or within the time fixed by the prescribed authority as the case may be, he shall be liable, on conviction by a Magistrate, to a fine which may extend to two hundred rupees.</p> | <p>Power of Gram Panchayat to prevent growth of water hyacinth or other weed which may pollute water</p> |
| 37. | <p>In the event of an outbreak of cholera or any other water borne infectious disease in any locality situated within the local limits of the jurisdiction of a Gram Panchayat, the Chairperson or any other person authorized by the Chairperson may, during the continuance of the outbreak, without notice and at any time, inspect and disinfect any well, tank or other place from which water is, or is likely to be, taken for the purpose of drinking and may further take such steps as he may deem fit to prevent the drawing of water there from.</p> | <p>Emergent power on outbreak of epidemic</p> |
| 38. | <p>If any work required to be done by an order contained in a notice served under sections 33,34,35,36 and 37 is not executed within the period specified in the notice or where an appeal is made to the prescribed authority in the appeal, the Gram Panchayat may, in the absence of satisfactory ground for non-compliance cause such work to be carried out and the cost of carrying out such work shall be recoverable as an arrear of land revenue from the person on whom the notice was served.</p> | <p>Power to recovery of cost for work carried out by Gram Panchayat on failure of any person</p> |

PROPERTY AND FUND OF GRAM PANCHAYAT

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| 39. | <p>A Gram Panchayat may have power to acquire, hold land dispose of property and to enter into contracts.</p> <p>Provided that in all cases of acquisition or disposal of immovable property, the Gram Panchayat shall obtain the prior approval of the State Government.</p> | <p>Power to acquire, hold and dispose of property.</p> |
| 40. | <p>(1) Subject to such restrictions or conditions as the State Government may think fit and proper, all or any properties of the nature specified below, and situated within the local limits of a Gram Panchayat shall vest in and belong to the Gram Panchayat concerned and shall be under its direction, management and control and shall be held and applied for the purpose of this Act.</p> <p>(a) All public buildings constructed and maintained out of the funds of the Gram Panchayat;</p> | <p>Properties vested in the Gram Panchayat</p> |

- (b) All public roads which have been constructed and maintained out of the funds of the Gram Panchayat and the stones and other materials thereof and also trees, erection materials, implements and things provided for such roads; and
- c) All lands and other properties movable or immovable transferred to the Gram Panchayat by the State Government;
- (2) The State Government may, by notification, exclude any street, bridge or drain from the operation of this Act or of any specified section of this Act;
- Provided that, if the cost of the construction of the work shall have been paid from the Gram Panchayat Fund, such work shall not be excluded from the operation of this Act or any specified section of this Act except after consideration of the views of the Gram Panchayat at a meeting.
41. The State Government may allocate to a Gram Panchayat any public property situated within its local jurisdiction, and thereupon such property shall vest in and come under the control of the Gram Panchayat. Allocation of property to Gram Panchayat
42. (1) Where a Gram Panchayat requires land for carrying out any of the purposes of this Act it may negotiate with person or persons having interest in the said land and if it fails to reach an agreement, it may make an application in the manner prescribed to the Deputy Commissioner of the district for the acquisition of the land and the Deputy Commissioner may, if he is satisfied that the land is required for public purpose, take steps to acquire the land under any law for the time being in force for acquisition of land and such land shall, on acquisition, vest in the Gram Panchayat. Acquisition of land for Gram Panchayats
- (2) Subject to such conditions as may be imposed and any special reservation as may be made by the Government, the management of all public property, markets, fairs and ferries or such portion thereof as are held upon public land as are maintained by the Government within the local limits of Gram Panchayat may be entrusted to the Gram Panchayat concerned and thereupon such public property, markets, fairs and ferries shall be managed and regulated by the Gram Panchayat concerned which shall receive, to the credit of the Gram Panchayat Fund, all dues levied or imposed by it in respect thereof.
43. A Gram Panchayat, with the sanction of the prescribed authority may borrow money from any autonomous body in the State or, from the Central Government or from the banks or other financial institutions for furtherance of its objectives on the basis of such specific schemes as may be drawn up by the Gram Panchayat. Power to borrow money.
44. (1) For every Gram Panchayat there shall be constituted a Gram Panchayat Fund bearing the name of the Gram Panchayat and there shall be placed to the credit thereof- Gram Panchayat Fund
- (a) Contributions and grants, if any made by the Central or the State Government including grants-in-aid from the Consolidated Fund of the State based on the recommendation of the State Finance Commission constituted under this Act;
- (b) *Contributions and grants, if any made by the Zilla Parishad or any other local Authority;
- (c) Loans, if any, granted by the State Government or the Central Government or institutions with prior approval of the State Government;
- (d) Sums on account of taxes, rates, duties, tolls and fees if any, authorized to be levied and received with the approval of the Government;
- (e) Any receipts as may be authorized by the Government in respect of any schools, hospitals, dispensaries, buildings, institutions or works vested in, constructed by or placed under the control and management of the Gram Panchayat;

* Amended on 21st April, 2018

- (f) Such fines and penalties imposed and realized under the provisions of this Act may be prescribed; or
- (g) And such other sums as may be authorized by the Government to be received by the Gram Panchayat.

(2) Every Gram Panchayat shall set apart and apply annually such sum as may be required to meet the cost of its own administration including the payment of salary allowances, provident fund and gratuity to its officers and employees if any engaged.

(3) Every Gram Panchayat shall have the power to open such account as it thinks fit for carrying out the purposes of this Act.

(4) The Gram Panchayat Fund shall be vested in the Gram Panchayat and the amount standing to the credit of the Fund shall be kept in such custody as the State Government may, from time to time, direct.

(5) Subject to such general control as the Gram Panchayat may exercise from time to time, all orders for payment from the Gram Panchayat Fund shall be signed by the Member Secretary.

(6) The Gram Panchayat Fund shall be operated in such manner as may be prescribed.

45. (1) Subject to such rules as may be made in this behalf, a Gram Panchayat may impose yearly, on lands and buildings within the local limits of its jurisdiction, a tax at such rate as may be prescribed on the annual value of such lands and buildings to be paid by the owners and occupiers thereof.

Imposition
of tax by
Gram
Panchayats

(2) The following lands and buildings shall be exempted from imposition of tax under sub-section (1) namely:-

- (a) Lands and buildings, the annual value of which is not more than such limit as may be prescribed;
- (b) Lands and buildings belonging to a local authority and used or intended to be used exclusively for a public purpose and not used or intended to be used for purposes of profit;
- (c) Lands and buildings used exclusively for religious, educational or charitable purposes; and
- (d) Lands and buildings owned by the Central or State Government.

(3) The State Government may, by notification, exempt either wholly or in part any other class of properties or classes of properties specified in the notification from the taxes or rates on duties leviable under this Section.

(4) Subject to such rules, restrictions and conditions as may be made in this behalf, a Gram Panchayat may with the prior approval of the Government levy-

- a) on all transfers of immovable property situated within the local limits of the Gram Panchayat, a duty in the shape of an additional stamp duty at such rate as may be prescribed the amount of the consideration for the sale, the value of the property in the case of a gift, the amount secured by the mortgage, the value of the property of the greater value in the case of exchange, or the value of rent for the first ten years in the case of a lease, as set forth in the instrument; and
- (b) a duty in the shape of an additional stamp duty at such rate as may be prescribed on all payments for admission to any entertainment.

(5) The state Government may make rules for regulating the collection of the duty on transfer of immovable property and duty on entertainment referred to in sub-section (4), the payment thereof to the Gram Panchayat and the deduction of any expense incurred by the State Government in the collection thereof.

Explanation : In this section-

- (a) 'annual value' in relation to any land or buildings, means an amount not exceeding six percent of the market value of such land and building estimated in the prescribed manner;

- (b) 'Entertainment' includes any exhibition, cinematograph exhibition, performance, amusement, games or sports to which persons are admitted on payment.
46. (1) Subject to the approval of the Government, a Gram Panchayat may levy the following fees, rates and tolls as may be notified by the Government from time to time.
- Levy of rates and fees
- (i) a fee for providing sanitary arrangements at such places of worship or pilgrimage, fairs and melas within its jurisdiction as may be specified by the State Government by notification published in the manner prescribed;
 - (ii) a water rate, where arrangement for the supply of water for drinking, irrigation or any other purpose is made by the Gram Panchayat within its jurisdiction;
 - (iii) a lighting rate, where arrangement for lighting of public streets and places is made by the Gram Panchayat within its jurisdiction;
 - (iv) a conservancy rate, where arrangement for cleaning private latrines, urinals and cesspools is made by the Gram Panchayat within its jurisdiction;
 - (v) fees on licence for running trade, wholesale or retail within the jurisdiction of the Gram Panchayat unless such licence or such trade is prohibited under any law for the time being in force;
 - (vi) tolls on persons, vehicles or animals or any class of them at any toll bar which is established by the Gram Panchayat on any road or bridge vested in or under the management of the Gram Panchayat; and
 - (vii) tolls in respect of any ferry established by or under the management of the Gram Panchayat.
- (2) The Gram Panchayat shall not undertake registration of vehicles or levy fees therefore and shall not provide sanitary arrangement at places of worship or pilgrimage, fairs and melas within its jurisdiction or levy fees therefore if such vehicle has already been registered by any other authority under any law for the time being in force or if such provision for sanitary arrangement has already been made by any other local authority or by the State Government.
47. An appeal shall lie against any order made by Gram Panchayat imposing tax or levying rate, fee or toll in such manner as may be prescribed before the prescribed authority and the decision of the prescribed authority in appeal shall be final.
- Appeal against imposition of tax, levy or rate, toll or fee
48. All dues on account of taxes, rates tolls or fees payable to Gram Panchayat under this Act shall be recoverable as arrears of land revenue.
- Recovery of tolls taxes, rates or fees as arrears of land revenue
49. (1) The State Government may remit the whole or part of any tax imposed or rate, toll or fee levied by a Gram Panchayat in respect of any period after the commencement of this Act.
- Remission or revision of tax, toll, rate or fee
- (2) The power exercisable by the State Government under sub-section (1) shall also be exercisable either generally or in any specified area by the prescribed authority under such circumstances as the State Government may prescribe.
- (3) A Gram Panchayat may, by resolution and under such circumstances as may be prescribed, remit the whole or part of any such tax, rate, toll or fee imposed or levied by it provided that no such resolution shall take effect unless it is approved by the prescribed authority.

(4) Where any tax, rate, toll or fee has been remitted under the section, any sum realized from any person on account of tax, rate, toll or fee so remitted, shall be refunded to him by the Gram Panchayat.

50. * (1) The Chairperson of every Gram Panchayat shall at such time and in such manner as may be prescribed cause to be prepared in each year a budget of its estimated income and expenditure for the following year and shall place the budget for passing in the meeting of the Gram Panchayat to be convened for the purpose and shall submit the budget to the *Zilla Parishad having jurisdiction over the area or the Gram. Budget of the Gram Panchayat
- * (2) The *Zilla Parishad may, within such time as may be prescribed, either approve the budget or return it to the Gram Panchayat for such modifications as it may direct. On such modifications being made the budget shall be resubmitted, within such time as may be prescribed for approval of the *Zilla Parishad. If approval of the *Zilla Parishad is not received by the Gram Panchayat within two months or by the last date of the year, whichever is earlier the budget shall be deemed to be approved by the *Zilla Parishad.
- (3) No expenditure shall be incurred unless the budget is approved by the *Zilla Parishad.
- (4) If before such date as may be prescribed a Gram Panchayat fails to submit the budget to the *Zilla Parishad, the prescribed authority may call upon the Gram Panchayat to furnish such information as it may require and may prepare the budget as required under sub-section (1) and submit it to the Zilla Parishad for approval and the budget so prepared by the prescribed authority shall have effect as if it had been passed by the Gram Panchayat, and the prescribed authority shall submit it to the *Zilla Parishad.
- * (5) On receipt of the budget from the prescribed authority under sub-section (4) the *Zilla Parishad shall approve the budget with such modification as deemed necessary and return it to the prescribed authority for onward transmission to the Gram Panchayat.
51. *A Gram Panchayat may prepare in each year a supplementary estimate providing for any modification of its budget and submit it to the *Zilla Parishad for approval within such time and in such manner as may be prescribed. Supplementen- tary budget
52. Every Gram Panchayat shall keep accounts of its income and expenditure in such manner and in such form as may be prescribed. Accounts
- CHAPTER - IV**
53. *Deleted.
54. *Deleted.
55. *Deleted.
56. *Deleted.
57. *A person shall be disqualified for being chosen as, and for being a member of the Gram Panchayat and Zilla Parishad if he :- Disqualification for membership of Gram Panchayat and Zilla Parishad
- (a) Is not a citizen of India; or
- (b) Is not twenty-one years of age; or
- (c) *Has been dismissed from the services of Central or any State Government or Gram Panchayat,earstwhile Anchal samity and Zilla Parishad or any other local authority for misconduct, unless a period of five years has elapsed from such dismissal; or
- (d) *If he is in service of or holds any office of profit under the Central Govt. or any State Government or autonomous body or any Zilla Parishad or any Gram Panchayat;

* Amended on 21st April, 2018

- (e) Has directly or indirectly any share or monetary interest in any work done by, or to,
- (f) *The Gram Panchayat /Zilla Parishad or in any contract or employment with, under, by or on behalf of the Gram Panchayat / Zilla Parishad; or
- (g) is an undischarged insolvent; or
- (h) is of unsound mind and stands so declared by a Competent Court; or
- (i) has been convicted by a criminal court of any offence involving moral turpitude and sentenced to imprisonment for not less than six months and five years have not elapsed since his release.
- (j) If he is so disqualified by or any law for the time being in force for the purposes of elections to the Legislature of the State:
 Provided that no person shall be disqualified on the ground that he is less than twenty five years of age, if he has attained the age of twenty one years.
- (k) If he is so disqualified by or under any law made by the Legislature of the State;
- (l) *If arrears of any kind are due by him to the Gram Panchayat/ erstwhile Anchal samity and Zilla Parishad ad Government;
 Provided that the disqualifications specified in clauses (d) and (e) shall not apply to an ex-officio member.

58. *Deleted.

59. *Deleted.

- *60 (1) A member of Gram Panchayat may resign his office by giving notice in writing to that effect to the Chairperson of the Gram Panchayat and the Chairperson of the Gram Panchayat may resign his office by giving notice in writing to that effect to the Chairperson of the Zilla Parishad.
 (2) A casual vacancy in the office of the Chairperson or any member shall be filled by election in accordance with the provisions of this Act or the rules made thereunder;
 Provided that a member elected under this sub-section shall hold office for the remainder of the term of the member in whose place he/she is elected.

*Resignation of office and filling up a casual vacancies in Gram Panchayat.

- *61. (1) Every elected member of a Gram Panchayat and Zilla Parishad shall before taking his seat make and subscribe before such officer as the Government may specify in this behalf an oath or affirmation in the form set out in the Schedule IV.
 (2) A member, who has not complied with the requirements of sub-section (1), shall not vote or take part in the proceedings of any meeting of the Gram Panchayat and Zilla Parishad nor shall he be included as a member of any committee, constituted by the Gram Panchayat and Zilla Parishad.

*Oath of office of the elected member of Gram Panchayat and Zilla Parishad.

*62. Deleted.

- *63. (1) A motion of no confidence may be moved by one-third of the total number of directly elected members of a Gram Panchayat or a Zilla Parishad against its Chairperson after giving at least seven days notice in writing to the Member Secretary or any other prescribed authority of Gram Panchayat or Zilla Parishad of their intention to move such a motion.
 (2) *If the motion is carried by a majority of not less than two-thirds of the total number of directly elected members of the Gram Panchayat or or a Zilla Parishad, present and voting, the Chairperson shall cease to hold office.
 (3) *Notwithstanding anything contained in this Act, the Chairperson of a

Motion of no confidence

* Amended on 21st April, 2018

Gram Panchayat or Zilla Parishad shall not preside at a meeting in which a motion of no-confidence against him is under discussion, but he shall have the right to speak or otherwise take part in the proceedings of such meeting.

64. *The Government may, by order, remove from office of the Chairperson or any other member of Gram Panchayat after giving him an opportunity of making a representation, if he-
- (a) Incurs any of the disqualification specified in section 57, or
 - (b) Refuses to act or becomes incapable of acting, or
 - (c) Is in the opinion of the Government undesirable in the public interest to be continued in office, or
 - (d) Is in the opinion of the Government undesirable in the public interest to be continued in office, or
 - (e) *Has caused financial loss, waste or misappropriation of any money of property belonging to the Gram Panchayat by neglect or misconduct in the performance of his duties; or
 - (f) *Conceals any of the points of disqualification specified in section 57 while presenting nomination papers for election of Gram Panchayat member and later detected; and the Chairperson or member so removed shall not be eligible for re-election to the vacancy so created.

Power to remove Chairperson or member of Gram Panchayat

65. *Deleted.

66. *Deleted.

67. *Deleted.

68. *Deleted.

69. *Every member of Gram Panchayat or Zilla Parishad who is not in the service of the Government shall be entitled to receive from the fund of a Gram Panchayat or Zilla Parishad travelling and daily allowances for attending its meetings or the meeting of any of its committees at such rates as may be prescribed.

Travelling and daily allowances of members of Gram Panchayat or Zilla Parishad

POWER AND FUNCTIONS

70. *Deleted.

71. *Deleted.

72. *Deleted.

73. *Deleted.

74. *Deleted.

75. *Deleted.

76. *Deleted.

77. *Deleted.

78. (1) *Zilla Parishad shall exercise general powers of supervision over Gram Panchayats in the District and it shall be duty of these authorities to give effect to the directions of the Zilla Parishad.

Power of supervision by Zilla Parishad over the Gram Panchayat

** Amended on 21st April, 2018*

(2)*A Zilla Parishad may -

- (a)* Inspect, or cause to be inspected, any immovable property used or occupied by a Gram Panchayat within the *District or any work in progress under the direction of a Gram Panchayat;
- (b) Inspect or examine, or depute an officer to inspect or examine, any department of a Gram Panchayat, or any service work or thing under the control of the Gram Panchayat;
- (c) *Inspect or cause to be inspected utilization of funds in respect of schemes or programmes assigned to the Gram Panchayats by the State Government for execution either directly or through the Zilla Parishad.
- (d) Require a Gram Panchayat, for the purpose of inspection or examination:-
- (i) to produce any book, record, correspondence or other documents;
 - (ii) to furnish any return, plan estimate, statement of accounts or statistics; or
 - (iii) to furnish or obtain any report or information.

79. ***Deleted.

80. ***Deleted.

81. ***Deleted.

82. ***Deleted.

83. ***Deleted.

***84. A. All the properties, capital assets, resources, records, institutions and funds of erstwhile Anchal Samity if any shall be transferred and vested to the respective Zilla Parishad of the Districts as may be determined and prescribed by the State Government on the commencement of the Amendment Act.

CHAPTER - V ZILLA PARISHAD

*85. (1) The **State Election Commission may, by notification, constitute a Zilla Parishad for each district with effect from such date as may be specified therein;

Constitution
and
composition of
Zilla Parishad

(2) Every Zilla Parishad shall consist of;

- (i) ***One member directly elected from such numbers of Gram Panchayats territorial constituencies earmarked for the purpose for electing Gram Panchayats in the manner prescribed.
- (ii) ***Deleted.
- (iii) the members of the Parliament and the members of the Legislative Assembly of the State representing a part or whole of the district whose constituencies lie within the district, ex-officio;
- (iv) not less than one-third of the total number of seats to be filled by direct election in every Zilla Parishad shall be reserved for Women

* Amended on 23rd August, 2002

* *Amended on 18th March, 2015

* **Amended on 21st April, 2018

and such seats may be allotted by rotation by the Deputy Commissioner to different constituencies in a Zilla parishad, in such manner as may be prescribed.

(3) All members of the Zilla Parishads, whether or not elected by direct election, shall have the right to vote in the meeting of the Zilla Parishad

except for election and removal of Chairperson of Zilla Parishad, for which purpose only directly elected members may vote;

Provided that no person shall be elected or after having been elected remain a member of Zilla Parishad, if he/she suffers from any of the disqualifications specified in clauses (a) to (j) of Section 57.

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| 86. | <p>(1) Every Zilla Parishad, except as otherwise provided in this Act, shall continue for five years from the date appointed for its first meeting and no longer.</p> <p>(2) No amendment of any law for the time being in force shall have the effect of causing dissolution of Zilla Parishad, which is functioning immediately before such amendment, till the expiration of duration specified under sub-section (1)</p> | Terms of office of members of Zilla Parishad |
| 87. | <p>A person shall be disqualified for being chosen as and for being a member of Zilla Parishad if he is disqualified for such ground as specified under section 57.</p> | Disqualification for membership Member |
| 88. | <p>(1) The Additional Deputy Commissioner shall be the Member Secretary of the Zilla Parishad.</p> <p>(2) As soon as may be after a Zilla Parishad is constituted, the Zilla Parishad shall elect in the prescribed manner from amongst its members a Chairperson who shall, subject to the other provisions of the Act hold office for a period of five years, with effect from such date as may be notified by the Government.</p> <p>(3) Not less than one third of the total number of offices of Chairperson in the State shall be reserved for women;</p> <p>Provided that the number of offices, reserved under this section shall be allotted by rotation to different Zilla Parishads within the State in such manner as may be prescribed.</p> <p>(4) If a casual vacancy occurs in the office of the Chairperson of the Zilla Parishad, the persons elected in the manner specified in sub-section (2) of section 60 fill such vacancy shall hold office for the remainder of the term of the Chairperson in whose place he/she is elected.</p> | Member Secretary/ Chairperson of Zilla Parishad/ reservation of seats of offices of Chairperson |
| 89. | <p>Casual vacancy shall be filled up in the same manner as specified under sub-section (2) of Section 60 of this Act.</p> | Filling of casual vacancy |
| 90. | <p>Any member other than an ex-officio member of a Zilla Parishad may resign his office by intimating in writing his intention to do so to the Member Secretary of the Zilla Parishad and such resignation shall take effect from the date of its receipts by the Member Secretary.</p> | Resignation of Members of Zilla Parishad |
| 91. | <p>The Government if it thinks fit on the recommendation of the Zilla Parishad may remove any member after giving him an opportunity of being heard and after such enquiry as it deems necessary if such member has been found guilty of misconduct in the discharge of his duties or of any disgraceful conduct, or has become incapable of performing his duties as a member.</p> | Removal of Members for misconduct |

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| 92. | <p>(1) A member holding office as Chairperson of Zilla Parishad may resign his office at any time by writing under his hand addressed to the Deputy Commissioner and the office shall become vacant on the expiry of fifteen days from the date of such resignation unless within the said period of fifteen days he withdraws such resignation by writing under his hand addressed to the Deputy Commissioner.</p> <p>(2) Every Chairperson of Zilla Parishad shall vacate office if he ceases to be a member of the Zilla Parish</p> <p>(3) Every Chairperson of Zilla Parishad shall be deemed to have vacated his office forthwith if a resolution expressing want of confidence in him is passed by a majority of the total number of elected members of the Zilla Parishad at a meeting specially convened for this purpose.</p> <p>(4) Every Chairperson of Zilla Parishad shall, after an opportunity is afforded for hearing him, be removable from his office as Chairperson by the Government for misconduct in the discharge of his duties or for being persistently remiss in the discharge of his duties and a Chairperson so removed who does not cease to be a member under sub-section (2) shall not be eligible for re-election as Chairperson during the remaining term of office as member of such Zilla Parishad.</p> <p>(5) A Chairperson removed from his office under sub-section (4) may also be removed by the Government from membership of the Zilla Parishad.</p> | Resignation
or removal of
Chairperson |
| 93. | Subject to such conditions as may be specified by the Government from time to time, the Zilla Parishad shall perform the functions as specified in Schedule-III. | Functions of
the Zilla
Parishad |
| 94. | <p>(1) The Government may assign to a Zilla Parishad functions in relation to ay matters to which the executive authority of the Government extends or in respect of function which have been assigned to the State Government by the Central Government.</p> <p>(2) The Government may, by notification, withdraw or modify the functions assigned under this section.</p> | Assignment
of functions |
| 95. | A motion of no confidence shall be moved and decided in the same manner as provided under 63 of this Act. | Motion of no
confidence |
| 96. | <p>(1) Every Zilla Parishad shall hold meeting in its office at least once in every three months on such date and at such hour as the Zilla Parishad may fix at the immediately preceding meeting;</p> <p>Provided that the first meeting of a newly constituted Zilla Parishad shall be held at such time and at such place within the local limits of the district concerned as the prescribed authority may fix;</p> <p>Provided further that the Chairperson, when required in writing by one fifth of the members of a Zilla Parishad to call a meeting, shall do so, fixing the date and hour of the meeting within fifteen days after giving intimation to the prescribed authority and seven clear days notice to the members of the Zilla Parishad failing which the members aforesaid may call a meeting within thirty days after giving intimation to the prescribed authority and seven days, notice to the Chairperson and other members of Zilla Parishad. Such meeting shall be held at such place, or such date and at such hour as the members calling the meeting may decide. The prescribed authority may appoint an observer for such meeting who shall submit to the prescribed authority a report in writing duly signed by him, within three days of the meeting, on the proceeding. The prescribed authority shall on receipt of the report take such action thereon as it may deem fit.</p> <p>(2) One-third of the total number of members of a Zilla Parishad shall form the quorum for a meeting of the Zilla Parishad;</p> <p>Provided that no quorum shall be necessary for an adjourned meeting.</p> | Meeting of
Zilla
Parishad |

- (3) The Chairperson, or in his absence one of the members chosen by the members present, shall preside at the meeting of the Zilla Parishad.
- (4) All questions coming before a Zilla Parishad shall be decided by a majority of votes.
- Provided that in case of equality of votes the Chairperson or the member presiding shall have a second or casting vote.
- (5) The Member Secretary of a Zilla Parishad shall attend meeting of the Zilla Parishad and shall participate in the deliberations thereof.
- (6) Seven clear days' notice for an ordinary meeting and seven clear days notice of a special meeting, specifying the time at which such meeting is to be held and business to be transacted there at, shall be sent to the member and pasted at the office of the Zilla Parishad. Such notice shall include, in case of special meeting, any motion or proposition mentioned in the written request made for such meeting.
97. (1) A list of business to be transacted at every meeting of the Zilla Parishad, except at adjourned meeting, shall be sent to each member of the Zilla Parishad in the member prescribed at least five days before the time fixed for such meeting and no business shall be brought before or transacted at any meeting other than business of which notice has been given except the approval of the majority of the members present at such meeting.
- Provided that if the Chairperson thinks that a situation has arisen for which an emergent meeting of the Zilla Parishad should be called, he may call such meeting after giving three days' notice to the members.
- Provided further that not more than one business shall be included in the list of business to be transacted at such emergent meeting.
98. The Zilla Parishad prepare and submit annually, in the prescribed manner, a report of the work done during the previous year and the work proposed to be done during the following year to the prescribed authority within the prescribed time.
99. (1) For every Zilla Parishad there shall be constituted a Zilla Parishad Fund bearing the name of the Zilla Parishad and there shall be placed to the credit thereof-
- (a) Contributions and grants, if any made by the Central or State Government, including such part of the land revenue collected in the State as determined by the State Government;
 - *(b) contributions and grants, if any made by the Gram Panchayat or any other local authority;
 - (c) Loans, if any granted by the State Government or by the Central Government with the prior approval of the State Government or loan raised by the Zilla Parishad on security of its assets with the permission of the State Government.
 - (d) Sums on account of taxes, rates, duties, tolls and fees if any authorized to be levied and received with approval of the Government;
 - (e) Any receipt as may be authorized by the Government in respect of any schools, hospitals, dispensaries, buildings, institutions or works vested in, constructed by or placed under the control and management of the Zilla Parishad;
 - (f) Such fines or penalties imposed and realized under the provisions of this Act; and
 - (g) Such other sums as may be authorized by the Government to be received by the Zilla Parishad.
- (2) The Zilla Parishad Fund shall be vested in the Zilla Parishad and the amount standing to the credit of the Fund shall be kept in such custody or

List of
business to
be transacted
at a meeting

Report on the
work of Zilla
Parishad

Zilla
Parishad
Fund

* Amended on 21st April, 2018

invested in such manner as the State Government, may from time to time, direct.

(3) Subject to such general control as the Zilla Parishad may exercise from time to time, all orders and cheques for payment from the Zilla Parishad Fund shall be signed by the Member Secretary.

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| 100. | The State Government may allocate to a Zilla Parishad any public property as it may think fit situated within its jurisdiction and thereupon, such property shall vest in and come under the control of the Zilla Parishad. | Allocation of properties to Zilla Parishad |
| 101. | (1) Every Zilla Parishad shall, at such time and in such manner as may be prescribed, prepare in each year a budget of its estimated receipts and disbursements for the following year and submit it to the Finance Department/ Finance Commission of the Government.

(2) The State Government may, within such time as may be prescribed either approve the budget or return it to the Zilla Parishad for such modifications as it may direct and on such modification being made, the budget shall be resubmitted within such time as may be prescribed for approval of the Finance Department/ Finance Commission and if it not received by the Zilla Parishad within two months or by the last date of the year; whichever is earlier, the budget shall be deemed to be approved by the Finance Department/Finance Commission.

(3) No expenditure shall be incurred unless the budget is approved by the Finance Department/ Finance Commission except in the prescribed manner. | Budget of the Zilla Parishad |
| 102. | The Zilla Parishad may prepare in the year a supplementary estimate providing for any modification of its budget and may submit to the Finance Department/Finance Commission for approval within such time and in such manner as may be prescribed. | Supplementary Budget |
| 103. | A Zilla Parishad shall keep such accounts in such manner as may be prescribed. | Accounts |

CHAPTER – VI

SUPERINTENDENCE, DIRECTION AND CONTROL OF ELECTION TO PANCHAYAT BY THE STATE ELECTION COMMISSION

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| 104. | (1) There shall be a State Election Commission constituted by the Governor for superintendence, direction and control of the preparation of Electoral rolls and for the conduct of all elections to the Panchayat bodies in the State under this Act and rules made thereunder. The State Election Commission shall consist of a State Election Commissioner to be appointed by the Governor.

(2) The conditions of service and tenure of the office of the State Election Commissioner shall be such as the Governor may by rules determine;

Provided that the State Election Commissioner shall not be removed from his office except in like manner and on like grounds as judge of the High Court and the conditions of service of the State Election Commissioner shall not be varied to his disadvantage after his appointment.

(3) The State Government shall, when so requested by the State Election Commissioner, make available to the State Election Commissioner such staff as may be necessary for the discharge of the functions conferred on the State Election Commissioner under this Act.

* (4) The State Election Commissioner shall, in consultation with the State Government appoint an officer of the State Government to be the District Election Officer and Sub-Divisional Election Officer to co-ordinate and supervise work in the District and Sub-Division in connection with the conduct of election under its superintendence and control. | State Election Commission |
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** Amended through an Ordinance dtd. 17.12.02*

105. 1. (a) The State Election Commissioner shall in consultation with the State Government appoint an officer of the State Government to be the Electoral Registration Officer and one or more person, as Assistant Electoral Registration officers for each constituency;
 Provided that nothing in this section shall prevent the State Election Commissioner to appoint the same person to be the Electoral Registration Officer for more than one constituency in one or more Grams;
- (b). The Electoral Roll for each constituency shall be prepared and revised by the Electoral Registration Officer appointed under clause (a);
- (c) An Electoral Registration Officer may , subject to such rules as may be prescribed employ such persons as he thinks fit for the preparation and revision of the electoral roll for the constituency.
- ** (2) The State Election Commissioner shall appoint a Returning Officer who shall be an officer of the State Government, for holding election to a constituency of a Zilla Parishad or a Gram Panchayat.
- (3) The State Election Commissioner may appoint one or more Assistant Returning Officer who shall be an officer of State Government to assist the returning Officers, in the performance of his functions. Every Assistant Returning Officer shall, subject to the control of the Returning Officer be competent to perform all or any of the functions of the Returning Officer.
 Provided that no Assistant Returning Officer shall perform any of the functions of the Returning Officer which relate to the scrutiny of nominations unless the Returning Officer is unavoidably prevented from performing the said functions.
- (4) The Returning Officer shall appoint Presiding Officers and Polling Officers for holding the elections or bye Elections referred in sub-section (2) 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 the election.
- (5) The Powers, functions and duties of Returning Officers, Presiding Officers, and Polling Officers and the procedure for holding elections including the declaration of results shall be such as may be prescribed.
- (6) At every election where poll is taken, votes shall be counted by or under the supervision and direction of the Returning Officer in such manner as may be prescribed.
106. For each constituency, there shall be an electoral roll showing the names of the persons qualified to vote. The Electoral shall be prepared in accordance with the provisions of this Act and rules made there under.
107. (1) A person shall be disqualified for registration in an electoral roll if he
- (a) Is not a citizen of India
- (b) Is of unsound mind and has been so declared by a competent court; or
- (c) Is for the time being disqualified from voting under the provisions of this Act or any other law relating to corrupt practice and other offences in connection with election.
- (2). The name of any person, who in the opinion of Electoral Registration Officer, becomes so disqualified after registration shall forth with be struck off from the electoral roll in which it is included;
- Provided that the name of any person struck off from the electoral roll by reason of a disqualification under clause (c) of sub-section (1) shall forthwith be restored if such disqualification is during the period such roll is in force, removed under any law authorizing such removal.
108. A Person registered in the electoral roll for a constituency relating to a Gram Panchayat shall not be entitled to be registered in the electoral roll for a constituency relating to any other Gram Panchayat, or in the electoral roll for any Municipality or Notified Area Authority as to be established or as to be

Appointment of Electoral Registration Officer/Assist and Electoral Registration Officer

Disqualification for registration in electoral roll

No person to be registered in the electoral roll relating to more than one local authority

* Amended on 21st April, 2018

	constituted under any law.	
109.	<p>(1) No person shall entitled to be registered in the electoral rolls for more than one constituency.</p> <p>(2). No Person shall be entitled to be registered in the electoral roll for any constituency more than once.</p>	No person to be registered more than once in any constituency
110.	<p>Subject to the provision of sections 105, 106, 107 and 108, every person who</p> <p>(a) is not less than 18 years of age on the 1st January of the year in which the election to take place</p> <p>(b) is ordinarily resident in a constituency shall be entitled to be registered in the electoral roll for the constituency.</p>	Conditions of registration
111.	<p>(1) A person shall not be deemed to be ordinarily resident in a constituency on the ground only that he owns, or is in possession of a dwelling house therein.</p> <p>(2) A person absenting himself temporary from his place of ordinary residence shall not, by reason thereof, cease to be ordinarily resident therein.</p> <p>(3) A member of the parliament or of the Legislative Assembly or the State absenting himself from his place of ordinary residence in connection with his duties as such member shall not, during the term of his office cease to be ordinarily resident therein merely by reason of his absence from that constituency.</p> <p>(4) A Person who is a patient in any establishment maintained wholly or mainly for the reception and treatment of persons suffering from mental illness or mental defectiveness, or who is detained in prison or other legal custody at any place shall not, by reason thereof, be deemed to be ordinarily resident of that place.</p> <p>(5) If in any case a question arises as to where a person is ordinarily resident at any relevant time, the question shall be determined with reference to all the facts of the case by the Electoral Registration Officer.</p>	Meaning of ordinarily resident
112.	<p>(1) The Electoral roll for each constituency shall be prepared by the Electoral Registration officer in the prescribed manner with reference to the qualifying date and shall come into force immediately upon its final publication in accordance with the rules made under this Act.</p> <p>(2) The said electoral roll may, if necessary, be divided into convenient parts which shall be numbered consecutively.</p> <p>(3) The said electoral roll shall, unless otherwise directed by the State Government by reasons to be recorded in writing, be revised in the prescribed manner with reference to the qualifying date;</p> <p>(i) *before each Election of the members of a Gram Panchayat or Zilla Parishad; and</p> <p>(ii) In any year, in the prescribed manner, with reference to qualifying date if such revision has been directed by the prescribed authority.</p> <p>(4) Notwithstanding, anything contained in sub-section (3) the prescribed authority may at any time for reasons to be recorded, direct a special revision of the electoral rolls for any gram panchayat, in such manner as it may think fit;</p> <p>Provided that subject to other provisions of this Act, the electoral roll for the Gram Panchayat as in force at the time of the issue of any such Direction, shall continue to be in force at the time of the issue of any such direction, shall continue to be in force until the completion of the special revision so directed.</p>	Preparation, revision and correction of electoral role
113.	If the Electoral Registration Officer for a constituency , on application made to him , or on his own motion, is satisfied after such enquiry as he thinks fit	Correction of entries in the electoral roll

* Amended on 21st April, 2018

that any entry in the electoral roll of the constituency;

- (a) Is erroneous or defective in any particular ; or
- (b) Should be deleted on the ground that the person concerned is dead or has ceased to be ordinarily resident in the constituency or is otherwise not entitled to be registered in that roll.

The Electoral Registration Officer shall, subject to such general or special directions, if any, as may be given by the State Election Commissioner in this behalf, amend or delete the entry;

Provided that before taking any action on the ground under clause (a) or any action under clause (b) on the ground that the person concerned has ceased to be ordinarily resident in that constituency or that he is otherwise not entitled to be registered in the electoral roll of that constituency, the Electoral Registration Officer shall give the person concerned a reasonable opportunity of being heard in respect of the action proposed to be taken in relation to him.

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| 114. | <p>(1) Any person, whose name is not included in the electoral of a constituency may apply to the Electoral Registration Officer in the prescribed manner for the inclusion of his name in that roll.</p> <p>(2) The Electoral Registration Officer shall, if satisfied that the applicant is entitled to be registered in the electoral rolls, direct his name to be included thereon:</p> <p>Provided that if the applicant is registered in the electoral roll of any other constituency, the Electoral Registration officer shall inform the electoral Registration Officer of the other constituency and that officer shall, on receipt of the information, strike off the applicant's name from that roll.</p> <p>(3) No amendment or deletion of any entry shall be made under Section 113 and no direction for the inclusion of a name in the electoral roll of a constituency shall be given under this section, after the last date for making nominations for an election in that constituency and before the completion of that election.</p> | Inclusion of names in electoral roll |
| 115. | An appeal shall be within such time and in such manner as may be prescribed before the prescribed authority from any order of the Electoral Registration Officer under Sections 107, 113 or Section 114. | Appeal |
| 116. | Every application under section 113 or section 114 and every appeal under section 115 shall be accompanied by the prescribed fee which shall in no case, be refunded. | Fee for application and appeal |
| 117. | <p>If any person makes in connection with</p> <ul style="list-style-type: none">(a) The preparation, revision or correction of electoral roll; or(b) the inclusion or exclusion of any entry in or from and electoral roll; a statement or declaration in writing which he either knows or believes to be false or does not behave to be true, he shall be punishable with imprisonment for a term which may extend to two months or with fine which may extend to two hundred rupees or with both. | Penalty for making false declaration |
| 118. | <p>No Civil Court shall have jurisdiction .</p> <ul style="list-style-type: none">(a) to entertain or adjudicate upon any question whether any person is or is not entitled to be registered in an electoral roll for a constituency; or(b) to question the legality of any action taken by or under the authority of the Electoral Registration Officer or of any decision given by any authority appointed under this Act for the preparation or revision of any such roll. | Jurisdiction of Civil Courts barred |
| 119. | (1) No person who is not except as expressly provided by this Act entered in | |

the electoral roll of any constituency, shall be entitled to vote at an election in that constituency.

Bar to vote

Provided that no person shall vote at an election in any constituency if he :

- (a) has been adjudged by a competent court to be of unsound mind.
- (b) has voluntarily acquired the citizenship of a foreign state; or
- (c) has been sentenced by a criminal court for an electoral offence punishable under this Act or has been disqualified under any other law from exercising any electoral right on account of corrupt practices in connection with an election and six years have not elapsed from the date of such sentence or disqualification, provided that the disqualification under this clause may, at any time, be removed by the State Government if it thinks fit.

(2) No person shall vote at an election in more than one constituency and if a person votes in more than one constituency, his vote in all such constituencies shall be void.

(3) No Person shall, at any election, vote in the same constituency more than once notwithstanding that his name may have been registered in the electoral roll for that constituency more than once and if he does so all his votes in that constituency shall be void.

(4) No Person shall vote at any election if he is confirmed imprisoned whether under a sentence of imprisonment or otherwise or is under the lawful custody of the police.

(5) Every Elector shall have the right to give only one vote in a constituency where the number of member to be elected is one.

*120. (1) A Person shall not be qualified to be chosen to fill a seat in a constituency of a Gram Panchayat and Zilla Parishad, unless;

Qualifications for membership of Gram Panchayat and Zilla Parishad

- (a) his or her name appears as an elector in the electoral roll of concerned constituency of a Gram Panchayat and Zilla Parishad.
- (b) he or she has completed 21 years of age on the date of submission of nomination at an election.
- (c) A person shall not be qualified to be chosen to fill a seat in more than one constituency of a Gram Panchayat and Zilla Parishad.

*121. Notwithstanding any thing in this Act no court shall have any Jurisdiction in respect of any matters connected with the disqualification of members of Gram Panchayat and members of Zilla Parishad.

Bar of jurisdiction of Court

*122. (1) Notwithstanding any thing contained in this Act it shall be lawful for the Government to issue directions to any Gram Panchayat and Zilla Parishad, in matters relating to the State and national policies , and such directions shall be binding on the gram Panchayat and Zilla Parishad.

Directions from Government

(2) The State Government may -

- (a) call for any record or register, and other document in possession or under the control of any Panchayat;
- (b) require any Panchayat to furnish any return, plan, estimate, statement, account or statistics; and
- (c) require any Panchayat to furnish any information or report on any matters connected with such Panchayat.

3) The Government shall constitute Election tribunal consisting of one member to be appointed by the Government to dispose of:

Constitution of Election tribunal

* Amended on 21st April, 2018

- (a) (i) all election petitions challenging elections to a Panchayat;
(ii) matters relating to disqualification of a member of the Panchayat;
and
(iii) any other election matter, in such manner as may be prescribed.
- (b) The headquarters of the tribunal shall be at such place as may be notified.
- (c) The Decision of the Election Tribunal made clause (a) of this sub-section shall be final.

CHAPTER -VII

ELECTORAL OFFENCES AND ELECTION DISPUTES

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| 123 | <p>(1) No Person shall, on the date or dates on which a poll is taken in any polling stations commit any of the following acts within the polling station or in any public or private place within a distance of one hundred metres of the polling station, namely -</p> <ul style="list-style-type: none"> (a) canvassing for votes; or (b) soliciting the vote of any voter; or (c) persuading any voter not to vote for any particular candidate; or (d) persuading any voter not to vote at the election; or (e) exhibiting any notice or sign (other than an official notice relating to the election). <p>(2) Any Person who contravenes the provisions of sub-section (1), shall, on conviction, be punished with fine which may extend to rupees five hundred.</p> <p>(3) An offence punishable under this section shall be cognizable.</p> | <p>Prohibition of canvassing in or near polling station</p> |
| 124. | <p>(1) No Person shall on the date or dates on which a poll is taken at any polling Station:-</p> <ul style="list-style-type: none"> (a) use or operate within or at the entrance of the polling Station, or in any public or private place in the neighborhood thereof, any apparatus for amplifying or reproducing the human voice, such as a megaphone or a loudspeaker; or (b) shout, or otherwise act in a disorderly manner, within or at the entrance of the polling station or in any public or private place in the neighbourhood thereof, so as to cause annoyance to any person visiting the polling station for the poll, or so as to interfere with the work of the officers and other persons on duty at the polling station. <p>(2) Any Person who contravenes or willfully aids or abets the contravention of the of the provisions of sub-section (1) shall, on conviction, be punished with imprisonment which may extend to three months or with fine or with both.</p> <p>(3) If the Presiding Officer of a Polling Station has reasons to believe, that any person is committing or has committed an offence punishable under this section he may direct any police officer to arrest such person and thereupon the police officer shall arrest him.</p> <p>(4) Any police officer may take such steps and use such force as may be reasonably necessary for preventing any contravention of the provisions of sub- section (1) and may seize any apparatus used for such contravention.</p> | <p>Penalty for disorderly conduct in or near polling station</p> |
| 125. | <p>(1) Any Person who during the hours fixed for the poll at any polling station misconducts himself or fails to obey the lawful directions of the presiding officer, may be removed from the polling station by the presiding officer or by any police officer on duty or by any person authorized in this behalf by such Presiding officer.</p> | <p>Penalty for misconduct at polling station</p> |

* Amended on 21st April, 2018

- 2) The Powers conferred by sub-section (1) shall not be exercised so as to prevent any voter who is otherwise entitled to vote at a polling station from having an opportunity of voting at that station.
- (3) If any person who has been so removed from a polling station re-enters the polling station without the permission of the presiding officer he shall, on conviction, be punished with imprisonment for a term which may extend to three months, or with fine, or with both.
- (4) An Offence punishable under sub-section (3) shall be cognizable.
126. (1) Every Officer, clerk, agent or other person who performs any duty in connection with the recording or cutting of votes at any election shall maintain and aid in maintaining, the secrecy of the voting and shall not (except for some purpose authorized by or under any law) communicate to any person any information calculated to violate secrecy.
- (2) Any person who contravenes the provisions of sub-section (1) shall, on conviction, be punished with imprisonment for a term which may extend to three months or with fine or with both.
- Maintenance of secrecy of voting
127. (1) No Person who is a returning officer or a presiding officer or a polling officer at any election or any officer or clerk appointed by the returning officer or the presiding officer to perform any duty in connection with an election shall, in the conduct of the management of the election, do any act (other than the giving of a voter) for the furtherance of the prospects of the election of a candidate.
- (2). No such person as aforesaid , and no member of a police force, shall endeavor,
- (a) to persuade any person to give his vote at an elections; or
- (b) to dissuade any person from giving his vote at an election; or
- (c) To influence the voting of any person at an election in any manner.
- (3) Any Person who contravenes the provisions of sub-section (1) or sub-section (2) shall on conviction, be punished with imprisonment for a term which may extend to six months or with fine or with both.
- (4) An offence punishable under sub-section (2) shall be cognizable.
- Officers etc. at elections not to act for candidate or influence voting
128. (1) If any Person to whom this section applies is without reasonable cause guilty of any act or omission in breach of his official duty, he shall on conviction, be punished with fine which may extended to five hundred rupees.m
- (2) An offence under sub-section (1) shall be cognizable.
- (3) No suit or other legal proceedings shall lie against such person for damages in respect of any such act or omission as aforesaid.
- (4) The persons to whom this section applies are the returning officers, presiding officers, polling officers and any other person appointed to perform any duty in connection with the receipt or nominations or withdrawal of candidatures or the recording or counting of votes at an election; and the expression “ official duty” shall for the purpose of this section be construed accordingly, but shall not include duties imposed otherwise than by or under this Act.
- Breaches of official duty in connection with elections
129. (1) Any Person who at any election fraudulently takes, or attempts to take a ballot paper out of a polling station, or willfully aids or abets the doing of any such act shall, on conviction, be punished with imprisonment for a term which may extended to one year or with fine or with both.
- (2) If the presiding officer of a polling station has reason to believe that any person is committing an offence punishable under sub-section (1), such officer may, before such person leaves the polling station, arrest or direct a police office to arrest such person and may search such person or cause him to be searched by a police officer;
- Removal of ballot papers from polling station to be an offence

Provided that when it is necessary to cause a woman to be searched , the search shall be made by another woman with strict regard to decency.

(3) Any ballot paper found upon the person arrested on search shall be made over form safe custody to a police officer by the presiding officer, or when the search is made by a police officer, shall be kept by such officer in safe custody.

(4) An offence punishable under sub-section (1) shall be cognizable.

130. (1) A person shall be guilty of an offence if at any election, he,
- (a) fraudulently defaces, or fraudulently destroys any nomination paper; or
 - (b) fraudulently defaces, destroys or removes any list, notice or other documents affixed by or under the authority of a returning officer; or
 - (c) fraudulently defaces or fraudulently destroys any ballot paper or the official mark on any ballot paper; or
 - (d) without due authority supplies any ballot paper to any person or receives any ballot paper from any person or is in possession of any ballot paper; or
 - (e) fraudulently puts into any ballot box anything other than the ballot paper which he is authorized by law to put in; or
 - (f) without due authority destroys, takes, opens or otherwise interferes with any ballot box or ballot papers then in use for the purposes of the election; or
 - (g) fraudulently or without due authority as the case may be, attempts to do any of the foregoing acts or willfully aids or abets the doing of Any such acts.

(2) Any person guilty of an offence under the section shall,

- (a) If he is a returning officer or presiding officer of a polling station or nay other officer or clerk employed on official duty in connection with the election, on conviction, be punished with imprisonment for a term which may extend to two years or with fine or with both;
- (b) If he is any other person, on conviction, be punished with imprisonment for a term which may extend to six months or with fine or with both;

(3) For the purpose of this section, a person shall be deemed to be on official duty if his duty is to take part in the conduct of an election or part of an election including the counting of votes or to be responsible after an election for the used ballot papers and other documents in connection with such election, but the expression "official duty" shall not include any duty imposed other wise than by or under this Act in connection with such election.

(4) An offence punishable under clause (b) of sub-section (2) shall be cognizable.

Other offences and penalties thereof

131. Any person who in connection with an election under this Act, promotes or attempts to promote on grounds of religion, race, caste, community or language feelings of enmity or hatred between different classes of the citizens of India shall, on conviction, be punished with imprisonment for a term which may extended to three years, or with fine or with both.

Promotion of enmity between classes in connection with election

132. (1) No Person shall convene, hold or attend any public meeting, within any polling area within forty eight hours before the commencement of the poll or on the date or dates on which poll is taken for an election in that polling area.

(2) Any person who contravenes the provisions of sub-section (1) shall, on conviction, be punished with fine which may extend to two hundred fifty rupee

Prohibition of public mettings on the day preceding the election day and on the election day

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| 133. | The Deputy Commissioner may in order to ensure free and fair election, prohibit any fair (including cattle fairs) or shandies in a Panchayat area on the day of election to the gram Panchayat or such area. | Power of Deputy Commissioner to prohibit fairs etc. on election day |
| 134. | <p>(1) Any person who at a public meeting held in connection with an election under this Act, acts or incites others to act, in a disorderly manner for the purpose of preventing the transaction of the business for which the meeting was called shall, on conviction, be punished with fine which may extend to five hundred rupees.</p> <p>(2) if any police Officer reasonably suspects any person of committing an offence under sub-section (1), he may if requested so to do by the Chairperson of the meeting require that person to declare to him immediately his name and address and if that person refuses or fails to declare his name and address or if the police officer reasonably suspects him of giving a false name or address, the police officer may arrest him without warrant.</p> | Disturbance at election meetings |
| 135. | <p>(1) No Person shall print or publish, or cause to be printed or published any election pamphlet or poster which does not bear its face the names and addresses of the printer and the publishers thereof.</p> <p>(2) No person shall print or cause to be printed any election pamphlet or poster</p> <p>(a) unless a declaration as to the identity of the publisher thereof, signed by him and attested by two persons to whom he is personally known is delivered by him to the printer in duplicate; and</p> <p>(b) Unless within a reasonable time after the printing of the documents one copy of the declaration is sent by the printer together with one copy of the document to the Deputy Commissioner.</p> <p>(3) For the purposes of this section -</p> <p>(a) any process for multiplying copies of a document, other than copying it by hand shall be deemed to be printing and the expression 'printer' shall be construed accordingly; and</p> <p>(b) Election pamphlets or poster means any printed pamphlet, hand bill or other document distributed for the purpose of promoting or prejudicing the election of a candidate or group of candidates or any placard or poster having reference to an election but does not include any hand bill, placard or poster merely announcing the date, time, place and other particulars of an election meeting or routine instruction to election agents or workers.</p> <p>(4) Any person who contravenes any of the provisions of sub-section (1) or sub-section (2) shall, on conviction, be punished with imprisonment for a term which may extend to six months or with fine which may extend to one thousand rupees or with both.</p> | Restrictions on the printing of pamphlets, posters etc |
| 136. | If any person is guilty of any such corrupt practice as is specified below or in connection with an election, he shall, on conviction, be punished with fine which may extend to five hundred rupees, the hiring or procuring whether on payment or otherwise, any vehicle, or vessel by a candidate or his agent or by any other person with the consent of a candidate or his agent, or the use of such vehicle or vessel for the free conveyance of any voter (other than the candidate himself, the members of his family or his agents) to or from any polling station provided in accordance with the rules made under this act; | Penalty on illegal hiring or procuring of conveyance at election |

Provided that the use of any public transport vehicle or vessel or railway carriage by any voter at his own cost for the purpose of going to or coming from any such polling station or place fixed for the poll shall not be deemed to be a corrupt practice under this clause.

Explanation: In this clause the expression 'vehicle' means any vehicle used or capable of being used for the purpose of road transport, whether propelled by mechanical power or otherwise whether used for the drawing of other vehicles or otherwise.

137. No court shall take cognizance of an offence punishable under clause (a) of sub-section (2) of section 130 unless there is a complaint made by an order of or under authority from the Deputy Commissioner.

Prosecution in certain offences

CHAPTER -VIII

FINANCE COMMISSION

- *138. (1) The Governor shall as soon as may be within one year from the commencement of this Act and thereafter at the expiration of every fifth year constitute a finance commission to review the financial position of the Zilla Parishads and the Gram Panchayats and to make recommendations to the Governor as to :-

Finance Commission for Panchayat

- *(a) The principle which should govern -
- (i) the distribution between the State and Zilla Parishads and the Gram Panchayats of the net proceeds of the taxes, duties, tolls and fees leviable by the State which may be divided between them under this Act and allocation between the Zilla Parishads and Gram Panchayats of their respective shares of such proceeds;
 - (ii) the determination of the taxes, duties, tolls, rates and fees which may be assigned to or appropriated by the Zilla Parishads and the Gram Panchayats;
 - (iii) the grant-in-aid to the Zilla Parishads and the Gram Panchayats from the consolidated Fund of the State;
- (b) The measures needed to improve the financial positions of the Zilla parishads and the Gram Panchayat; or
- (c) Any other matter referred to the Finance Commission by the Governor in the interest of sound finance of the Zilla Parishads and the Gram Panchayats.
- (2) The Finance Commission shall consist of one or more members of whom one shall be the chairman.
- (3) The Chairman or members of the Finance Commission shall possess such qualification and shall be appointed in such manner as may be prescribed.
- (4) The Finance Commission shall determine its procedure.
- (5) The Chairman or a member of the finance Commission may resign his office by writing under his hand and addressed to the Governor but he shall continue in office until his resignation is accepted by the Governor.
- (6) The 'casual vacancy' created by the resignation of the chairman or a member under sub-section (5) or for any other reasons may be filled up by the fresh appointment and the chairman or the member so appointed shall hold office for the remaining period for which the Chairman or the member in whose place he was appointed would have held office.

- (7) The Finance Commission shall have the following powers in the performance of its functions, namely -
- (a) to call for any record from any officer or authority;
 - (b) to summon any person to give evidence or produce any record; and
 - (c) such other powers as may be assigned to it by the Governor
- (8) The Governor shall cause every recommendation made by the Finance Commission under this section, together with an explanatory memorandum as to the action taken thereon to be laid before the State Legislature.

Default in performance of duty by Gram Panchayat and Zilla Parishad member, officer etc.

CHAPTER -IX

MISCELLANEOUS

- *139. (1) If at any time it appears to the Deputy Commissioner or any Officer authorized by him in this behalf that a Gram Panchayat and a zilla Parishad member, or officer, or employee thereof has made willful or persistent default in the performance or any duty imposed under this Act the Deputy Commissioner or the officer may, by order in writing fix, a period for the performance of that duty, and if the duty is not performed within the period so fixed, the Deputy Commissioner or the officer may, by orders appoint any person to perform the said duty and direct that the expenses of the performance of the duty shall be paid by the defaulting Gram Panchayat and Zilla Parishad within such period as he may think fit.

(2) The Deputy Commissioner or the officer exercising the power under sub-section (1) shall call for the explanation of the Gram Panchayat and Zilla Parishad concerned for any default under sub-section (1) and shall forthwith report to the Government who may, after giving notice to the Gram Panchayat and Zilla Parishad officer or employee and after making such inquiry as he deems fit, rescind modify or confirm the order.

- *140. (1) If, in the opinion of the Deputy Commissioner or any officer authorized by him in this behalf, the execution of any order or resolution of a Gram Panchayat or a Zilla Parishad or the doing of an act which is about to be done or is causing or is likely to cause injury or annoyance to the public or to lead to a breach of the peace or is unlawful, he may, by order in writing, suspend the execution of that order or resolution or prohibit the doing of that act.

(2) When the Deputy Commissioner or the officer makes an order under sub-section (1) he shall forthwith send to the gram Panchayat or the Zilla Parishad effected thereby a copy of the order together with a statement of the reasons for making it.

(3) The Deputy Commissioner or the Officer shall also forthwith submit to the Government a report of the circumstances in which the order was made under this section and the Government may, after giving notice to the Gram Panchayat or Zilla Parishad and making such inquiry as he deems fit, rescind, modify or confirm the order.

Suspension of execution of order or resolution of Gram Panchayat and Zilla Parishad

- *141. (1) The Deputy Commissioner may at any time call for the records of a Gram Panchayat or Zilla Parishad relating to taxes or fees levied within its area and may make suggestion for alteration, addition or modification of any tax or fee so levied at the rate thereof.

(2) On receipt of a suggestion under sub-section (1) the Gram Panchayat or the Zilla parishad shall reconsider the matter in a meeting and a copy of the resolution adopted shall be sent to the deputy Commissioner.

Power of Deputy Commission- ner to call for record relating to tax or fee and make suggestion

- *142. (1) If, in the opinion of the Government, Gram Panchayat or Zilla Parishad;

* Amended on 21st April, 2018

- (a) exceeds or abuses its powers, or
- (b) is incompetent to perform, or makes willful and persistent default in the discharge of the functions imposed on it by or under this act or another law for the time being in force; or
- (c) persistently disobeys the order of the Deputy Commissioner or the officer under sub-section (1) of section 139.

Dissolution of Gram Panchayat and Zilla Parishad

(2) The Government may, by order in writing, dissolve Gram Panchayat or a Zilla Parishad and direct that it shall be reconstituted in the manner provided in this Act.

(3) No order under sub-section (1) shall be passed by the Government without giving to a gram Panchayat or a Zilla parishad reasonable opportunity to render an explanation.

(4) When a Gram Panchayat or a Zilla Parishad is dissolved under sub-section (1);

- (a) All the members of the Gram panchayat or Zilla Parishad shall, from the date specified in the order, vacate their office as member;
- (b) All the functions of the Gram Panchayat and Zilla Parishad shall during the period of dissolution, be discharged by such person or persons as the Government may appoint in this behalf.

(5) *When a Gram Panchayat or Zilla Parishad is dissolved, it shall be reconstituted in the manner provided in this Act before the end of six months from the date of such dissolution;

Provided that where the remainder of the period for which the dissolved Zilla parishad or Gram Panchayat would have continued is less than six months it shall not be necessary to hold an election under this section for constitution of a Zilla parishad or gram panchayat for such period.

(6) Zilla Parishad or Gram Panchayat constituted upon the dissolution before expiration of its duration shall continue only for the remainder of the period of which the dissolved Zilla Parishad or Gram Panchayat would have continued had it not been so dissolved.

(7) Notwithstanding anything contained in this Act, in case, the Zilla Parishad or Gram Panchayats are not reconstituted in terms of this Act and in case the Zilla Parishads or Gram Panchayats are dissolved due to compelling circumstances the functions of the Zilla Parishads and Gram Panchayats shall be vested to such competent authorities as may be determined by the Government to ensure that the interests of public are protected during the transition period till the new Zilla Parishad and Gram Panchayat are reconstituted under this Act”.

*143. (1) No suit or persecution shall lie against any member, officer, employee or agent of a Gram Panchayat or a Zilla Parishad, in respect of anything done or intended to be done in good faith under this Act or any rule or bye-law made thereunder.

Bar of action against Gram Panchayat and Zilla Parishad etc. and previous notice before institution

(2) No suit or other legal proceedings shall be instituted against any Gram Panchayat or Zilla Parishad or any member, officer, employee or agent thereof for anything done or purporting to be done under this Act or any rule or bye-law made there under, until expiration of two months next after notice in writing has been left or delivered at the office of the Gram Panchayat or Zilla Parishad as the case may be, and also at the residence of the member, officer, employee or agent thereof against whom suit or proceeding is intended to be instituted and the notice shall state the amount of compensation claimed and the name and place of abode of the person who intends to institute the suit or proceedings.

(3) Every suit or proceeding referred to in sub-section (2) shall be instituted within six months after the date on which the cause of action arose.

Penalty for acquisition by officer or servant of interest in contract

*144. If any member, officer or servant of a Gram Panchayat or Zilla Parishad knowingly acquires for himself directly or indirectly by himself or by a partner, employer or servant, any share of interest in any contract or employment

with, by or on behalf of a Gram Panchayat or Zilla Parishad, he shall on conviction, be punished with fine which may extend to five hundred rupees.

- *145. Who ever -
- (i) obstructs a Gram Panchayat or a Zilla Parishad or any members, employee or agent thereof or prevent or attempts to prevent any such member, employee or agent from doing anything which he is empowered or required to do under the provisions of this Act or any rule bye -law made thereunder, or
 - (ii) without lawful authority removes or destroys, defaces or otherwise obliterated any notice, materials, lamp post, direction post stand post or any other property exhibited or erected by the Gram Panchayat or Zilla Parishad or under its authority shall be punishable with fine which may extend to two hundred rupees.
- *146. Whosoever removes, displaces or makes an alternation in or encroaches of land, road etc. or otherwise interferes with any pavement, gutter or other materials of public streets, or any fence, wall or post thereof, or a lamp post or bracket, direction post, stand post, hydrant or other such property of the Gram Panchayat and Zilla Parishad without the sanction from the respective Gram Panchayat and Zilla Parishad or other local authority shall be punishable with fine which may extend to one thousand rupees.
- *147. Whosoever contravenes any of the provision of this Act or rule made there under shall, if no other penalty is provided elsewhere in the Act for such contravention, be punishable with fine which may extend to two hundred rupees and, in the case of a continuing contravention with an additional fine which may extend to ten rupees for every day after the first during which he has persisted in the contravention.
148. (1) Any police officer may arrest any person committing in his presence any offence against the provisions of this act or of any regulation or bye-law made thereunder if the name and address of such person is not known to him and if he declines to give his name and address, or if the police officer has reasons to doubt the accuracy of such name and address given and such person may be detained at the Station House until his name and address is correctly ascertained.
- (2) Any person arrested under sub-section (1) shall be informed as soon as may be, of the grounds for such arrest and shall be produced before the nearest Magistrates within a period of twenty four hours of such arrest excluding the time necessary for the journey from the place of arrest to the Court of the Magistrates and no such person shall be detained in custody beyond the said period without authority of magistrate.
- (3) It shall also be the duty of all police officer to give immediate information to the chairperson or member Secretary of the Gram Panchayat, Chairperson or Member Secretary of the Zilla Parishad, the commission of any offence against the provisions of this Act or of any rule, regulation or bye-law made thereunder or where a member of the Gram Panchayat or Zilla Parishad is arrested within twenty-four hours of such arrest and to assist all officers and servants of the Gram Panchayat or Zilla Parishad in the exercise of their lawful authority.
149. * Every member, officer or other employees of a Gram Panchayat, and Members of a Zilla Parishad shall be deemed to be public servant within the meaning of section 21 of the Indian Penal Code.
150. (1) The Government may, after previous publication, make rules to carry out all or any of the provisions of this Act.
151. *(1) Subject to the provision of this Act and the rules made there under a

* Amended on 21st April, 2018

Gram Panchayat or a Zilla Parishad may frame by - laws:

- a. to regulate the appointment, functions, powers duties and conditions of service of its officers and employees;
- b. to prohibit or regulate the discharge of water from any drain or premises on a public street or into a river, pond, tank well or any other place;
- c. to regulate sanitation, conservancy and drainage in the area within its jurisdiction;
- d. to prohibit or regulate the use of roads, public streets or other public streets or other public places;
- e. to regulate the terms and conditions subject to which a license may be granted for the running of markets by private persons, the fees to be charged there from and other incidental matters;
- f. to regulate the manner in which tanks, ponds, cesspools, pasture lands, playgrounds, manure pits land for disposal of dead bodies and bathing places may be maintained and used; and
- g. to regulate any of these functions under this Act.

(2) Any by-law made under sub-section (1) may provide that a contravention thereof shall be punishable with fine which may extend to one hundred rupees and in the case of a continuing contravention with an additional fine which may extend to five rupees for each day during which the contravention continues.

(3) The Power to make bye-laws conferred sub-section (1) is conferred subject to the condition of the bye-law being made after previous publication and any bye-law so made shall not take effect until it has been approved by the Govt. and published in the official Gazette.

152. *The Government may by notification, in the official gazette, omit or add any activity, programme or scheme covered by or mentioned schedules (i) and (iii) on the issue of such notification the schedule shall be deemed to have been amended accordingly. (Schudle-ii deleted).

CHAPTER -X

INSPECTION AND AUDIT

153. *(1) The State Government shall appoint an officer and such other officers as it may consider necessary for the purpose of inspection or superintending the work, of all, or any of the Gram Panchayats or the Zilla Parishads.

Inspection
and Audit

(2) An Officer appointed to inspect or superintend the work of a Gram Panchayat or a Zilla Parishad may at any time -

- (a) inspect, or cause to be inspected any immovable property used or occupied by the Gram Panchayat or the Zilla Parishad or any work in progress under the direction of the Gram Panchayat or the Zilla Parishad.
- (b) inspect or examine or depute any other officer of the Government to inspect or examine, any department of the Gram Panchayat or the Zilla Parishad or any service, work or thing under the control of the Gram Panchayat or the Zilla Parishad; and
- (c) Require for the purpose of inspection or examination the Gram Panchayat or the Zilla Parishad
 - (i) to produce any record, correspondence, plan or other document;
 - (ii) to furnish any return, plan, estimate statement, accounts or statistics; or
 - (iii) to furnish or obtain any report or information.

(3) The Deputy Commissioner or any other officer not below the rank of an Additional Deputy Commissioner or Extra Assistant Commissioner, when authorised by the State Government in this behalf, may exercise all or any of the powers conferred on an inspecting officer under sub-section (2).

(4) When an inspection of a Gram Panchayat or a Zilla Parishad is undertaken by any officer referred to in sub-section (3) a report of such inspection shall be submitted by such officer to the State Government.

- *154. (1) The Audit of the Accounts of the fund of a Gram Panchayat or a Zilla Parishad shall be carried out by the authority as may be prescribed by the Government and a copy of the audit report:-
- (a) on the Gram Panchayat, shall be forwarded to the Zilla Parishad by the Gram Panchayat.
- (b) Deleted.
- (c) on the Zilla Parishad, shall be forward to the State Government by the Zilla Parishad.
- after taking steps to rectify any defects or irregularities committed in such action as may be necessary against such person after calling for such explanation and making such enquiry after giving an opportunity to him which have been pointed out in the audit.
- Audit
155. *(1) As soon as may be after the first day of April in every year, and not later than such date as may be fixed by the Government, the Member Secretary shall place before the Gram Panchayat a report of the administration of the Gram Panchayat during the preceding financial year, in such form and with such details as the Government may direct, and shall forward the report, with the resolution of the Gram Panchayat thereon, to the Zilla Parishad and to the Government.
- Annual Administration Report
156. (1) The Arunachal Pradesh Panchayat Raj Ordinance, 1994 is hereby repealed.
- (2) Notwithstanding such repeal, anything done or any action taken under the said ordinance, shall be deemed to have been done or taken under the corresponding provisions of this Act:
- Provided that all the panchayats existing immediately before commencement of this Act shall continue till the expiration of their duration or till the expiry on such extended period as allowed under the North East Frontier Agency Panchayat Raj Regulations, 1967 in terms of proviso to section 148 of the Arunachal Pradesh Panchayat Raj Ordinance, 1994.
- Repeal and saving
157. If any difficulty arises in giving effect to the provisions of this Act, the Government, may by order, published in the official Gazette as the occasion may require, do anything which appears to it to be necessary to remove the difficulty.
- Removal of difficulties

SCHEDULE -I
(See Section 30)

- I. General Functions:
- (1) Preparation of annual plans for the development of the Panchayat area
- (2) Preparation of annual Budget
- (3) Providing reliefs in natural calamities
- (4) Removal of encroachment on public properties.
- (5) Organizing voluntary labour and contribution for community works.
- (6) Maintenance of essential statistics of the villages.

* Amended on 21st April, 2018

Section 155 substituted vide ammendment on 21st april, 2018

- II. Agriculture, including Agricultural Extension:
 - (1) Promotion and Development of agriculture and horticulture
 - (2) Development of waste lands
 - (3) Development and maintenance of grazing lands and preventing their unauthorized alienation and use.

- III. Animal Husbandry, Dairying and Poultry:
 - (1) Improvement of breed of cattle, poultry and other livestock.
 - (2) Promotion of Dairy farming, poultry and piggery
 - (3) Grassland development.

- IV. Fisheries:
 - Development of fisheries in the villages.

- V. Social and farm Forestry, Minor Forest Produce, Fuel and Fodder:
 - (1) Planting and Preservation of trees on the sides of roads and other public lands under its control.
 - (2) Fuel Plantations and fodder development.
 - (3) Promotion of Farm Forestry.
 - (4) Development of social Forestry.

- VI. Khadi Village and Cottage industries:
 - (1) Promotion of rural and cottage industries.
 - (2) Organisation of conferences, seminars and training programmes, agricultural and industrial exhibitions for the benefit of the rural areas.

- VII. Rural Housing:
 - (1) Distribution of house sites within Gramthana limits.
 - (2) Maintenance of records relating to the houses, sites and other private and public properties.

- VIII. Drinking water:
 - (1) Construction, repairs and maintenance of drinking water wells, tanks and ponds.
 - (2) Prevention and control of water pollution.
 - (3) Maintenance of rural water supply scheme.

- IX. Roads Building, culverts, Bridges, Ferries, water ways and other means communication:
 - (1) Construction and maintenance of village roads, drains and culverts
 - (2) Maintenance of Buildings under its control or transferred to it by the Government to any public authority.
 - (3) Maintenance of boats, ferries and water ways.

- X. Rural Electrification including distribution of Electricity:
 - Providing for and maintenance of lighting of public streets and other places.

- XI. Non-conventional Energy Source:
 - (1) Promotion and development of non-conventional energy schemes
 - (2) Maintenance of Community non-conventional energy devices including bio-gas plants.
 - (3) Propagation of improved chulhas and other efficient energy devices.

- XII. Poverty Alleviation Programmes:

- (1) Promotion of public awareness and participation in poverty alleviation programmes for fuller employment and creation of productive assets etc.
 - (2) Selection of beneficiaries under various programmes through Gram Panchayat
 - (3) Participation of effective implementation and monitoring.
- XIII. Education, including primary and Secondary schools:
- (1) Promotion of public awareness and participation in primary and secondary education.
 - (2) Ensuring full enrolment and attendance in primary schools.
- XIV. Adult and Non-formal Education: Promotion of adult literacy.
- XV. Libraries:
Village libraries and reading rooms.
- XVI. Cultural Activities. :
Promotion of social and cultural activities.
- XVII. Markets and Fairs:
Regulation of air (including cattle fairs) and festivals.
- XVIII. Rural Sanitation:
- (1) Maintenance general Sanitation.
 - (2) Cleaning of Public roads, drains, tanks, wells and other public places.
 - (3) Maintenance and regulation of burning and burial grounds
 - (4) Construction and maintenance of public latrines.
 - (5) Disposal of unclaimed corpses and carcasses.
 - (6) Management and control of washing and bathing ghats.
- XIX. Public Health and Family Welfare:
- (1) Implementation of family welfare programmes.
 - (2) Prevention and remedial measures against epidemics.
 - (3) Regulation of sale of meat, fish and other perishable food articles.
 - (4) Participation in programmes of human and animal vaccinations.
 - (5) Licensing of eating and entertainment establishments.
 - (6) Destruction of stray dogs.
 - (7) Regulation of curing, tanning and dyeing of skins and hides.
 - (8) Regulation of offensive and dangerous trades.
- XX. Women and Child Development:
- (1) Participation in the implementation of women and child welfare programmes.
 - (2) Promotion of school health and nutrition programmes.
- XXI. Social Welfare, including welfare of the handicapped, Mentally Retarded:
- (1) Participation in the implementation of the social welfare programme, including welfare of the handicapped, mentally retarded and destitute.
 - (2) Monitoring of the old-age and widows pension schemes.
- XXII. Welfare of the Weaker Sections:
- (1) Promotion of public awareness with regard to welfare of weaker sections.
 - (2) Participation in the implementation of the specific programmes for the welfare of the weaker sections.
- XXIII. Public Distribution System:

- (1) Promotion of Public awareness with regard to the distribution of essential commodities.
- (2) Monitoring of public distribution system.
- XXIV. Maintenance of Community Assets:
 - (1) Maintenance of Community assets.
 - (2) Preservation and maintenance of other community assets.
- XXV. Construction and maintenance of Public /community hall and similar institutions.
- XXVI. Construction and maintenance of cattle sheds, pounds and cart stands.
- XXVII. Construction and maintenance of slaughter house.
- XXVIII. Maintenance of Public parks, playgrounds etc.
- XXIX. Regulation of manure pits in public places.
- XXX. Establishment and control of shandies.
- XXXI. Such other functions as may be entrusted.

SCHEDULE - II (DELETED)
(See Section 70)

** Amended on 21st April, 2018*

SCHEDULE - III
(See Section 93)

- I. General Function:
Overall supervision, co-ordination and integration of Development schemes at District levels and preparing the plan for the development of the District.
- II. Agriculture (including Agricultural Extension) and Horticulture:
 - (1) Promotion of measures to increase agricultural production and to popularize the use of improved agricultural implements and the adoption of improved agricultural practices.
 - (2) Opening and maintenance of agricultural and horticultural farms and commercial farms.
 - (3) Establishment and maintenance of godowns.
 - (4) Conducting agricultural fairs and exhibitions.
 - (5) Management of agricultural and horticultural training centers.
 - (6) Training of farmers.
- III. Land improvement and Soil Conservation:
Planning and implementations of land improvement and soil conservation programmes entrusted by the Government.
- IV. Minor Irrigation, Water Management and Watershed Development:
 - (1) Construction, renovation and maintenance of minor irrigation works.
 - (2) Providing for the timely and equitable distribution and full use of water under irrigation schemes under the control of the Zilla Parishad.
 - (3) Watershed development programmes.
 - (4) Development of ground water resources.
- V. Animal Husbandry, Dairying and Poultry:
 - (1) Establishment and maintenance of Gram Panchayat and village veterinary hospitals ,

- first-aid centers and mobile veterinary dispensaries.
- (2) Improvement of breed of cattle, poultry and other livestock.
 - (3) Promotion of dairy farming, poultry and piggery.
 - (4) Prevention of epidemics and contagious diseases.
- VI. Fisheries:
- (1) Development of fisheries in irrigation works vested in the Zilla Parishad.
 - (2) Promotion of inland, brackish water and marine fish culture.
 - (3) Implementation of fisherman's welfare programmes.
- VII. Khadi, Village and Cottage Industries:
- (1) Promotion of rural and cottage industries.
 - (2) Establishment and management of training-cum-production centers.
 - (3) Organisation of marketing facilities for products of cottage and village industries.
 - (4) Implementation of schemes of State Boards and All India Boards and Commissions for development of rural and cottage industries.
- VIII. Small Scale Industries including Food Processing Industries: Promotion of small scale industries.
- IX. Rural Housing:
Promotion of rural housing programme.
- X. Drinking water:
Promotion of drinking water and rural sanitation programme.
- XI. Minor Forest Produce and Fuel and Fodder:
- (1) Promotion of social and farm forestry, fuel plantation and fodder development.
 - (2) Management of minor forest produce of the forests raised in community lands.
 - (3) Development of wasteland.
- XII. Roads, Bridges, Ferries waterways and other means of communications:
- (1) Construction and maintenance of district roads and culverts, causeways and bridges (excluding State Highways and village roads).
 - (2) Construction of administrative and other buildings in connection with the requirements of the Zilla Parishad.
- XIII. Non-conventional Energy Sources:
Promotion and development of non-conventional energy sources.
- XIV. Poverty Alleviation Programmes:
Planning, Supervision and monitoring the implementation of poverty alleviation programmes.
- XV. Education including Primary and Secondary Schools:
- (1) Promotion of educational activities in the district including the establishment and maintenance of Primary and Secondary Schools.
 - (2) Establishment and maintenance of Ashram schools and orphanages.
 - (3) Survey and evaluation of education activities.
- XVI. Technical training and Vocational Education:
- (1) Establishment and maintenance of rural artisan and vocational training centers.
 - (2) Encouraging and assisting rural vocational training centers.
- XVII. Adult and Non-formal Education:
Planning and implementation of programmes of adult literacy and non-formal education programmes.

- XVIII. Markets and Fairs:
Regulation of important fairs and festivals in the District.
- XIX. Health and Family Welfare:
(1) Management of hospitals and dispensaries excluding those under the management of Government or any other local authority.
(2) Implementation of maternity and child health programmes.
(3) Implementation of immunization and vaccination programmes.
(4) Implementation of family welfare programme.
- XX. Woman and Child Development:
(1) Promotion of programmes relating to development of women and children.
(2) Promotion of school health and nutrition programmes.
(3) Promotion of participation of voluntary organizations in women and child development programmes.
- XXI. Social Welfare, including welfare of the Handicapped and Mentally Retarded:
Promotion of social welfare programmes, including welfare of handicapped, mentally retarded and destitute.
- XXII. Welfare of the Weaker Sections:
(1) Promotion of educational, economic, social, cultural and other interests of the weaker sections.
(2) Protecting such castes, Tribes and Classes from Social injustice and all forms of exploitation.
(3) Establishment and management of hostels of such castes, Tribes and Classes.
(4) Supervision and management of hostels in the district, distribution of grants, loans and subsidy to individuals and other schemes for the welfare of weaker sections.
- XXIII. Maintenance of Community Assets:
(1) Maintenance of Community assets vested in it or transferred to it by the Government or any local authorities or organizations.
(2) Assisting the Government in the preservation and maintenance of other community assets.
- XXIV. Cultural Activities:
Promotion of social and cultural activities.
- XXV. Public Distribution System.
- XXVI. Rural Electrification
- XXVII. Libraries:
Promotion of Libraries
- XXVIII. Co-operation:
Promotion of co-operative activities
- XXIX. Such other functions as may be entrusted.

SCHEDULE - IV
(SEE SECTION 61)

FORMS OF OATHS OR AFFIRMATION

Form of oath or affirmation to be made by a member of a Gram Panchayat, or a Zilla Parishad.

I, having been declared a member of Gram Panchayat/
Zilla Parishad do swear in the name of God/solemnly affirm that I will bear true faith and allegiance to the
Constitution of India as by law established, and I will faithfully discharge the duties upon which I am about to
enter.

Date :

Signature:

Name in block letters:

Address :

C.P. Mansai
Secretary to the Government
of Arunachal Pradesh



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

NOTIFICATION

The 18th June, 2002

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

CHAPTER-I

PRELIMINARY

- | | | |
|----|---|------------------------------|
| 1. | These rules may be called the Arunachal Pradesh Panchayat Raj (Preparation of Electoral Roll) Rules, 2002. | Short title and commencement |
| 2. | They shall come into force on and from the date of their publication in the Official Gazette. | |
| 3. | *In these rules, unless there is any thing repugnant in the subject or context- | Definitions |
| | (a) 'Act' means the Arunachal Pradesh Panchayat Raj Act, 1997. | |
| | (b) 'Gram Panchayat Constituency' means a Constituency provided by law for a purpose of election to the Gram Panchayats in the State. | |
| | *(c) Deleted. | |
| | (d) "Zilla Parishad Constituency" means a Constituency provided by law for the purpose of election to the Zilla Parishad of this State. | |
| | (e) "State Election Committee" means the Election Commission appointed by the Governor of Arunachal Pradesh under Section 104 of the Arunachal Pradesh Panchayati Raj Act, 1997. | |
| | (f) "Order" means an Order published in the Official Gazette; | |
| | (g) "State" means the State of Arunachal Pradesh; | |
| | *(h) "Election" in relation to election of any member of a Gram Panchayat and Zilla Parishad means any person entitled to vote at that Election; | |
| | *(i) "Electoral Registration Officer" means the Electoral Registration Officer of a Constituency of Gram Panchayat or Zilla Parishad under Section 105 and includes an Assistant Electoral Registration Officer thereof appointed under this section; | |
| | (j) "Section" means a section of the Arunachal Pradesh Panchayat Raj | |

* Amended on 2nd June, 2019

Act, 1997.

- (k) "Qualifying Date" in relation to the preparation or revision of every electoral roll under these rules means the 1st day of January of the year in which it is so prepared or revised.

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

CHAPTER-II

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

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

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

*(2) Subject to the superintendence, direction and control of the State Election Commissioner, the District Election Officer shall co-ordinate and supervise all works in the district or in the area within the jurisdiction in connection with the preparation and revision of the electoral rolls for all Gram Panchayats or Zilla Parishads Constituencies within the District.

(3) The District Election Officer shall also perform such other functions as may be entrusted to him by the State Election Commission.

5. *The electoral roll for the Gram Panchayat Constituency or Zilla Parishad Constituency shall prepare and revise by an Electoral Registration Officer who shall be such Officer of the Government or of a local authority as the State Election Commissioner may, in consultation with the State Government designate or nominate in this behalf.

6. (1) The State Election Commissioner may appoint one or more persons as Assistant Electoral Registration Officer to assist any Electoral Registration Officer in the performance of his functions.

(2) Every Assistant Electoral Registration Officer shall, subject to the control of the Electoral Registration Officer, be competent to perform all or any of the functions of the Electoral Registration Officer.

PART-II

7. (1) There shall be an Electoral Roll which shall be prepared in accordance with the provisions of the Arunachal Pradesh Panchayati Raj Act, 1997 under the superintendence, direction and control of the State Election Commission.

(2) The State Election Commissioner shall, in consultation with the State Government, draw up the programme for publication of, Electoral Roll in draft, before its final publication and other matters relating to the preparation of the Electoral Roll.

(3) The State Election Commissioner shall, in relation to the preparation or revision of Electoral Roll specify an Official Order, the qualifying date and shall, in addition, in the said Order specify the programme for revision including the period or date as the case may on the following:

- (a) period for completion of enumeration and preparation of manuscript of Electoral Roll;
- (b) Date for the publication of Electoral Roll in draft;

The District
Election Officer
in each district
in the State

Electoral
Registration
Officer

Assistant
Electoral
Registration
Officer

Electoral Roll
for every
Constituency

(c) Last date for filling of claims and objections shall be within a period of seventh day of the date of publication of Electoral Rolls in draft under Clause- (b);

(d) period for disposal of claims and objections;

(e) date for final publication of the Electoral Roll;

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

- *8. (1) The Electoral Registration Officer shall prepare or cause to be prepared Electoral Rolls of all the Gram Panchayat Constituencies and integrated Electoral Rolls under the respective Zilla Parishad as per Form-1.
- (2) The Electoral Registration Officer may sub-divide the electoral roll of a Constituency in such parts as it may deem expedient for the purpose of expediting or facilitating the publication of the electoral roll.
- (3) When the Electoral Roll of a Constituency are so sub-divided, the parts shall be serially numbered.
- (4) The name of electors in each part of the electoral shall be numbered, as far as practicable, consecutively with a separate series of number beginning with number one.
9. (1) A person shall be disqualified for registration in an electoral roll if he-
- (a) is not a citizen of India;
- (b) is of unsound mind or insolvent and stands so declared by a Competent Court; or
- (c) is for the time being disqualified from voting under the provision of any law relating to corrupt practices and other offence in connection with election.
- (2) The name of any person who becomes so disqualified after registration shall forthwith be struck off from the electoral roll in which it is included:
- Provided that the name of any person struck off from the electoral roll of a Constituency by reason of a disqualification under Clause (c) of sub-rule 1 shall forthwith be re-instated in that roll if such disqualification is, during the period such roll is in force, removed under any law authorizing such removal.
10. *No person shall be entitled to be registered in the electoral roll for more than one Constituency in Gram Panchayat or Zilla Parishad.
11. No person shall be entitled to be registered in the electoral roll for any Constituency more than one.
12. Subject to the foregoing provision of this rule every person who-
- (a) is not less than 18 years of age on the qualifying date, and
- (b) is ordinarily resident in a Constituency of the Gram Panchayat, shall be entitled to be registered in the electoral roll for that

Manner of preparation of Electoral Rolls

Disqualification for Registration in the Electoral Roll

No person to be registered in more than one Constituency

No person to be registered more than once in any Constituency

Condition of Registration

* Amended on 2nd June, 2019

- Constituency.
13. *The State Government when so requested by the State Election Commission shall make available the services of such staff of the State Government as may be necessary for preparing the electoral rolls in respect of any Constituency or Constituencies of Gram Panchayat or Zilla Parishad. Appointment of person for preparation of electoral roll
14. The Electoral Registration Officer may, if he considers necessary for the purpose of preparing electoral rolls send letter of request in Form-2 to the occupants of dwelling houses in the Gram or any part and every person receiving any such letter shall furnish the information called for these into the best of his ability. Information to be supplied by occupants dwelling house and access to certain register
15. For the purpose of deciding any claim or objection to entry in a electoral roll, the Electoral Registration Officer or any person employed by him shall have access to any admission register of any education institution, ordinarily resident register maintained by Panchayat and it shall be the duty of every person-in-charge of any such register to give to the said officer or person such information and such extracts from the said register as he may require. Access to certain Register
16. *(1) The Electoral Roll for a constituency relating to a Gram Panchayat or the Zilla Parishad shall be published in draft by the Electoral Registration Officer in the following manner and in any other manner as he thinks fit, to give it wide publicity by affixing for public inspection a complete copy of the Electoral roll in the-
1. The Electoral Registration Officer;
 2. The concerned Gram Panchayat area;
 3. The Block Development Officer of the area concerned;
- (2) *As soon as the draft Electoral Roll has been published the Electoral Registration Officer or Zilla Parishad as the case may be, in form 3 as widely as possible that the electoral roll has been published in draft and may be inspected at the Office of the Electoral Registration Officer or at the Gram Panchayat area, Block Development Office concerned during working days and hours and shall specify in the notice the place at which the period within which and the manner in which a claim for being included in the electoral roll or any objection to particulars in any entry in the electoral roll shall be preferred.
- (3) The Electoral Roll as required to be published in draft under sub-rule (1) may be printed or cyclostyled or in manuscript form.
17. Every claim for the inclusion of a name in the roll and every objection to an entry therein shall be lodged within a period of seven days from the date of publication of the roll in draft: Period for Lodging Claims and Objections
- Provided that State Election Commission may by order extend the period in respect to the constituency as a whole or in respect of any part thereof.
18. (1) Every claim for the inclusion of a name in the Electoral Roll shall be:-
- (a) in form 4;
 - (b) signed by the person desiring his name to be included in the electoral roll; and
 - (c) countersigned by another person whose name is already included in that part of the roll in which the claimant desires his name to be included.
- (2) Every objection to the inclusion of a name in the roll shall be
- (a) in form 5:
 - (b) preferred only by a person whose name is already included in that roll; and

* Amended on 2nd June, 2019

- (c) countersigned by another person whose name is already included in that roll;
- (3) Every objection to a particular or particulars in a entry in the roll shall be-
- (a) in form 6; and
- (b) preferred only by the person to whom that entry relates.
19. Every claim or objection shall-
- (a) either be presented to the Electoral Registration Officer;
- (b) be sent by registered post to the Electoral Registration Officer;
Provided that in claim or objection which may be sent by post shall be rejected by the Electoral Registration Officer unless it is received by him within the period specified in Rule 17.
- * 20. (1) Every Officer designated under Rule 20 shall
- (a) maintain in duplicate a list of claims in Form 7, a list of objection to the inclusion of names in Form 8 and a list of objection to particulars in entries in Form 9 and
- (2) Where a claim for objection is preferred to him, he shall after complying with the requirements of sub-rule (1), forward it with such remarks, if any, as he considers proper to the Electoral Registration Officer.
21. (1) The Electoral Registration Officer shall also:-
- (a) maintain in duplicate, the three lists in Form 7, 8, 9 entering thereon the particulars of every claim or objection as and when it is received by him whether directly under Rule 20 or under Rule 21; and
- (b) keep exhibited one copy of each such list on the Notice Board in his office.
22. Any claim or objection which is not lodged within the period, or in the form and manner, herein specified, shall be rejected by the Electoral Registration Officer.
23. If the Registration Officer is satisfied as to the validity of any claim or objection, he may allow it without further enquiry after the expiry of three days from the date on which it is entered in the list exhibited by under Clause (b) of Rule 21.
Provided that where before any such claim, or objection has been allowed a demand for enquiry has been made in writing to the Electoral Registration Officer by any person, it shall not be allowed without further enquiry.
- *24. (1) Where a claim or objection is not disposed or under Rule 23 of Rule 24, the Registration Officer shall-
- (a) specify in the list exhibited by him under Clause (b) or Rule 22, the date, time and place of hearing of the claim or objection; and
- (b) give notice of the hearing-
- (i) in the case of a claim to the Claimant in Form 10
- (ii) in the case of an objection to the inclusion of a name, to the objector in Form No. 11 and to the person objected to in Form No. 12; and
- (iii) a notice under this rule may be given either personally or by registered post or by affixing it to the person's residence at last known residence within the Constituency.
25. (1) The Electoral Registration Officer shall hold a summary inquiry into every claim or objection in respect of which notice has been given under Rule 25 and shall record his decision thereon.
- (2) At the hearing, the Claimant or as the case may be, the Objector and the person objected to or any other person who, in the opinion of the Electoral Registration Officer, is likely to be of assistance to him, shall be entitled to appear and be heard.

Manner of lodging claims and objections

Procedure of designated officer

Procedure for Electoral Registration Officer

Rejection of certain claims and objections

Acceptance of claims and objections without inquiry

Notice of hearing claims and objections

Inquiry into claims and objections

- (3) The Electoral Registration Officer may in his discretion-
- (a) require any Claimant, Objector or person objected to, to appear in person before him.
 - (b) require that the evidence tendered by any person shall be given an oath and administer an oath for the purpose.
26. (1) It appears to the Electoral Registration Officer that owing to inadvertence or error during preparation, the name of any electors have been left out of the roll and that remedial action should be taken under this rule, Electoral Registration Officer shall-
- (a) prepare a list of the names and other details of such electors;
 - (b) exhibit on the notice board of his Office a copy of the list together with a notice as to the time and place at which the inclusion of these names in the roll will be considered, and also publish the list and the notice in such manner as he may think fit, and
 - (c) after considering any verbal or written objections that may be preferred, decide whether all or any of the names should be included in the roll;
- Inclusion of names inadvertently omitted
27. If it appears to the Electoral Registration Officer at any time before final publication of the roll that owing to in advertence or error or otherwise, the names of dead persons who cease to be, or are not, ordinarily residents in the Constituency or all persons who are otherwise not entitled to be registered in that roll, have been included in that remedial action should be taken under this rule, the Electoral Registration Officer, shall-
- (a) prepare a list of the names and other details of such electors;
 - (b) exhibit on the notice board of his Office a copy of the list together with a notice as to the time and place at which the question of deletion of these names from the roll will be considered, and also publish the list and the notice in such other manner as he may think fit; and
 - (c) after considering any verbal or written objections that may be preferred, decide whether all or any of the names should be deleted from the roll:
- Provided that before taking any action under this rule in respect of any person on the ground that he had ceased be of, or is not ordinarily resident of the Constituency, or is otherwise not entitled to be registered in that roll, the Electoral Registration Officer shall make every endeavour to give him a reasonable opportunity to show cause why the action proposed should not be taken in relation to him.
- Deletion of names
28. (1) The Electoral Registration Officer shall thereafter-
- (a) prepare a list of amendments to carry out his decision under rules 25, 26, 27 and 28 and to correct any clerical or printing errors or other inaccuracies in the roll; and
 - (b) publish the roll, together with the list of amendments, by making complete copy thereof available for inspection and displaying a notice in Form 14 at his Office.
 - (c) Subject to such general or special direction;
- (2) On such publication, the roll together with the list of amendments shall be the electoral roll in force.
- Final publication of roll
29. (1) The rolls of every Constituency shall be revised under sub-section (2) of Section 112 either intensively or summarily or partly intensively or partly summarily, as the State Election Commission may direct after consulting the State Government.
- Revision of Rolls

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

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

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

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

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

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

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

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

Correction of entries and inclusion of names in Electoral Roll

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

(a) in the form of a memorandum signed by the applicant;

(b) accompanied by a copy of the order appealed from and a fee of Rs, 5 to be -

(i) paid by means of non-judicial stamps;

(ii) deposited in a Government Treasury in favour of the Electoral Registration Officer; or

(iii) paid in such manner as may be directed by the State Election Commission; and

(c) presented to the District Election Officer within a period of 7 (seven) days from the date of order appealed from or sent by registered post so as to reach within that period:

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

(2) Where the fee deposited under Clause (b) (i) of sub-rule (1) an appellant shall enclose with the memorandum of appeal a Government Treasury receipt of the fee being deposited.

Appeal

(3) for the purpose of sub-rule (1) an appeal shall be deemed to have been presented to the District Election Officer, when the Memorandum of appeal is delivered by or on behalf of the appellant to the District Election Officer, or any other Officer appointed by him in this behalf.

32. (1) After Electoral Rolls for a Constituency have been finally published, the following papers shall be kept in the Office of the Electoral Registration Officer until expiration of one year after the completion of the next intensive revision of that roll:

- (a) one complete copy of the roll;
- (b) statement submitted to the State Election Commissioner;
- (c) Statement submitted to the Electoral Registration Officer;
- (d) register of enumeration forms;
- (e) application in regard to the preparation of the roll;
- (f) manuscript part prepared by enumerating agencies and use for compiling the roll;
- (g) papers relating to claims and appeals;
- (h) papers relating to appeal under Rule 30 and application under Section 113 and 114.

Preservation,
Custody and
Disposal of
Electoral Rolls
and connected
papers

33. (1) The papers referred to in Rule 32 shall be disposed in such manner on expiry of the period specified therein and subject to such general or special direction. If any, as may be given by the State Election Commission in this behalf.

(2) Copies of the Electoral Rolls for any Constituency in excess of the number required for deposit under Rule 32 and for any other public purposes shall be disposed of at such time and in such manner as the state Election Commission may direct and until such disposal attested copies shall be made available for sale to the public.

Disposal of
Electoral
Rolls and
connected
papers

Ganesh Koyu
Secretary (RD/PR),
Government of Arunachal Pradesh
Itanagar.

*FORM -I
Electoral Roll 2003

Name of Village :

Part No. :

Sub-part :

No. and Name of Gram Panchayat Constituency:

*Area:

No. and Name of Zilla Parishad Constituency:

Sl. No.	Name of Electors	Name of father/ mother/husband of the elector	Male/Female	Age (approx) as on
---------	------------------	---	-------------	--------------------------------------

FORM - 2
(See Rule 14)

Letter of request

Place

Date

To

The Occupant of

.....

Sir/Madam,

The population of the electoral roll for the constituency in which you are residing has been taken in hand. It will greatly facilitate my work if you will kindly complete the statement below after reading the attached instructions and hand it over to my assistant who will call for it.

Electoral Registration Officer

.....

Constituency No.

..... Gram Panchayat

STATEMENT

Name and particulars of adult citizens ordinarily residing in the above premises.

Name of persons	Particulars as to father or husband	Age on the qualifying date i.e.....
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
		<i>Signature</i>
		<i>Date</i>

Instructions

1. Enter the names of all persons who have completed 18 years of age on or before the qualifying date i.e.and who are ordinarily residing in the premises.
2. Only the names of those who are citizens of India should be entered.
3. Enter against serial No. 1 in the first column the name of the head or other senior members of the family, provided he or she has the qualifications mentioned in instructions 1 and 2 above.
4. Ordinarily residing does not mean the persons should be actually in the house when you are filling in the form. The persons who normally live in the house should be included even though they may be temporarily absent e.g. on a journey or on business or in hospital. On the other hand, a guest or visitor who normally lives elsewhere but happens to be in the house at the time should not be included.
5. All ordinarily residents of the house should be included, whether they are members of the family or not.
6. In the case of every male citizen, enter in the second column the name of his father preceded by the words "son of"
7. In the case of every female citizen, enter in the second column (i) the name of husband precede by the words "wife of" is she be married (ii) the name of the late husband preceded by the word "widow of", if she be a widow; and (iii) the name of the father preceded by the words "daughter of" if she be unmarried.
8. In the third column, enter the age of the citizen as accurately as possible, giving only the number of completed years and ignoring the months.

FORM - 3

[See Rule 16 (2)]

Notice of publication of electoral roll in draft

To

The Elector Constituency

No.....

Notice is hereby given that the electoral roll for Constituency No.(s)
..... of Gram Panchayat /Zilla Parishad has been prepared in accordance with the
Arunachal Pradesh Panchayat (Preparation of Electoral Roll) Rules, 2002 and that a copy thereof is available for
inspection at the office of the during -hours.

The qualifying date for the preparation of the Electoral Roll is

If, with reference to the above qualifying date, there be any claim for the inclusion of a name in the roll
or any objection to the inclusion of a name or any objection to particulars in any entry, it should be lodged on or
before the In forms Nos. 4, 5 & 6 as may be appropriate.

Every such claim or objection should either be presented in my office or to or sent by post
to the address given below so as to reach me not later than the aforesaid date.

Date.....

Electoral Registration Officer
Address:

FORM - 4
[See Rule 18 (1)]

Claim application for inclusion of name.

To

The Electoral Registration Officer,
..... Constituency No..... of Gram Panchayat/ Zilla
Parishad.

Sir,

*I request that my name be include in the electoral roll in the above Constituency in part No.....
.....relating to Gram Panchayat /Zilla Parishad.

My name (in full)

My father's/mother's/husband's name

Particulars of my place of residence are

House No. if any

Village

Post Office

Police Station

Block District

I hereby declare to the best of my knowledge and belief:

- (i) that I am a Citizen of India
- (ii) that my age on qualifying date, i.e. was
- *(iii) that I am ordinary indigenous local resident at the address given above;
- (iv) that I have not applied for the inclusion of my name in the electoral roll for any other Constituency or Municipality or Notified Area Authority;
- (v) that my name has not been included in the electoral roll for any other Constituency or Municipality or Notified Area Authority.

Or

That my name has been included in the electoral roll in constituency No. of Gram Panchayat /Zilla Parishad and I request that the same may be excluded from that electoral roll:-

Place

Signature or thumb

Date

impression of the claimant.

*I am an elector included in the electoral roll of the same part in which the claimant has applied for inclusion, namely Part No.of Constituency No..... of Gram Panchayat /Zilla Parishad. My serial number therein is I support this claim and countersign it.

Signature of the elector.
Name (in full)

Note: Any person who makes a statement or declaration which is false or which he either known or believe to be false or does not believe to be true is punishable under Section 188 of the Arunachal Pradesh Panchayats Act, 1993.

Perforation

Intimation of Action taken

The application in Form 4 of Shri/Shrimati/Kumari
address
has been

(a) accepted and his/her name has been included in the electoral roll vide SI. No.....
Part No.....

(b) rejected for the reason

Date :-

Electoral Registration Officer
(Address)

Performance

Receipt for application

Received the application in form No. 4 from Shri/Shrimati/Kumari
Address

Date :-

Electoral Registration Officer
(Address)

FORM - 5

[See Rule 18(2)] Objection for inclusion of name

To

*The Electoral Registration Officer,
..... Constituency No of Gram Panchayat/ Zilla Parishad.

Sir,

I object to the inclusion of the name of at Serial No..... in part No. of the electoral roll for the following reason (s):

I hereby declare that the facts mentioned above are true to the best of my knowledge and belief.

My name has been included in the electoral roll for this constituency as follows:

Name in full

Father's/Husband's/Mother's name

..... Serial No.....

Part No. Constituency No.....

Date

*Signature/thumb impression of
objector (full postal address)*

I am an elector and my name has been included in part No of constituency No. of the electoral roll under serial No..... I support this objection and countersign it

*Signature of the selector
(name in full)*

I am an elector included in the same part of the electoral roll in which the name objected to appear, viz. *part No..... of constituency No..... of Gram Panchayat /Zilla Parishad. My serial number therein is Isupport this objection and countersign it.

*Signature of the elector
(name in full)*

* Amended on 2nd June, 2019

Note: Any person who makes a statement or declaration which he either knows or believes to be false or does not believe to be true is punishable under Section-188 of the Arunachal Pradesh Panchayat Act, 1994.

Intimation of Action taken

The application in Form 4 of Shri/Shrimati/Kumari
address has been
(a) accepted and his/her name has been included in the electoral roll vide Sl. No..... Part
No.....
(b) rejected for the reason

Date:-

Electoral Registration Officer
(Address)

Perforation

Receipt of Application

Received the application in form No. 4 from Shri/Shrimati/Kumari..... Address
.....

Date:-

Electoral Registration Officer
(Address)

FORM - 6
[See Rule 18(3)]

Objection to particulars in any entry
Electoral Registration Officer

* Constituency No.....of Gram Panchayat /Zilla
Parishad

Sir,

I submit that the entry relating to myself which appears at serial No..... in
part..... of constituency No..... of the electoral
roll as is not correct. It should be corrected to read as follows:

Place

Date

*Signature or thumb impression
of the elector*

Any person who makes a statement or declaration which is false or which he either known or believe to
be false or does not believe to be true is punishable under Section 188 of the Arunachal Pradesh Panchayats
Act.

Perforation

The objection in form 6 lodged by Shri/Shrimati/Kumari
..... address
has been

(a) accepted and the relevant entry has been corrected to read as follows: (b) rejected for the reason
.....

Date

*Electoral Registration Officer,
Address*

Receipt for application

Received the application in form 6 from Shri/Shrimati/Kumari address
.....

Date

*Electoral Registration Officer,
Address.....*

FORM - 7

[See Rule – 20(1)] List of claims

Date of Receipt	Serial Number	Name of Claimant	Name of Father/husband/mother	Place of residence	Date, time and place of hearing
1	2	3	4	5	6

*Signature of the Electoral
Registration Officer/Authorised Officer*

Constituency No.
*Gram Panchayat/ Zilla Parishad

FORM - 8

[See Rule – 20(1)]

List of objections for inclusion of names

Date of Receipt	Serial No.	Full name of objectors	Particulars of objected to			Reasons in brief for Objection	Date, time and place of hearing
			Part No	Serial No	Name in full		
1	2	3	4	5	6	7	8

*Signature of the Electoral
Registration Officer/Authorised Officer*

Constituency No.
..... Gram
*Panchayat/ Zilla Parishad

FORM - 9

[See Rule – 20(1)]

List of Objections to particulars in entries

Date of Receipt	Serial No.	Name in full of elector objecting	Part No. and Serial No. of entry	Nature of objection	Date, time and place of hearing
1	2	3	4	5	6

*Signature of the Electoral
Registration Officer/Authorised Officer*

*Constituency No.
..... Gram
Panchayat/ Zilla Parishad

FORM - 10

[See Rule – 25(1)] Notice of hearing of a claim

To

.....
.....

Reference: Claim No.

Take notice that your claim for the inclusion of your name in the electoral roll will be heard at (place) at O'clock on the day of 20.....

You are directed to be present at the hearing with such evidence as you may like to adduce.

Place.....

Date

Electoral Registration Officer
Constituency No.
*Gram Panchayat/ Zilla Parishad
(Address) Certificate of Service

Notice

Received notice of the date of hearing

Claimant

Certified that the notice on the claimant has been duly served by me this day of on (name) personally/by affixation on residence.

Place.....

Date

N.B. If this notice is served by post, a Serving Officer

Certificate of service of notice
Received notice of the date of hearing

Date

* Amended on 2nd June, 2019

Objector

Certified that the notice on the objector has been duly served by me this
..... day of on (name)
Personally/by affixation on residence.

Place.....

Date

.....
Serving Officer.

*FORM - 10

[See Rule – 25(1)] Notice of hearing of a claim

To

(Full name and address of claimant)

Reference: Claim No.

Take notice that your claim for the inclusion of your name in the electoral roll will be heard at
..... (Place) at
..... O'clock on the day of
..... 20.....

You are directed to be present at the hearing with such evidence as you may like to adduce.

Date

Electoral Registration Officer

*Constituency No.
..... Gram Panchayat/
Zilla Parishad (Address)

*FORM - 11

[See Rule – 25(1)]

Notice to the objector on the hearing of an objection against the inclusion of a name

To

(Full name and address of objector)

Reference: Objection No.

Take notice that your objection to the inclusion of the name of
..... will be heard at
..... (Place) at
..... O'clock on the
day of 20.....

You are directed to be present at the hearing with such evidence as you may like to adduce.

Place

Date

Electoral Registration Officer
*Constituency No.
..... Gram Panchayat/ Zilla
Parishad (Address)

[See Rule – 25(1)]

Notice to the objector on the hearing of an objection against the inclusion of a name

To

(Full name and address of objector)

Reference: Objection No.

Take notice that your objection to the inclusion of the name of
..... will be heard at
..... (Place) at
..... O'clock on the
day of 20.....

You are directed to be present at the hearing with such evidence as you may like to adduce.

Place

Date

Electoral Registration Officer
*Constituency No.
..... Gram Panchayat/ Zilla
Parishad (Address)

ORIGINAL
To be served on the person
objected to

*FORM - 12
[See Rule – 25(1)]

Notice to the person objected to on the hearing of an objection against the inclusion of his name.

To

(Full name and address of person objected to)

Reference: Objection No.

*Take notice that the objection to the inclusion of your name at serial No. in part
no..... of the electoral roll for Constituency No. of Gram Panchayat/ Zilla
Parishad filed by (full name and address of objector) will be heard at
..... (Place) at O'clock on the d a y
of 20.....

You are directed to be present at the hearing with such evidence as you may like to adduce.

The Ground of objection (in brief) are:-

- (a)
- (b)
- (c)

Date

Electoral Registration Officer
*Constituency No.
..... Gram Panchayat/ Zilla
Parishad (Address)

Certificate or Service of Notice
Received notice of the date of hearing

Date.....

.....
Person objected to

Certified that the notice on the person, the entry relating to whose name has been objected to, has been
duly served by me this day of on
(name).....

*FORM - 12
[See Rule – 25(1)]

Notice to the person objected to on the hearing of an objection against the inclusion of his name.

To

(Full name and address of person objected to)

Reference: Objection No.

Take notice that the objection to the inclusion of your name at serial No. in part no..... of the electoral roll for Constituency No. of Gram Panchayat filed by (full name and address of objector) will be heard at (Place) at O'clock on the day of..... 20.....

You are directed to be present at the hearing with such evidence as you may like to adduce.

The Grounds of objection (in brief) are:-

- (a)
- (b)
- (c)

Date

Electoral Registration Officer
*Constituency No.
.....Gram Panchayat/ Zilla Parishad
(Address)

*FORM - 13
[See Rule – 25 (1) (iii)]

Notice of hearing of an objection to particulars in any entry

To

(Full name and address of person objected to)

Reference: Claim No.

Take notice your objection to certain particulars in the entry relating to you will be heard at (place) atO'clock on the day of 20.....

You are directed to be present at the hearing with such evidence as you may like to adduce.

Date

Electoral Registration Officer
*Constituency No.
..... Gram Panchayat/
Zilla Parishad (Address).....

CERTIFICATE OF SERVICE NOTICE

Received notice of the date of hearing

Date

(Objection)

Certified that the notice on the objector has been duly served by me this day of on (name) personally/by affixation on residence.

Place.....

Date

.....
(Serving Officer)

N.B. If this notice is served by post, attach the receipt here.

***FORM - 13
[See Rule – 25 (1) (iii)]**

Notice of hearing of an objection to particulars in any entry

To

(Full name and address of person objected to)

Reference: Objection No.

Take notice your objection to certain particulars in the entry relating to you will be heard at
..... (Place) atO'clock on the day of
..... 20.....

You are directed to be present at the hearing with such evidence as you may like to adduce.

Date

Electoral Registration Officer
Constituency No.
.....

*Gram Panchayat/ Zilla Parishad
(Address)
.....
.....

*FORM - 14
[See Rule – 28 (b)]

Notice of final publication of electoral roll

It is hereby notified for public information that list of amendments and/or errata to the draft electoral roll for Constituency No. of Gram Panchayat /Zilla Parishad has been prepared in accordance with the Arunachal Pradesh Panchayats (Preparation of Electoral Roll) Rules, 2002 and a copy of the said roll together with the said list of amendments has been published and will be available for inspection at my office.

Place.....

Date

Electoral Registration Officer
Constituency No.
.....
*Gram Panchayat/ Zilla Parishad
(Address)
.....
.....



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GOVERNMENT OF ARUNACHAL PRADESH
DEPARTMENT OF PANCHAYAT
ITANAGAR

NOTIFICATION
The 18th June, 2002

No. PR-31/2001 – In exercise of the powers conferred by sub-section (2) of section 104 of the Arunachal Pradesh Panchayat Raj Act, 1997, the Governor of Arunachal Pradesh hereby makes the following rules, Namely :-

- | | | |
|----|--|---|
| 1. | These Rules may be called 'The Arunachal Pradesh Panchayati Raj (Constitution of State Election Commission) Rules, 2002. | Short title |
| | (i) It shall come into force on and from the date of their publication in the official Gazette :- | |
| | (ii) In these rules unless the context otherwise requires :- | |
| | (a) "Governor" means the Governor of Arunachal Pradesh. | |
| | (b) "Government" means the Government of Arunachal Pradesh. | |
| | (c) "State Election Commissioner" means the person appointed under Article 243-K of the Constitution of India. | |
| 2. | "State Election Commissioner" shall be from amongst the persons who are holding or have held a post not Lower in rank than that of Secretary of the Government of Arunachal Pradesh having fair knowledge of the Acts, Rules, functions etc. of Panchayati Raj system, in force. | Qualification for Appointment |
| 3. | (a) The term of the office of the State Election Commissioner shall be 5 (five) years or till attains of 65 years of age whichever is earlier. | Term of Office |
| | (b) The State Election Commissioner may at any time by writing under his hand addressed to the Governor, resign his office. | |
| | (c) The State Election Commissioner shall not be removed from office except in the manner specified in the provisions of sub-section (2) of section 104 of the Arunachal Pradesh Panchayati Raj Act, 1997. Transfer of serving | Emoluments and pension payable to the State Election Commissioner |

officers appointed as State Election Commissioner will be deemed removal for the purpose of these rules.

- *4. The State Election Commissioner shall have the status of a High Court Judge and shall be entitled to pay and allowances, pension and perks and facilities to which a High Court Judge is entitled under the High Court Judges (Salaries and Conditions of Service) Act, 1954 (Central Act No. 28 of 1954) and the rules made thereunder, as amended, and any order issued in pursuance thereto either by the State Government or the Central Government from time to time.
5. (a) The State Government shall provided such officers and employees as necessary to the State Election Commission.
- (b) The officers and other employees of the state Election Commission shall be entitled to draw pay & allowances as per with state government employees holding equivalent posts with status.
- (c) In all other matters including disciplinary matters the officers and employees of the state Election Commission shall be governed by the rules as are applicable to persons holding equivalent posts under the state Government.

Officer &
employees of
the Commission
of their service

GONESH KOYU
Secretary, RD&PR
Government of Arunachal Pradesh,
Itanagar.



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GOVERNMENT OF ARUNACHAL PRADESH
DEPARTMENT OF RURAL DEVELOPMENT AND PANCHAYAT RAJ
(PANCHAYAT DEPARTMENT)

NOTIFICATION

The 13th August, 2002

ARUNACHAL PRADESH PANCHAYATI RAJ
(DELIMITATION OF CONSTITUENCIES AND RESERVATION OF
SEATS FOR WOMEN) RULES, 2002.

No. PR-50/2001.— In exercise of the powers conferred by Section 150 of the Arunachal Pradesh Panchayati Raj Act, 1997, the Government hereby makes the following Rules to regulate the delimitation of Constituencies for Gram Panchayat, Anchal Samitis and Zilla Parishads and shall other matters relating thereto under the said Act, namely :-

CHAPTER I
PRELIMINARY

1. (a) These Rules may be called the Arunachal Pradesh Panchayati Raj (Delimitation of Constituencies and Reservation of seats for Women) Rules, 2002. Short title
- (b) They shall come into force on the date of their publication in the Official Gazette.
2. (1) In these Rules, unless the context otherwise requires :- Definition
- (a) "Act" means the Arunachal Pradesh Panchayati Raj Act, 1997.
- (b) "Section" means a section of the Act.
- (2) The expression used in these Rules and not otherwise defined shall have the same meaning as are respectively assigned to them in the Act.

CHAPTER -II
GRAM PANCHAYAT

3. (1) For the purpose of Section 9 (1), the Deputy Commissioner shall constitute a Committee comprising of the following Official and non Official members and on the recommendations made by the committee, determine the name and number of Gram Panchayat constituencies :- Delimitation of Gram Panchayat Constituencies
- (i) Administrative Officer in the rank of C.O. or EAC of the circle. — Chairman

- (ii) 2 (Two) local leaders of the Circle — Member
- * (2) The population in a village shall be determined on the basis of the last preceding Census of which relevant figures are published.
- (3) Each Constituencies formed under this rule be notified in the Notice Board of the Office of the Administrative Officer under whose control the Gram Panchayat Constituencies fall.
- (4) The Constituencies so formed under this rule be notified in the Notice Board of the Office of the Administrative Officer under whose control the Gram Panchayat Constituencies fall.
4. Subject to the sub-Section (1) of Section 10 the Deputy Commissioner, by an Order, determine the number of members to be elected to a Gram Panchayat.
- (5) (i) The Deputy Commissioner shall, out of the number of members determined under Rule 4, reserve seat or seats, if any, for women, as required under Section 12.
- Number of seats to be reserved under this Rules shall be derived by dividing the number of seats by three and any fraction of half or more shall be rounded off to the next higher whole number and any fraction less than half shall be ignored.
- (ii) The seats available for reservation shall be rotated among territorial constituencies of Gram Panchayats in each term.
- (iii) **For the first term of election, the Deputy Commissioner shall notify the constituencies reserved for women by drawing lots from all the seats for which constituencies should be properly named and serially numbered. Copies of such notification shall be widely circulated before 15 days from the date of submission of nomination.
- (iv) For the second and subsequent term of election, the same procedure shall be followed except that reservation shall be made after excluding the seats reserved in earlier term or terms of election.
- Provided that the shortfall, if any, in the seats to be reserved for women in the third term or subsequent term to provide one-third reservation shall be made up by drawing of lots from the seats reserved in first and second lot.
- (v) The Deputy Commissioner shall publish the reserved seats not later than one month before the date of submission form by posting copies thereof in the offices of the :-
- (a) Deputy Commissioner.
- (b) Block Development Officer.
- (c) Administrative Officer of the area concerned.
6. *For the purpose of sub-section(3) of section 16 of the Act, the Deputy Commissioner shall compound together the offices of the Gram Panchayat in the Member territorial constituencies of Zilla Parishad and determined and publish the member of offices of Chairpersons that shall be reserved for women on the manner prescribed under sub-rule(1) of Rule 5.
- Provided that, rotational allotment shall be made only from those Gram Panchayats that have at least one elected women member.
- Allotment by rotation, done in the aforesaid manner, shall be final and binding on all.
- CHAPTER -II (ANCHAL SAMITI)
7. Deleted.
8. Deleted.
9. Deleted
10. Deleted.

Delimitation of number of members to be elected

Reservation of seats

Explanation

Reservation of office of Chairpersons for women

* Omitted vide Notification No. PR-50/2001 dtd. 18th Dec 2002.

*Amended on 2nd June, 2019

ZILLA PARISHAD

11. *Subject to the provision of sub-section(2)(i) of section 85, the Deputy Commissioner of the District shall assign and notify the names and consecutive serial number of all the Gram Panchayats Constituencies falling within the area of the Zilla Parishad.
- Determination of number of Constituencies of Zilla Parishad
12. *For the purpose of sub-section(2) (iv) of section 85 of the Act, the Deputy Commissioner shall compound together the total number of Gram Panchayats Constituting Zilla Parishad Member constituency and determine the constituency or constituencies that shall be reserved for women. The constituencies so reserved shall be widely circulated.
- Reservation of seats for women
- (i) the Constituencies available for reservation shall be rotated among the single group of Gram Panchayats Constituting Zilla Parishad Member constituency by drawing lots in each term.
- (ii) for the first term of election, the Deputy Commissioner shall notify the constituency (s) that are reserved for women by drawing lot.
- (iii) For the subsequent term of election, the same procedure shall be followed, except that, reservation shall be made after excluding the Constituencies reserved in earlier term (s) of election. In the event of shortfall of the required number of constituencies to fulfil one third, the reservation shall be made by drawing lots from the seats reserved in earlier terms.
- Explanation
- Number of seats to be reserved under this Rule shall be derived by dividing the number of total seats by three and any fraction of half or more shall be rounded to the next whole number and any fraction less than half shall be ignored.
13. (i) For the purpose of sub-Section (3) of Section 88, the Secretary (RD & PR), Government of Arunachal Pradesh shall compound together the total number of Office of Chairpersons and determine the Offices of Chairperson or Chairpersons of Zilla Parishads that shall be reserved for women.
- Reservation of offices of Chairperson of Zilla Parishad for women
- (ii) The Secretary (RD & PR), Government of Arunachal Pradesh shall determine the number of Offices of Chairpersons of Zilla Parishads to be reserved for women by draw of lots of Zilla Parishads from a single group of Zilla Parishads as notified by the Government.
- Provided that :-
- (i) for the first term of election, the Secretary (RD & PR), Government of Arunachal Pradesh shall notify the constituencies of Zilla Parishad reserved for women and such notification shall be sent to the Deputy Commissioners for wide circulation.
- (ii) for the subsequent term (s) of election, the same procedure shall be followed except that reservation shall be made after excluding the offices of Chairperson (s) fixed in earlier election. In the event of any shortfall of the required number of offices of chairpersons to provide one third, the reservation shall be made by drawing lots from the seats reserved in earlier term (s).
- Provided that, the rotational allotment shall be made only from those Zilla Parishad which have at least one elected woman member.
- Explanation
- Number of seats to be reserved under this Rule shall be derived by dividing the number of total offices of Chairpersons by three and any fraction of half or more shall be rounded to the next whole number and any fraction less than half shall be ignored.
14. The government shall publish and circulate to the Deputy Commissioner concerned who will in turn fix the copies to the Offices of :-
- Manner of publication of order under Rule 13
- (1) Deputy Commissioner's Office.

Ammended on 2nd June, 2019

- (2) Zilla Parishad.
- (3) Gram Panchayat.
- (4) ADC/SDO/EAC/CO/BDO Office

CHAPTER-4

MISCELLANEOUS

15. (i) No alteration, addition, amendment shall be made after the last date of filling of nomination in respect of the seats to the Gram Panchayat or the Zilla Parishad. *Bar on alteration, addition, ammendment of seats and constituencies of Gram *Panchayat and Zilla Parishads
- (i) The Government may issue such general or special directions as may, in its opinion, be necessary for the purpose of giving effect to these rules, or delimitation of Constituencies or reservation by rotation under the Act. Removal of difficulties
- (ii) If any difficulty arises in giving effect to the provisions of these rules in delimitation of constituencies or reservation of seats by rotation, the government, as occasion require, may by order do anything which appears to it to be necessary for the purpose of removing the difficulty.

G. Koyu
Secretary, (R D & Panchayat)
Government of Arunachal Pradesh,
Itanagar.



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GOVERNMENT OF ARUNACHAL PRADESH
DEPARTMENT OF PANCHAYAT

NOTIFICATION

The 13th August, 2002

THE ARUNACHAL PRADESH PANCHAYAT RAJ
(CONDUCT OF ELECTION) RULES, 2001

No. 50/2001- In exercise of the powers conferred by Section 150 of the Arunachal Pradesh Panchayat Raj Act, 1997, the State Government of Arunachal Pradesh hereby makes the following Rules to regulate conduct of elections of Gram Panchayat, Anchal Samiti and Zilla Parishad and all other matters relating thereto under the said Act, namely:-

PART-I

PRELIMINARY

- | | | |
|----|--|------------------------------|
| 1. | (1) These rules may be called the ARUNACHAL PRADESH PANCHAYATI RAJ (CONDUCT OF ELECTION) RULES, 2001.
(2) They shall come into force on and from the date of their publication in the Official Gazette. | Short title and commencement |
| 2. | (1) In these rules, unless the context otherwise requires :-
(a) "Act" means the ARUNACHAL PRADESH PANCHAYATI RAJ ACT, 1997.
(b) "Ballot Box" includes any box, bag or other receptacle in use for the insertion of Ballot papers by voters;
(c) "Counter Foil" means the counter foil attached to a Ballot paper printed under the provisions of these rules;
(d) "District Election Officer" and "Sub-divisional Election Officer" means an Officer appointed under Sub-Section (4) of Section 104; ;
(e) * "Election" in relation to election of any member of a Gram Panchayat or Zilla Parishad means any person entitled to vote at that election;
(f) * "Electoral Roll" in relation to any election of Gram Panchayat and Zilla Parishad means the list maintained under Section 106 by the Returning Officer for that election;
(g) "Electoral Roll Number" of a person :-
(i) the serial number of the entry in the electoral roll in respect of the person; and | Definition |

- (ii) the serial number of the part of the electoral roll in which such entries occurs; and
 - (iii) * the name of the Constituency to which the Gram Panchayat and Zilla Parishad and the member of the Constituency to which the electoral roll relates;
- (h) "Form" means a form appended to those rules and includes as manuscript, or type written or cyclostyled copy;
- (i) "Marked Copy of the electoral roll" means the copy of the electoral roll set apart for the purpose of marking the names of electors to whom Ballot Papers are issued at an election;
- (j) * "Polling Station" in relation to election of Gram Panchayat or Zilla Parishad means the place fixed for taking poll of that election;
- (k) "Presiding Officer" include:-
- (i) any Polling Officer performing any of the functions of a Presiding Officer under Sub-section (4) of Section 105;
- (l) "Returning Officer" means an Officer appointed under sub- section (2) of Section 105 and includes an Assistant Returning Officer appointed under sub-section (3) of Section 105 for performing any function he is authorised to perform under sub-section (3) of Section 105;
- (m) "Section" means a Section of the Act;
- (n) "Polling agent" means a polling agent appointed under the rules and includes a candidate and the election agent of a candidate and includes a relief polling agent.
- (2) The expression used in these rules and not otherwise defined shall have the same meaning as respectively assigned to them in the Act.

**PART-II
GENERAL PROVISION**

- | | | |
|----|---|------------------------------|
| 3. | The State Election Commission shall after consulting the State Government by Notification appoint the date and time of poll for any election or by-election of Panchayats in the language or languages as may be considered necessary. | Date of Poll
for Election |
| 4. | As soon as the Notification is published under rule 3, a public notice of an intended election shall be in Form - I and shall, subject to such directions of the State Election Commission, be published in such manner as the Returning Officer thinks fit and shall by order appoint; | |
| | (a) the dates, time and place for making nomination which shall be seventh day after the date of publication of the first mentioned Notification or, if that day is a public holiday, the next succeeding day which is not a public holiday; | |
| | (b) the date for the scrutiny of nomination, which shall be the second day after the last date for making nominations or, if the date is a public holiday, the next succeeding day which is not a public holiday; | |
| | (c) the last day for the withdrawal of candidature, shall be the third day after the date for the scrutiny of nominations or, if that date is a public holiday, the next succeeding day which is not a public holiday; | |
| | (d) the date or dates on which a poll shall be taken, shall be a date not earlier than fifteenth day of the last date for the withdrawal of candidature; and | |
| | (e) the date before which election shall be completed. | |
| 5. | (1) Any person, if not otherwise disqualified under the provisions of the Act or any order made thereunder, may be nominated as a candidate for election to a Gram Panchayat for not more than one seat from any constituency in a Gram if his name is included in the electoral roll of that Constituency. | Nomination of
Candidates |

*(2) Deleted.

*(3) Every nomination paper presented to the Returning Officer shall be in Form 2(A) in case of Gram Panchayat and in Form 2(C) in case of Zilla Parishad.

Provided that a failure to complete or defects in completing the declaration as to the symbol in a nomination paper in Form 2 (A) or 2 (C) shall not be deemed to be a defect of substantial character within the meaning of sub-rule (4) of the rule 12.

*(4) Nomination papers in Form-2 (A) or 2 (C) shall be supplied by the Returning Officer to any voter on demand.

6. (1) On any of the dates fixed for filling nomination under Clause (a) of Rule 4, each candidate shall either in person or by his proposer deliver to the Returning Officer during the time, and at the place specified in the order under rule 4, a nomination paper duly completed and signed by the candidate and by a voter of the Constituency as proposer;

Presentation of
Nomination
Papers and
requirement
for valid
Nomination

(2) Any person whose name is entered in the voter list of the Constituency for which the candidate is nominated and who is not otherwise disqualified, may subscribe as proposer;

Provided that he shall not subscribe as proposer for more than one nomination.

(3) Every nomination paper presented to the Returning Officer shall be in Form 2(A) in case of Gram Panchayat, and Form 2 (C) in case of Zilla Parishad:

Provided that a failure to complete or defects in completing the declaration as to the symbol in a nomination paper in Form 2 (A) or 2 (C) shall not be deemed to be a defect of substantial character within the meaning of sub-rule (4) of rule 12.

(4) Nothing in this rule shall prevent any candidate from being nominated by more than one nomination paper for election in the same Constituency.

7. (1) The list of symbols prescribed in this behalf in Schedule-I, II and III of these Rules shall be used in such election as for which it specifically provided under rules.

Classification
of symbols

(2) Every nomination paper submitted under this rules shall contain a declaration:-

(a) the particulars symbol which the candidate has chosen for his first preference out of the list symbols prescribed under rule-

(b) two other symbols out of that list which he as chosen for second and third preference respectively:

Provided that the choice to be made by a candidate shall be subject to such restriction as the Returning Officer, may think fit to impose in this regard, and

(c) When more nomination paper than one delivered by or on behalf of a candidate, the declaration to the symbols made in the first nomination paper be accepted and no other declaration as to symbols shall be taken into consideration.

8. The list of symbols prescribed in this Schedule I and II shall reserved for the candidates belonging to the recognized National Parties and the State/ Regional Parties respectively;

Reserved
symbols

Provided that these reserved symbols shall be allotted only to the candidate formally sponsored by the respective political parties and that a candidate shall be deemed to have been set up a political party if:

- (a) he has made a declaration to that effect in nomination paper,

**Ammended on 2nd June, 2019*

- (b) He communicated in writing to the respective Returning Officer or Officer to that effect not later than the time fixed for scrutiny of nomination paper, and
- (c) The said communication is signed by the President, Secretary or any other office bearer is authorised by the party to send such communication in advance to the Returning Officer concerned and to the State Election Commissioner.
9. (1) A candidate in a Gram Panchayat election from any Constituency shall give in order of preference of not more than two symbols specified in the Table-A of Schedule III. Choice of free symbol/ symbols by candidate
- * (2) Deleted.
- (3) A candidate at Zilla Parishad election from any Constituency shall give in order of preference of not more than two symbols specified in Table- C of Schedule III.
- (4) * Notwithstanding anything in the sub-rule (1), (2), (3), of the Rule 9, if at any election, the choice of symbols made by the candidate exceeds the number of free symbols specified in Table-A or Table-C, as the case may be, of Schedule III, the District Election Officer may for smooth conduct of election, by an order specify additional free symbol for allotment by the Returning Officer to each of the candidate.
10. A candidate shall not be deemed to have been validly nominated for election from a Constituency unless he deposits or causes to be deposited in cash with the Returning Officer concerned as specified below: Deposit
- (a) * in case of an election from a Constituency of a Gram Panchayat a sum of Rs. 500
- (b) * in case of an election from a Constituency of the Zilla Parishad, sum of Rs. 2000.
- Provided that where a candidate has been nominated by more than one nomination paper for election in same Constituency not more than one deposit shall be required by him under this rule.
11. The Returning Officer shall, on receiving the nomination papers under sub-rule (1) of Rule 6 from the person or persons delivering the same shall enter on the nomination paper itself, serial number, and sign thereon on a certificate stating the date and the hour at which the nomination papers has been delivered to him and shall as may be thereafter, cause to be affixed in Form 3 in some conspicuous places in his Office a notice of the nomination containing description similar to those contained in the nomination paper both of the candidate and of the proposer. Notice of nominations and time and place for the scrutiny
12. (1) On the date fixed for the scrutiny of nomination, the candidates or their election agent and one proposer and no other persons may attend at the time and place appointed in this behalf and the Returning Officer shall give them all reasonable facilities for examining the nomination paper of all the candidates which have been delivered within the time. Scrutiny of nominations
- (2) The Returning Officer shall then examine the nomination paper and shall decide all objections which may be made to any nomination and may either on such objection or on his own motion, after such summary enquiry, if any, as he thinks necessary, reject any nomination on any of the following grounds, namely:-
- (a) that the candidate is disqualified for being chosen to fill the seat by or under the Act;
- (b) that the proposer is not a voter of the Constituency concerned.
- (c) that there has been a failure to comply with any provision of the Rules-5 and 6 ; and

- (d) that the signature of the candidate or of the proposer on the nomination paper is not genuine.
- (3) Nothing contained in Clause (c) or (d) of sub-rule (2) shall be deemed to authorise the rejection of the nomination of any candidate on the ground of any irregularities in respect of a nomination paper, if the candidate has been duly nominated by means of another nomination paper in respect of which no irregularities have been committed.
- (4) The Returning Officer shall not reject any nomination paper on the ground of any defect which is not of substantial character.
- (5) The Returning Officer shall hold scrutiny on the date appointed in this behalf under Clause (b) of Rule 4 and shall not allow adjournment of the proceeding except when such proceedings are interrupted or obstructed by riot or open violence or by cases beyond his control.
- (6) The Returning Officer shall endorse on each nomination paper his decision accepting or rejecting the same and, if the nomination paper is rejected shall record in writing brief statement of reasons for such rejection.
13. (1) Immediately after all nomination papers have been scrutinised and decided and decisions accepting or rejecting the same have been recorded, the Returning Officer shall prepare a list in Form-4 of validly nominated candidates that is to say the candidates whose nominations have been found valid and affixed on his notice board.
- (2) The nomination of every such candidate shall be shown in the said list as it appears in his nomination paper.
14. (1) Any candidate may withdraw his candidature by a notice in writing which shall be signed by him and delivered before 3 O'clock in the afternoon on the day fixed under Clause (c) of Rule 4 to the Returning Officer either by such candidate in person or by election agent who has been authorised in this behalf in writing by such candidate.
- (2) No person who has given a notice of withdrawal of his candidature under sub-rule (1) shall be allowed to cancel the notice,
- (3) A notice of withdrawal of candidature under sub-rule (2) shall be in Form-5 and shall contain the particular set out therein and on receipt of such notice the Returning Officer shall note thereon date and time at which it was delivered.
- (4) The Returning Officer shall on being satisfied as to the genuineness of notice of withdrawal and the identity of the persons delivering it under sub-rule (2) and cause notice in Form-6 to be affixed on his notice board.
- (5) Nomination paper once submitted to the Returning Officer by the proposer under Rule 6 (1) shall not be permitted to be withdrawn.
15. (1) Immediately after the expiry of the period within which candidature may be withdrawn under sub-rule (1) of rule 14 the Returning Officer shall prepare in Form 7 a list of contesting candidates, that is to say candidates whose nomination papers have been finally accepted and who have not withdrawn their candidature within the said period.
- (2) Immediately after the preparation of list of the contesting candidates referred to in sub-rule (1) the Returning Officer shall, subject to the provisions of Rules 9 and to any general or special direction issued in this behalf by the State Election Commission:-
- (a) allot one of the different symbols to each contesting candidate in conformity with as far as practicable with his choice:
- (b) if more contesting candidates than one have indicated their preference for the same symbol, decide by lot as to which candidate the symbol will be allotted. The allotment of symbol by the Returning
- List of validity
Nominated
candidate
- Withdrawal
of
Nomination,
Notice of
withdrawal of
candidature
- Preparation
of List of
Contesting
Candidate

- Officer to a candidate shall be final: and
- (c) every candidate or his election agent shall forthwith be informed of the symbol allotted to the candidate and be supplied with specimen thereof by the Returning Officer.
16. The Returning Officer shall immediately after its preparation cause a copy of the list of contesting candidate to be affixed on the notice board in his Office and shall also supply a copy thereof top each of the contesting candidate or to his election agent.
17. (1) If a candidate desires to appoint an election agent such appointment shall be made in Form-8 either at the time of delivering nomination paper or at any time before election.
- (2) The appointment of the Election Agent may be revoked by the candidate at any time by a declaration in writing in Form 9 signed by him and lodged with the Returning Officer. Such revocation shall take affect from the date on which it is lodged. In the event of such revocation or in the event of election agent dying before or during the period of election, the candidate may appoint a new election agent in accordance with the provision of sub-rule (1).
18. (1) At an election at which a poll is to be taken any contesting candidate, or his election agent may appoint one agent and one relief agent to act as polling agent of such candidate at each polling station. Each appointment shall be made by a letter in writing in duplicate in Form 10 signed by the candidate or his election agent.
- (2) The candidate or his election agent shall, deliver the duplicate copy of the letter of appointment to the polling agent, who shall on the date fixed for poll, present it to the Presiding Officer and shall retain the duplicate copy presented to him in his custody. No polling agent shall be allowed to perform any duty at the polling station unless he has complied with the provision of this sub-rule.
- (3) The appointment of a polling agent may be revoked by a candidate or his election agent at any time before the commencement of the poll by a declaration in writing in Form-11 signed by him. Such declaration shall be lodged to the Presiding Officer at the polling station where the agent is so appointed for duty:
- Provided that where the appointment of a polling agent is revoked or where the polling agent dies before the commencement of the poll the candidate or his election agent may, at the time before the poll is closed, appoint a new polling agent in accordance with the provision of the rule.
19. The place fixed for polling shall be published by District Election Officer by an order.
20. Same as hereinafter provided all electors, voting at an election shall do so in person at the polling station provided for them, at the place of polling fixed under Rule 19.
21. If a candidate whose nomination has been found valid on scrutiny under Rule-12 and who has not withdrawn his candidature under Rule 14 dies and a report of his death is received before the publication of the list of contesting candidate under Rule 16 or if a contesting candidate dies and a report of his death is received before the commencement of the poll, the Returning Officer shall, upon being satisfied of the fact of death of the candidate, countermand the poll and report the fact to the State Government, the State Election Commission and also to the District Election Officer concerned and all proceedings with reference to the election shall be commenced anew in all respects as if for a new election:
- Provided that no further nomination shall be necessary in the case of person who was a contesting candidate at the time of the countermanding of the poll:

Publication of
List of
Contesting
Candidate

Appointment
of Election
Agent and
rejection of
such
Appointment

Appointment
of Polling
Agent

Publication of
the place fixed
for polling

Voting
normally to
be in person

Death of
candidate
before poll

Provided further that no person who has been given a notice of withdrawal of his candidature under Rule 14 before the countermanding of the poll shall be ineligible for being nominated as a candidate for election after such countermanding.

22. *If at any election to a Gram Panchayat or Zilla Parishad:
- (a) the number of contesting candidates is more than the number of seats to be filled, a poll shall be taken;
- (b) the number of such candidate is equal to the number of seats to be filled, the Returning Officer shall forthwith declare in Form-14 all such candidates to be duly elected to fill those seats;
- (c) the number of such candidates is less than the number of seats to be filled. The Returning Officer shall forthwith declare in Form-14 all such candidates to be elected and inform the District Election Officer, the State Election Commission and the State Government for taking appropriate action.
- Procedure in contested and uncontested Elections

PART - III

*POLL AND VOTING IN GRAM PANCHAYATS AND ZILLA PARISHAD CONSTITUENCIES

23. At every election where a poll is taken, votes shall be given by ballot in the manner hereinafter provided and votes shall be received by proxy. Manner of voting
24. Every Ballot Box shall be of such design as may be approved by the State Election Commission in consultation with State Government. Ballot Box
25. *(1) Every Ballot Paper shall be in Form -15 for Gram Panchayat and in Form- 15B for Zilla Parishad. Form of Ballot Paper
- (2) Every Ballot Paper shall have a counterfoil attached thereto.
- (3) The names of candidates shall be arranged on the ballot paper in the same order in which they appear in the list of contesting candidates.
- (4) If two or more candidates bear the same name, they shall be distinguished by the addition of their occupation or residence or in some other manner.
26. (1) Outside each Polling, Station, there shall be displayed prominently:- Arrangement of Polling Station
- (a) a notice specifying the polling area, the voters of which are entitled to vote at the polling station and, where the polling area has more than one polling station, the particulars of the electors so entitled;
- (b) a copy of the list of contesting candidates;
- (2) The Returning Officer shall cause to be provided at every polling station one or more compartments (hereinafter referred to in these rules as a "voting compartment") in which voters can record their votes screened from observation.
- (3) The Returning Officer shall provide at each polling station a sufficient number of ballot boxes, ballot papers, copies of the list of voters in respect of the polling area or areas, the voters of which are entitled to vote at such polling station, instruments for stamping the distinguishing mark on ballot papers and articles necessary for voters to mark the ballot paper. The Returning Officer shall also provide at each polling station such other equipment and accessories as may be required for taking the poll at such polling station.
27. The Presiding Officer shall regulate the number of voters to be admitted at anyone time inside the polling station and shall exclude therefrom all persons other than:- Admission to Polling Station
- (a) Polling Officer;

Amended on 2nd June, 2019

- (b) public servants on duty in connection with the election;
 - (c) persons authorised by the District Election Officer or the Returning Officer;
 - (d) candidates, their election agents and subject to the provisions of rule 18 one polling agent of each candidate at a time;
 - (e) a child in arms accompanying a voter;
 - (f) a person accompanying a blind or infirm voter who cannot move without being helped; and
 - (g) such other persons as the Returning Officer or the Presiding Officer may employ for the purpose of identifying the voter.
28. (1) The Presiding Officer shall immediately before the poll, satisfy all authorised persons present that the ballot box is empty.
- 2) Every ballot box used at a polling station shall bear labels outside marked with:-
- (a) the serial number, if any, and the name of the Constituency ;
 - (b) the serial number, and the name of the polling station;
 - (c) the serial number of the ballot box where more than one ballot box is used in respect of a particular election; and
 - (d) the date of poll.
- (3) Immediately before the commencement of the poll, the Presiding Officer shall demonstrate to the polling agents and other authorised persons present that the ballot box bears the labels, referred to in sub-rule (2).
- (4) The ballot box shall then be closed, sealed and secured and placed in full view of the Presiding Officer and the polling agents.
29. Immediately before the commencement of the poll the Presiding Officer shall also demonstrate to the polling agents and others present that the marked copy of the electoral rolls to be used during the polls does not contain any entry against any name.
30. (1) Where a polling station is for both men and women voters, the Presiding Officer may direct that they shall be admitted into the polling station alternately in separate batches.
- (2) The Returning Officer or the Presiding Officer may appoint a women to serve as an attendant at any polling station to assist the women voters and also to assist the Presiding Officer generally in taking the poll in respect of women voters, and in particular to help in searching any women voters in case it becomes necessary.
31. (1) The Presiding Officer may employ at the polling station such person as he thinks fit to help in the identification of the electors to assist him or otherwise in taking a poll.
- 2) As each voter enters the polling station the Presiding Officer or the Polling Officer authorised by him in this behalf shall check the elector's name and other particulars with the relevant entry in the electoral rolls and then call out the serial number, name and other particulars of the voter.
- (3) In deciding the right of a person to obtain a ballot paper, the Presiding Officer or the Polling Officer, as the case may be shall overlook merely clerical or printing errors in an entry in the electoral rolls, if he is satisfied that such person is identical with the voter to whom such entry relates.
32. (1) A voter on election duty who wishes to vote shall at least three days before the date of poll approach the Returning Officer or any Officer of the Constituency designated by him in respect of which he is voter and make an application in Form 16 for the issue of, a ballot paper in order to enable him to cast his vote.

Preparation of
Ballot Boxes
for Poll

Marked Copy
of Electoral
Polls

Facilities for
women voters

Identification
of voters

Facilities for
Public
Servants on

(2) The Returning Officer shall on being satisfied as to the identity of such voter or production of letter of appointment in connection with election :-

- (a) have the persons name marked in the electoral roll; and
- (b) issue to such voter a ballot paper and permit him to vote on this spot with the instrument provided for the purpose.

Provided that the Returning Officer may fix date and time and place when such vote may be cast.

Provided further that the contesting candidate, his Election Agent or an authorised representative shall also be informed of the date, time and place and requested to remain present when the votes are cast.

(3) After recording his vote, such voter shall make over the ballot paper to the Returning Officer in a sealed cover.

(4) The Returning Officer shall keep the counterfoil of such ballot paper in a separate sealed cover.

33. (1) Any polling agent may challenge the identity of a person claiming to be a particular voter by first depositing a sum of two rupees in cash with the Presiding Officer for each such challenge.

Challenging
of identity

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

- (a) warn the person challenged of the penalty for Personation:
- (b) read the relevant entry in the electoral roll in full and ask him whether he is the person referred to in that entry;
- (c) enter his name and address in the list of challenged voter in Form 17; said post;
- (d) require him to affix his signature or thumb impression in the

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

- (a) require the challenger to adduce evidence in proof of the challenge and the person challenged to adduce evidence in proof of his identity
- (b) put to the person challenged any question necessary for the purpose of establishing his identity and require him to answer them on oath;
- (c) administer an oath to the person challenged and any other person offering to give evidence.

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

(5) If the Presiding Officer is of the opinion that the challenge made 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.

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

Safeguards
against
imperson-
ations

(2) If any voter refuses to allow his left forefinger to be inspected or marked in accordance with sub-rule (1) or has already such a mark on his left forefinger or does any act with a view to removing the ink mark, he shall not be supplied with any ballot paper or allowed to vote.

(3) Any reference in this rule to the left forefinger of a voter shall, in the case where the voter has his left forefinger missing be construed as a reference to any other fingers of his left hand and shall, in the case where all the

- fingers of his left hand are missing to be construed as a reference to the forefinger or any other finger of his right hand and shall, in the case where all his finger of both the hands are missing to be construed as reference to such extremity of his left right arms as he possesses.
35. (1) Every ballot paper shall before issue to a voter, be stamped with such distinguishing mark as the State Election Commission may direct and signed in full on its back by the Presiding Officer.
- (2) No ballot paper shall be issued to any voter before the hour fixed for the commencement of the poll.
- (3) No ballot paper shall be issued to any voter after the hour fixed for the closing of the poll except to those voters who are present at the polling station at the time of the closing of the poll. Such voter shall be allowed to record their voters even after the poll closes.
- (4) At the time of issuing a ballot paper to a voter, the Polling Officer shall -
- (a) record on its counterfoil the electoral roll number of the voter as entered in the marked copy of the electoral roll;
 - (b) obtain the signature or thumb impression of that voter on the said counterfoil;
 - (c) Mark the name of the voter in the marked copy of the electoral roll to indicate that a ballot paper has been issued to him, without however recording therein the serial number of the ballot paper issued to the voter; and
- Provided that no ballot paper shall be delivered to an elector unless he has put his signature or thumb impression on the counterfoil of that ballot paper;
- (5) Save as provided in sub-rule (4) no person in the polling station shall note down the serial number of the ballot paper issued to a particular voter.
36. (1) Every voter to whom ballot paper has been issued rule 35 or other provisions of these rules shall maintain secrecy of voting within the polling station and for that purpose observed voting procedure after laid down.
- (2) The voter on receiving the ballot papers shall forthwith -
- (a) Proceed to one of the voting compartments;
 - (b) there make a mark on the ballot paper with the instruments supplied for the purpose on or near he symbol of the candidate for whom he intends to vote;
 - (c) fold the ballot paper so as to conceal his vote;
 - (d) if required show to the Presiding Officer the distinguishing mark on the ballot paper;
 - (e) insert the folded ballot paper into the ballot box;
 - (f) quit the polling station.
- (3) Every voter shall vote without undue delay.
- (4) No voter shall be allowed to enter a voting compartment when another voter is inside it.
- (5) If an elector to whom a ballot paper has been issued, refused, after warning given by the Presiding Officer, to observe the procedure as laid 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 by a Polling Officer under the direction of the Presiding Officer.
- (6) After the ballot paper has been taken back the Presiding Officer shall record on its back the word "Cancelled Voting Procedure Violated" and put his signature below those words.
- (7) All the ballot papers on which the words "Cancelled Voting Procedure Violated" are recorded, shall be kept in a separate cover which shall bear

Issue of
Ballot paper
to voters

Maintenance
of secrecy of
voting by
Electors
within the
Polling
Station and
voting
procedure

on its face the words "Ballot Papers" voting procedure violated.

- (8) Without prejudice to any other penalty to which a voter; from whom a ballot paper has been taken back under sub-rule (6), may be liable, the vote, if any recorded on such ballot papers shall not be counted.
37. (1) If the Presiding Officer is satisfied that owing to blindness or other physical infirmity, a voter is unable to recognise the symbols on the ballot paper or to make a mark thereon, without assistance, the Presiding Officer shall, permit the voter to take with him a companion of not less than 18 years of age to the voting compartment for recording the vote on the ballot papers on his behalf and in accordance with his wishes and if necessary, for folding of ballot paper so as to conceal the vote and insert it into the ballot box;
- Provided that no person shall be permitted to act as the companion of more than one elector at any polling station on the same date;
- Provided further that before any person is permitted to act as the companion of an elector under this rule the person shall be required to declare in Form 18A that he will keep secret the vote recorded by him on behalf of the voter at any polling station on that date.
- (2) The Presiding Officer shall keep a brief record of the blind and infirm voter in Form-18.
38. (1) A voter who has inadvertently dealt with his ballot paper in such manner that it cannot be conveniently used as a ballot paper may, on returning it to the Presiding Officer and on satisfying him of inadvertence, be given another ballot paper, and the ballot paper so returned and counterfoil of such ballot paper shall be marked "Spoilt Cancelled" by the Presiding Officer.
- (2) If a voter after obtaining a ballot paper decides not to use it, he shall return it to the Presiding Officer, and the ballot paper so returned and the counterfoil of such ballot paper shall be marked as "Returned Cancelled" by the Presiding Officer.
- (3) All ballot papers cancelled under sub-rule (1) or sub-rule (2) shall be kept in a separate packet.
39. (1) If a person representing himself to be a particular elector applies for a ballot paper after any other person has already voted as such elector, he shall, on satisfactorily answering questions relating to his identity as the Presiding Officer may ask, be entitled, subject to the following provisions of these rules to marking ballot papers hereinafter in this rule referred to as a "Tendered ballot paper" in the same manner as any other voter.
- (2) Every such person shall, before being supplied with a tendered ballot paper, sign his name against the entry relating to him in a list in Form 19.
- (3) A tendered ballot paper shall be the same as the other ballot paper at the polling station except that:-
- (a) such tendered ballot paper shall be serially the last in the bundle of ballot paper issued for use at the polling station; and
- (b) such tendered ballot papers and its counterfoil shall be endorsed on the back with the words "tendered ballot paper" by the Presiding Officer in his own hand and signed by him.
- (4) The voter, after marking a tendered ballot paper in the voting compartment and folding it, shall instead of putting into the ballot box give it to the Presiding Officer, who shall place it in a cover specially kept for this purpose.
40. (1) The Presiding Officer shall close a Polling Station at the hour fixed in the behalf under rule 3 and shall not thereafter admit any voter into the Polling Station.
- Provided that all voter present at the Polling Station before it is closed shall be allowed to cast their votes.

Recording of
vote of blind or
Infirm Electors

Spoilt and
returned ballot
papers

Tendered
votes

Closing of Poll

(2) If any question arises whether a voter was present at the Polling Station before it was closed, it shall be decided by the Presiding Officer and his decision shall be final.

41. (1) As soon as practicable after the closing of the Poll, the Presiding Officer shall close the slit of the ballot box and where the box does not contain any practical device for closing their slit he shall seal up slit and also allow any polling agent present to affix his seal or signature.
- (2) The Ballot box shall thereafter be sealed and secured.
- (3) Where it becomes necessary to use a second ballot box by reason of the first box getting filled, the first box shall be closed, sealed and secured as provided in sub-rule (1) and sub rule (2) before another ballot box is put into use.
42. The Presiding Officer shall at the close of the poll prepare a ballot paper account in Form 20 and enclose in a separate cover with the words "ballot paper account" written thereon. The Presiding Officer shall furnish to every polling agent present at the close of the poll a true copy of the entries made in the ballot paper account after obtaining a receipt from the said polling agent therefore and shall also attest it as a true copy.
43. (1) The Presiding Officer shall then make into separate packets -
- (a) a marked copy of the electoral roll;
 - (b) the counterfoil of the use ballot paper;
 - (c) the ballot papers signed in full by the Presiding Officer but not issued to the voters; Form 19;
 - (d) any other ballot papers not issued to the voters
 - (e) the ballot papers cancelled for violation of voting procedure;
 - (f) any other cancelled ballot papers:
 - (g) the cover containing the tendered ballot papers and the list in
 - (h) the list of challenged votes ; and
 - (i) any other papers directed by the State Election Commission to be kept in sealed packet.
- (2) Each such packet shall be sealed with the seals of the Presiding Officer and with the seals or signature of the candidate or of his election agent or of his polling agent who may be present at the polling station and may desire to affix his seal or signature thereon.
44. (1) The Presiding Officer shall, deliver or cause to be delivered to the Returning Officer at such place as the Returning Officer may direct :-
- (a) the ballot box or, as the case may be the boxes;
 - (b) the ballot paper accounts;
 - (c) the sealed packets referred to in Rule 43;
 - (d) all other papers used at the poll.
- The Returning Officer shall make adequate arrangement for the safe transport of all ballot boxes packets, and other papers and for their safe custody until the commencement of the counting of votes.
45. (1) If at an election, the proceedings at any polling station are interrupted or obstructed by any riot or open violence or if at an election it is not possible to take the poll at any polling station on account of any natural calamity, or any other sufficient cause, the Returning Officer or the Presiding Officer for such polling station shall announce an adjournment of the poll to a date to be fixed later and where the poll is so adjourned by the Presiding Officer he shall forthwith inform the Returning Officer concerned.

Sealing of
Ballot Boxes
after Poll

Account of
Ballot
Papers

Sealing of
other
packets

Transmission
of ballot box
etc. to the
Returning
Officer

Adjustment
of poll in
emergencies

2) Whenever a poll is adjourned under sub-rule (1), the Returning Officer shall immediately report the circumstances to the District Election Officer and the State Election Commission who shall immediately report the matter to the State Government. The state Election Commission in consultation with the State Government shall, by notification, fix date and hours of poll on which the poll shall recommence and the District Election Officer shall fix the polling station at which the poll shall be taken.

46. (1) If the poll at any polling station is adjourned under rule 45, the provision of the rules 41 to 43 (both inclusive) shall, as far as practicable, apply as if the poll was closed at the hour fixed in that behalf under Rule-3.
- (2) At any adjourned poll the voters who have already voted at the poll so adjourned shall not be allowed to vote again.
- (3) The Returning Officer shall provide the presiding officer of the polling station at which such adjourned poll is held with the sealed packed containing the marked copy of the list of voters other sealed packets, the original ballot box containing the poll ballot papers and a new ballot box.
- 4) The Presiding Officer shall open the sealed packets in the presence of the polling agents present and use the marked copy of the list of voters at the adjourned poll.
- (5) The Provisions of rules 23 to 43 (both inclusive) shall apply in relation to the conduct of an adjourned poll as they apply in relation to the poll before it was so adjourned.

Procedure on
Adjourn-
ment of poll

47. (1) If at any Election -
- (a) any ballot box used at a polling station is unlawfully taken out of the custody of the Presiding Officer, or is accidentally or intentionally destroyed or is lost, or is damaged or tampered with, to such an extent, that the result of the poll at that polling station cannot be ascertained, or
- (b) any such error or irregularity in procedure as is likely to vitiate the poll is committed at a polling station;
- The Presiding Officer shall forthwith report the matter to the Returning Officer and District Election Officer.
- (2) Thereupon, the District Election Officer shall after taking all material circumstances into account, either -
- (a) declare the poll at the polling station to be void; or
- (b) if satisfied that, the result of a fresh poll at the polling station will not in any way, after the result of the election or that the error or irregularity in procedure is not material, issue such directions to the Returning Officer as he may deem proper for the further conduct and completion of the election.
- (3) Where a poll at a polling station is declared to be void under clause (a) of sub-rule (2), the District Election Officer shall immediately report the matter to the State Election Commission and also to the State Government and the State Election Commission in consultation with State Government shall, by notification, fixed a date and time for taking a fresh poll and thereupon the District Election Officer shall fix the polling station at which poll shall be taken.

Fresh Poll in
case of
destruction of
Ballot Boxes

PART-IV

COUNTING OF VOTES

48. In this part, unless the context otherwise requires -
- (a) 'Candidate' means contesting candidate;
- (b) * 'Constituency' means a Gram Panchayat or Zilla Parishad Constituency:

Definition

**Amended on 2nd June, 2019*

- (c) 'Counting Agent' means a Counting Agent duly appointed under these rules and includes a candidate and the election agent, a candidate when present in the counting; these rules;
- (d) 'Notified Polling Station' means a polling station notified under
- (e) * 'Polling Station' means a polling station provided for election of member of Gram Panchayat or Zilla Parishad which shall be published by the District Election Officer not later than 7 days before the date of the poll, showing the polling station and the areas for which they would be set up;
49. The Returning Officer shall at least 5 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 a notice of the same in writing to each candidate or his election agent;
- Time and place for counting of votes
- Provided that, if for any reason, the Returning Officer finds it necessary so to do he may alter the date, time and place so fixed, or any of them, after giving notice of the same in writing to each candidate or his election agent.
50. (1) Each contesting candidate or his election agent may appoint an agent to act as counting agent as the State Election Commission direct by a general or special order.
- (2) Every such appointment shall be made in form 12 in duplicate, one copy of which shall be forwarded to the Returning Officer while the other copy shall be made over to the counting agent for production before the Returning Officer not later than one hour before, the time fixed for counting under rule 49.
- (3) No counting agent shall be admitted into the place fixed for counting unless he has delivered to the Returning Officer the second copy of his appointment under sub-rule (2) after duly completing and signing the declaration contained therein and receiving from the Returning Officer and valid for entry into the places fixed for counting.
- (4) The revocation of appointment of counting agent at any time shall be made in Form 13 and lodged with the Returning Officer.
- (5) In the event of such revocation before the commencement of the counting of votes the candidate or his election agent may make a fresh appointment in accordance with the sub-rule.
- Appointment of Counting Agents and revocation of such appointment
51. (1) The Returning Officer shall, exclude from the place of counting fixed for counting or votes of all persons except -
- (a) persons authorised by the State Election Commission;
- (b) persons authorised by the District Election Officer;
- (c) public servant on duty in connection with the election;
- (d) the candidate or the election agent and counting agent:
- (2) No person who has been employed or has been otherwise working for the candidate in or about the election shall be appointed under Clause (a) of sub-rule (1).
- (3) The Returning Officer shall not allow more than one counting agent of a candidate at any time in the counting hall.
- (4) Any person who during the counting of votes misconducts himself or fails to obey lawful direction of the Returning Officer may be removed from the place where the votes are being counted by the Returning Officer or by any person authorised in this behalf by the Returning Officer.
- Admission to the places fixed for counting
52. The Returning Officer shall before he commences the counting read out Section 126 of Arunachal Pradesh Panchayat Raj Act, 1997 and explain the necessity for maintenance of secrecy of voting of such persons as may be present.
- Maintenance of secrecy at the counting centre

**Amended on 2nd June, 2019*

53. (1) The Returning Officer shall first deal with the ballot papers received by him in sealed covers under sub-rule (3) of Rule 32.
- (2) The sealed covers shall be opened one after another in the presence of candidates or their election agent or counting agent.
- (3) *The Returning Officer shall count all the valid votes in the sealed covers and record the total number thereof in the counting sheets in Form 21 and 22 in respect of Gram Panchayat Election or Zilla Parishad Election and announce the same.
- (4) Thereafter, all the valid ballot papers and all the rejected ballot papers shall be separately bundled and kept together in a packed which shall be sealed by the Returning Officer and such of the candidates and election agents or counting agents as may desire to affix their seal on signature thereon the packet sealed shall be permitted to do so. On the envelope shall be recorded the name of the Constituency, the date of counting and the brief description of the contents.
- (5) Ballot papers received in a sealed cover may be rejected on the ground specified in sub-rule (2) of rule 55.
- Counting of votes received in sealed cover
54. (1) The Returning Officer shall open the ballot boxes in presence of the candidate or their election agent or counting agents.
- (2) Before any ballot box is opened at counting table the counting agent present at the table shall be allowed to inspect the seal as might have been affixed thereon and to satisfy themselves that it is intact.
- (3) The Returning Officer shall satisfy himself that none of the ballot boxes has, in fact been tampered with.
- Scrutiny and opening of Ballot Boxes
55. (1) The ballot papers taken out of each ballot box shall be arranged in convenient bundles and scrutinised
- (2) The Returning Officer shall reject a ballot paper -
- (a) if it bears any mark or writing by which the elector can be identified; or
- (b) if to indicate the vote, it bears no mark at all or bears a mark made otherwise than with the instrument supplied for the purpose: or
- (c) if votes are given in favour of more candidates than the number of candidates to be elected; or
- (d) if it is a spurious ballot paper; or
- (e) if it is so damaged or mutilated that its identity as a genuine ballot papers cannot be established; or
- (f) if it bears a serial number or is of a design different from the serial numbers; or as the case may be, different from the serial numbers; or as the case may be, different from the ballot papers authorised for use at the particular polling station; or
- (g) if it does not bear the mark and signature it should have borne under the provision of sub-rule (1) of Rule 35; or
- (h) if it is found in a ballot box other than the ballot box in which it should have been inserted:
- Provided that where the Returning Officer is satisfied that any such defect as is mentioned in the sub-clause (g) or (h) has been caused by any mistake or failure on the part of the Presiding Officer or the Polling Officer, the ballot paper shall not be rejected merely on the ground of such defects:
- 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.
- Scrutiny and rejection of Ballot Papers

(3) Before rejecting any ballot paper under sub-rule (2) the Returning Officer shall allow the candidate or his election agent and each counting agent present a reasonable opportunity to inspect the ballot paper, but shall not allow him to handle it or any other ballot paper.

(4) The Returning Officer shall endorse on every ballot paper which he rejects, the word "rejected" and the ground for rejection 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 valid vote:

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

56. (1) For the purpose of counting of votes in respect of election to Gram Panchayat, a mark in the ballot paper which is not rejected under Rule 55 shall be counted as valid vote for the candidate in whose favour the voting mark has been validly given.
- (2) *Every ballot paper which is not rejected under Rule 55 shall, for the purpose of counting of votes in respect of election to Gram Panchayat or Zilla Parishad be counted as valid vote for the candidate in favour of whom voting mark has been duly given.
- (3) *During the progress of counting of votes in connection with Gram Panchayat Election /Zilla Parishad Election, the Returning Officer shall count all the valid votes in the ballot box and record the total numbers thereof, in the counting sheet in Form 21A and Form 22:
- (4) *After the counting of all ballot box used at a polling station has been completed, the Returning Officer shall make the entries in a result sheet in Form 23 in respect of Gram Panchayat Election /Zilla Parishad election and announce the particulars.
- Counting of Votes
57. (1) The valid ballot papers of each candidate and the rejected ballot papers shall thereafter be bundled separately and such bundles made up into a separate packets which shall be sealed with the seals of the Returning Officer and signature or seal of the candidates, their election agent or counting agent and on the packet so sealed shall be recorded the following particulars namely:-
- (a) the name of the Constituency;
- (b) the particulars of the polling stations where the ballot papers were used; and the date of counting.
- Sealing of Used Ballot Papers
58. The Returning Officer shall, as far as practicable proceed continuously with the counting of votes and shall, during any intervals when the counting has to be suspended, keep the ballot papers, packets and other papers relating to the election sealed with his own seal and the signature or seals of such candidate or election or counting agent and shall cause adequate precautions to be taken for their safe custody during such intervals.
- Counting to be continuous
59. (1) After completion of the counting the Returning Officer shall record in the counting sheet in Form 22, the total number of votes polled by each candidate and announce the same.
- (2) After announcement has been made, a candidate or his absence his election agent or any of his counting agent may apply in writing to the Returning Officer immediately on the date/spot of announcement to recount the votes either wholly or in part stating the grounds on which he demands such recount.
- (3) On such an application being made, the Returning Officer shall decide the matter and may allow the application wholly or in part or may reject it in total if it appears to him to be frivolous or unreasonable.
- Recounting of Votes

(4) Every decision of the Returning Officer under sub-rule (3) shall be in writing and contain reasons thereof and shall be final.

(5) If the Returning Officer decides under sub-rule (3) to allow recounting of votes either wholly or in part he shall;

- (a) do the recounting in accordance with the rule 56;
- (b) amend the counting sheet in Form 21A and 22 as the case may be to the extent necessary after such recounting: and
- (c) announce the amendment so made by him.

(6) After the total number of votes polled by each candidates has been announced under sub-rule (5) of this Rule the Returning Officer shall, complete and sign the counting sheet in Form 21A and 22 as the case may be, and no application for recounting shall be entertained thereafter:

Provided that after an announcement under sub-rule (3) of Rule 53 or sub-rule (4) of Rule 56, reasonable opportunities shall be given to a candidate and in his absence, any election agent or his counting agent who makes an application in writing to the Returning Officer for recounting of vote, if any dispute is raised regarding the result of the counting.

60. (1) In case of an election to a Gram Panchayat the Returning Officer shall as soon as the counting of votes is completed and result sheets in Form 23 signed and declared in Form 24 the candidate or candidates elected on the basis of number of valid votes secured by him or them. The Returning Officer shall inform the District Election Officer, the State Election Commission and the Government of the result of the poll. The State Government shall cause the names of the elected candidates published in the Official Gazette.

Declaration
of Results of
Election and
Return of
Election

(2) * In the case of an election to a Gram Panchayat or Zilla Parishad the Returning Officer shall as soon as the Counting of votes is completed and counting sheets in Forms 21A and 22 signed in respect of all the polling station of the concerned Constituency compile the results in a result sheet in Form 23 and declare in Form 24 the candidate to whom the largest number of valid votes has been given to be elected and hang up the same in his office and send copies thereof to the District Election Officer, State Election Commission and the State Government. The State Government shall cause the names of the elected candidates published in the Official Gazette.

(3) If on counting of votes two or more candidates secure equal number of votes and if the number of candidates to be declared elected is less than the number of such candidates, lots shall be drawn in the following manner and in presence of the candidates or election agent or his counting agent -

- (i) the names of the candidates having equal votes shall be written in separate pieces of paper of the same size and these pieces of paper shall be rolled into separate balls and placed together in a single bag and the bag shall be well shaken;
- (ii) separate pieces of blank papers of the same size and corresponding to the number of pieces placed in the first bag shall be rolled into separate balls and placed together in the second bag except that one or more of these blank pieces shall be distinctively marked as to whether the choice is to fall on one or more of the candidates with equal votes. The bag shall then be well shaken;
- (iii) Two persons shall then be engaged to bring out simultaneously one sheet of paper so balled from each bag.
- (iv) The persons holding the bag containing partially blank sheets then open his sheets of papers. If this is blank, the sheets held by both the persons shall be thrown away and the process will be continued till the marked sheet is opened whereupon the person whose name is written on the corresponding sheet from the bag containing the sheets with the candidate's names shall be declared

Ammended on 2nd June, 2019

to have been elected. The process shall be continued till all vacant places have been filled.

(4) *As soon as may be after a candidate has been declared to be elected the Returning Officer in respect of Gram Panchayat /Zilla Parishad shall grant to an elected candidate a certificate of election in Form 25 and obtain from the candidate an acknowledgement of its receipt duly signed by him and immediately send the acknowledgement to the District Election Officer.

Sealing of packets

61. (1) After completing the counting of votes in an election the Returning Officer shall then make into separate packets -

- (a) counting sheet in Form 21, 21A and 22;
- (b) result sheets in Form 23;
- (c) the declaration sheet in Form 24 in respect of Gram Panchayat Election; and
- (d) any other papers directed by the State election Commission to be kept in sealed packet.

(2) Each such packet shall be sealed with the seals of the Returning Officer and with the seals/signature either of the candidate or his election agent or of his counting agent who may be present at the polling station.

62. (1) The Returning Officer shall then deliver or cause to be delivered to the District Election Officer, at such place as the District Election Officer may direct;

- (a) the ballot boxes;
- (b) the ballot paper account;
- (c) the sealed packets referred to Rule 43; and
- (d) all other papers used at the poll;

(2) The District Election Officer shall make adequate arrangement for the safe transport of all ballot boxes, packets and other papers and for their safe custody.

Transmission of Ballot Boxes, Packets etc. to the District Election Officer

PART-V

MISCELLANEOUS

63. When the seat of a member elected to a Gram Panchayat or Zilla Parishad becomes vacant by reason of his death, resignation, removal or otherwise, the State Election Commission, in consultation with the State Government, shall fix a date as soon as convenient may be for holding by election to fill the seat and the provisions of these rules shall thereupon apply mutatis mutandis.

*Casual vacancies in Zilla Parishad or Gram Panchayat

64. (1) The deposit made under rule 10 shall either be returned to the person making it or his legal representative or be forfeited to the State Government in accordance with the provisions of this Rule.

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

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

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

Return or forfeiture of candidate's deposit

- | | | |
|-----|---|---|
| 65. | <p>(1) While in the custody of the District Election Officer-</p> <p>(a) the packets of unused ballot papers with counterfoils attached thereto;</p> <p>(b) the packets of used ballot papers whether valid, tendered or Production and Inspection of Election Paper rejected;</p> <p>(c) the packets of the counterfoils of used ballot papers; and</p> <p>(d) the packets of marked copies of the list of voters, shall not be opened and their contents shall not be inspected by, or produced before, any person or authority except under orders of a competent Court.</p> | Production
and
Inspection of
Election
Paper |
| 66. | <p>Subject to any direction to the contrary given by the State Election Commission or by a competent Court -</p> <p>(a) the packets of unused ballot papers shall be retained for a period of three months and shall thereafter be destroyed in such manner as the State Election Commission may direct;</p> <p>(b) the other packets referred to in the rule 65 shall be retained for a period of three months and shall thereafter be destroyed;</p> <p>(c) all other papers relating to elections shall be retained for a period of six months and shall thereafter be destroyed:</p> <p style="padding-left: 40px;">Provided that packets containing the counterfoils of used ballot papers shall not be destroyed except with the approval of the State Election Commission.</p> | Disposal of
Election
Papers |

PART-VI

***ELECTION OF CHAIRPERSON OF GRAM PANCHAYAT OR ZILLA PARISHAD**

- | | | |
|-----|--|--|
| 67. | <p>*(1) The Chairperson of Gram Panchayat or Zilla Parishad shall be chosen by the elected members of the Gram Panchayat or Zilla Parishad from amongst themselves in the first meeting of the Gram Panchayat or Zilla Parishad fixed by the Deputy Commissioner,</p> <p>(2) * that the meeting shall be held at the date and time fixed by the Deputy Commissioner at the Headquarters of the Gram Panchayat or Zilla Parishad and shall be presided over by the officer appointed by the Deputy Commissioner.</p> <p>(3) The notice convening the meeting, among other things, may specify the hour or hours during which nomination papers shall be received, scrutinised or may be withdrawn.</p> <p>(4) If, after the time fixed for withdrawals of candidature, there remains only one candidate for the office of Chairperson, the officer appointed by the Deputy Commissioner shall forthwith declare him elected as Chairperson in form 26.</p> <p>(5) If there is no validly nominated candidate, the proceedings for seeking nominations shall commence afresh at a time for the purpose fixed by the Officer appointed by the Deputy Commissioner.</p> <p>(6) If the number of contesting candidates for the election of Chairperson, is more than one, a poll shall be taken by secret ballot.</p> <p>(7) If poll is to be taken, the Officer appointed by the Deputy Commissioner shall assign symbol to each contesting candidates and the decision of the said Officer in the allotment of symbols shall be final.</p> <p>(8) Immediately after allotment of symbols, the Officer appointed by the Deputy Commissioner shall announce the names of the contesting candidates on the basis of list of contesting candidates prepared by him in Form 27 and a copy of the said list of contesting candidates alongwith symbols shall be supplied to each candidate.</p> | Election of
Chairperson
or Gram
Panchayat
or Zilla
Parishad |
|-----|--|--|

- (9) (a) The ballot paper for the election shall be in Form 28.
- (b) The names of candidates shall be typed or legibly written on ballot papers in the same order as they appear in the list of contesting candidates.
- (c) If two or more candidates bear the same name, they shall be distinguished by addition of their father's or husband's name, as the case may be or in such other manner as the Officer appointed by the Deputy Commissioner may deem fit.

(10) In the meeting when poll is taken, votes shall be cast only by members present in the meeting by secret ballot, and no member shall be allowed to vote by post or proxy.

(11) The Officer appointed by the Deputy Commissioner shall cause the place of polling, at the hour declared for polling, to be closed till the time fixed by him for completion of poll and shall not admit any elector therein after that time.

- (12) (a) The counting of votes shall commence immediately after the close of poll as far as possible.
- (b) Votes shall be counted under the supervision of Officer appointed by the Deputy Commissioner in the meeting itself.
- (c) The officer appointed by the Deputy Commissioner shall scrutinize the polled ballot papers and separate those which are invalid. Invalid votes shall be rejected and the ground of rejection shall be endorsed on the back portion of such ballot papers.

(13) A ballot paper shall be invalid on the ground-

- (i) that, it appears any mark or signature by which an elector can be identified, or
- (ii) that, the mark is placed against more than one name, or
- (iii) that, no mark is recorded on the face of the ballot or the mark is so placed that it could not be ascertained for whom the vote has been given or the mark is made by an instrument other than the one supplied for the purpose by the Officer appointed by the Deputy Commissioner, or
- (iv) that, it is a spurious ballot paper.

68. When the counting of votes is completed, the Officer appointed by the Deputy Commissioner shall to be elected in Form 26 the candidate in whose favour the largest number of votes were cast.

Procedure of declaration of result

**PART-VII
ELECTION DISPUTES**

69. (1) The petition referred to in clause (a) (i) of sub-section (3) of Section 122 shall be filed before the Election Tribunal within 30 days from the date of declaration of Election result.

Filing of petition

(2) The petition shall contain statement in brief of the material facts on which the petitioner relies and shall where necessary be divided into paragraphs numbered consecutively. It shall be filed by the petitioner and verified in the manner prescribed for verification of pleading In the Code of Civil Procedure 1908.

(3) If the irregularities alleged in the petition are likely to effect the validity of the election of more than one returned candidate the petitioner shall make all such candidates as opposite parties.

(4) The petitioner may, if so desires, in addition to calling in question the election of the returned candidates, claim for a declaration that he himself or any other candidate has been duly elected.

(5) The Election Tribunal shall, as soon as may be, cause copy of the

- petition to be served on each opposite party.
70. Every dispute relating to election shall be enquired into by the Election Tribunal as early as may be in accordance with the procedure applicable under the Code of Civil Procedure, 1908 to the trial of suits:
- Procedure to be followed
- Provided that it shall only be necessary for the Panchayat Election Tribunal to make a memorandum of the substance of the evidence of any witness examined by him.
71. (1) No election petition shall be withdrawn without the leave of the Election Tribunal.
- Withdrawal of petition
- (2) If there are more petitioners than one, no application shall be made without the consent of all the petitioners.
- (3) When an application for withdrawal is made notice thereof fixing a date for the hearing of application shall be given to all other parties to the petition.
- (4) No application for withdrawal shall be granted if the Election Tribunal is of opinion that such application has been induced by any bargain or consideration which does not deserve to be admitted.
- (5) If the application is granted, the petitioner may be ordered to pay such cost to the opposite party as the Election Tribunal may think fit.
72. The spirit of provisions of Indian Evidence Act, 1872, not applicable in Arunachal Pradesh, shall not apply to the proceedings of an election petition.
- Evidence during Enquiry
73. If in the opinion of the Election Tribunal :-
- The Election to be void
- (1) A returned candidate or his agent or any other person with the connivance of such candidate or agent has committed or abetted the commission of any election offence falling under Chapter - IX - A of the Indian Penal Code or any law or rule relating to the infringement of the secrecy of an election, the election of such candidate shall be declared as void.
- (2) The election of a returned candidate has been procured or induced; or the result of the election has been materially affected by any of the following corrupt practices, namely :-
- (i) any election offence as mentioned in sub - rule (1) above;
- (ii) any payment to any person whomsoever on account of the conveyance of any elector to or from any place for the purpose of casting his vote;
- (iii) hiring employment, borrowing or using any vehicle for the purpose of conveyance of any elector to or from any place to the polling station for the purpose of casting his vote;
- Provided that any elector may hire any conveyance or use his own vehicle for conveying himself to or from the polling station, or
- (3) The result of the election has been materially affected by any irregularity, in respect of the nomination paper or by the improper reception or refusal of nomination paper or in voting or by any non-compliance with the provision of the Act or the Rules made thereunder, the election of such candidates shall be declared as void:
- Provided that, if the Election Tribunal is of opinion that any corrupt practice specified in sub - rule (2) of this rule which does not amount to any form bribery other than "treating" as hereinafter explained has been committed and if the Election Tribunal is further of the opinion that the candidate has satisfied him that :-
- (i) no corrupt practice was committed at such election by the candidate and that any corrupt practices committed/or committed contrary to the orders and without the sanction or connivance of such candidate; and

- (ii) such candidate took reasonable means for preventing the commission of corrupt practice at such election: and
- (iii) the corrupt practices, committed were of trivial nature not affecting the election materially: and
- (iv) in all other respects, the election was free from any corrupt practice on the part of such candidate or any of his agents :

Then the Election Tribunal may declare that the election of such candidate is not void.

Explanation :- For the purpose of this rule “treating” means incurring by any person of the expenses of giving or providing any food, drink,entertainment or provision to any person with the object directly or indirectly inducing him or any other person to vote or refrain from voting or as a regard for having voted or refrained from voting.

- | | | |
|-----|---|---|
| 74. | <p>(1) At the conclusion of the enquiry, the Election Tribunal shall declare, whether election of the returned candidate or candidates is void under rule(73).</p> <p>(2) If he declares the election of the returned candidates void, he shall further pass an order either:</p> <ul style="list-style-type: none"> (a) declaring that, any other party to the petition who has under these Rules claimed the seat has been duly elected; or (b) ordering a fresh election; <p>(3) The order of the Election Tribunal under sub - rule (1) or sub rule (2) shall be communicated forthwith to the District Election Officer concerned, State Election Commission and the State Government.</p> | Conclusion of hearing |
| 75. | <p>When an election is declared void under sub - rule (1) of rule 74 and a fresh election is ordered under Clause - (b) of sub- rule (2) of that rule, the seat of the returned candidate or the seat of the returned candidates, as the case may be, shall be deemed to be vacant from the date of the order of the Election Tribunal and the Election Commission shall forthwith take necessary steps for holding such fresh election.</p> | Fresh Election on Election Tribunal Order |
| 76. | <p>The Deputy Commissioner or any other Officer authorised by him in this behalf, hereinafter in this rule referred to as the requisitioning authority, if it appears to him in connection with an election under this Act -</p> <ul style="list-style-type: none"> (a) that, any premises are needed or are likely to be needed for the purpose of being used as a polling station or for the storage of ballot boxes after a poll has been taken; or (b) that, any vehicle, vessel or animal is needed or is likely to be needed for the purpose of transport of ballot boxes to or from any polling station or transport of members of the police force for maintaining during the conduct of such election, or transport of any Officer or person for performance of any duties in connection with such election by order in writing requisition of such premises, or as the case may be such vehicle, vessel or any animal and may make such further orders as may appear to him to be necessary or expedient in connection with the requisitioning: <p>Provided that, no vehicle, vessel or animal which is being lawfully used by a candidate or his agent for any purpose connected with the election of such candidate shall requisitioned under this sub - rule until the completion of the poll at such election.</p> <p>(2) The requisition shall be effected by an order in writing addressed to the person deemed by the requisitioning authority to be owner or person in possession of the property and such order shall be served on the person to whom it is addressed.</p> <p>(3) Whenever any property is requisitioned under sub-rule (1) the period of such requisitioning shall not extend beyond the period for which such property is required for any of the purposes mentioned in that sub-rule.</p> | Requisitioning of premises, vehicles etc., for election purpose |

- 4) In this rule-
- (a) "Premises" means any land, building or part of a building and includes a hut, shed or other structure or any part thereof:
- (b) "Vehicle" means any vehicle used or capable of being used for the purpose of road transport, whether propelled by mechanical power or otherwise.
77. (1) Any person remaining in possession of any requisitioned premises in contravention of any order made under Rule (76) may be summarily evicted from the premises by the requisitioning authority or any Officer specially empowered by the Requisitioning Authority in this behalf. Eviction from requisitioned premises
- (2) The Requisitioning Authority or any Officer so empowered may, after giving to any women not appearing in public, reasonable warning and facility to draw, remove or open any latch or bolt or break open any door of any building or do any other act necessary for effecting such eviction.
78. (1) When any premises requisitioned under Rule (76) are to be released from requisitionis so delivered. Release of premises from Requisition
- (2) When the person authority.
- (3) When a noticesaid date.
79. If any person contravenes any Order made under Rule-76 or Rule 77, he shall, on conviction, be punished with imprisonment for a term which may extend to one year or with fine which may extend to Rs. 1000/- or with both. Penalty for contravention of any order regarding requisition
80. (1) The State Government may issue such general or special directions as may, in its opinion, be necessary for the purpose of giving effect to these Rules, or holding any election under the Act. Removal of difficulties, if any, by the government
- (2) If any difficulty arises in giving effect to the provisions of these Rules, or in holding any election, the government, as occasion requires, may, by order, do anything which appears to it to be necessary for the purpose of removing the difficulty.

G. Koyu,
 Secretary (R. D. & Panchayat),
 Government of Arunachal Pradesh; Itanagar.

SCHEDULE-I (Rule-7)

NATIONAL PARTIES

Sl. No.	Name of the Party	Symbol reserved	Symbol
1.	Bharatiya Janata Party	Lotus	Symbol
2.	Communist Party of India	Ears of Corn and Sickle	Symbol
3.	Communist Party of India (Marxist)	Hammer, Sickle, and Star	Symbol
4.	Indian National Congress (I)	Hand	Symbol
5.	Nationalist Congress Party	Clock	Symbol
6.	Bahujan Samaj Party	Elephant (In all States/ Union Territories except in the States of Assam and Sikkim, where its candidates will have to choose another symbol from out of free symbols specified by the Commission)	Symbol

SCHEDULE-II (Rule-7)

STATE PARTIES

Sl. No.	Name of the State Parties	Symbol reserved	Symbol
1.	Arunachal Congress	Two Daos Intersecting	Symbol

Schedule-III (Rule-7)

TABLE-A

Free symbol for Gram Panchayat Election

(1) Aeroplane, (2) Axe, (3) Almirah, (4) Bi-cycle (5) Boat, (6) Bow and Arrow, (7) Coconut tree bearing fruits, (8) Cultivator Winnowing grain, (9) Conch, (10) Ceiling Fan (11) Drum, (12) Electric Bulb, (13) Flaming Torch, (14) Fire Engine, (15) Hurricane Lamp, (16) Hand Pump, (17) Inkpot and Pen, (18) Kite, (19) Ladder, (20) Lock and Key, (21) Motor Cycle (22) Pot, (23) Radio, (24) Ship, (25) Spade, (26) Table, (27) Umbrella, (28) whistle, (29) Hornbill, (30) Fish, (31) Dao, (32) Bundle of Corn, (33) Spear.

*Table-B (Deleted)

TABLE-C

Free symbol for Zilla Parishad Election

(1) A woman carrying basket on her head, (2) Bell, (3) Basket containing fruits, (4) Cup and Saucer, (5) Hat, (6) Hockey and Ball, (7) Pressure Cooker, (8) Pineapple, (9) Road roller, (10) Scooter, (11) Saw, (12) Table Fan, (13) Television, (14) Telephone, (15) Violin.

(See Rule 4)
Notice of Election

Notice is hereby given that –

(1) *an election is to be held of a member to Gram Panchayats /Zilla Parishad from the Constituency, which is a general constituency/constituency reserved for Women.

(2) Nomination papers may be delivered by a candidate or his proposer to the Returning Officer/Assistant

***Amended on 2nd June, 2019*

Returning Officer (designation) at between 11.00 a.m. and 3 p.m. on any day (other than a public holiday) not later than the

- (3) form of nomination paper may be obtained at the place and time aforesaid;
- (4) the nomination papers will be taken up for scrutiny at (Place on at (time).....
- (5) Notice of withdrawal of candidature may be delivered by a candidate of his election agent to either of the officer specified in paragraph (2) above at his office before 3,00 p.m. on the (date)
- (6) in the event of the election being contested the poll will be taken on between hours of and

Place

Date

Returning Officer

FORM-2(A)
(See Rule 6 (3))

I nominate as a candidate for election to the Gram Panchayat from the seat constituency which is a general seat seat reserved for Women.

Candidate's name His/Her postal address His/Her name is entered at Serial No in part No of the electoral roll for the constituency of the (Gram Panchayat).

My name is and it is entered at serial No..... in Part No. of the electoral roll of the the constituency of the Gram Panchayat

Date

Signature of proposer

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

- ** (a) that I am set up at this election by Party.
- ** (b) that the symbols I have been chosen are, in order of preference.
 - (i)
 - (ii)
 - (iii)

(c) that except this nomination, I have not given assent to any other nomination from any other constituency for election as a member of a Gram Panchayat.

Date

Signature of candidate

** Strike out the inappropriate alternative

(To be filled by the Returning Officer)

**Ammended on 2nd June, 2019

Serial No. of nomination paper

This nomination was delivered to me at my office at (hour) on
(date) by the candidate/proposer.

Date

Returning Officer

Decision of Returning Officer accepting or rejecting the Nomination paper.

I have examined this nomination paper in accordance with Rule 12 of the Arunachal Pradesh Panchayat Raj (Conduct of Election) Rules, 2001 and decide as follows:

Date

(Returning Officer)

(Perforation)

Receipt for nomination paper and notice of scrutiny

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

Serial No. of nomination paper

*The nomination paper ofa candidate for election to the Gram Panchayat from the constituency was delivered to me at my office at (hour) on (date) by the candidate/proposer. All nomination papers will be taken up for scrutiny at (hour) on (date) at.....(place).

Date

Returning Officer

FORM-2(B) (DELETED)

FORM-2(C)
(See Rule 6 (3))

NOMINATION PAPER

I nominate as a candidate for election to theZilla Parishad from theconstituency which is a general constituency /constituency reserved for Women.

Candidate's name

His/Her postal address

His/Her name is entered at Serial No

in part No of the electoral roll for the constituency of the (Zilla Parishadt).

My name isand it is entered at serial No..... in Part No. of the electoral roll of the the constituency of the Zilla Parishad

Date

Signature of proposer

*Ammended on 2nd June, 2019

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

** (a) that I am set up at this election by Party.

** (b) that the symbols I have been chosen are, in order of preference.

(i)

(ii)

(iii)

(c) that except this nomination, I have not given assent to any other nomination from any other constituency for election as a member of a Gram Panchayat.

Date

Signature of candidate

** Strike out the inappropriate alternative

(To be filled by the Returning Officer)

Serial No. of nomination paper

This nomination was delivered to me at my office at (hour) on (date) by the candidate/proposer.

Date

Returning Officer

Decision of Returning Officer accepting or rejecting the Nomination paper.

I have examined this nomination paper in accordance with Rule 12 of the Arunachal Pradesh Panchayat Raj (Conduct of Election) Rules, 2001 and decide as follows:

Date

(Returning Officer)

(Perforation)

Receipt for nomination paper and notice of scrutiny

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

Serial No. of nomination paper

*The nomination paper ofa candidate for election to theZilla Parishad from the constituency was delivered to me at my office at (hour) on (date) by the candidate/proposer. All nomination papers will be taken up for scrutiny at (hour) on (date) at.....(place).

Date

Returning Officer

FORM - 3
(See Rule – 11)

Note of Nomination

*Election to the(Gram Panchayati/Zilla Parishad) from the general constituency/ constituency reserved for women.

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

Serial Number of nomination paper	Name of Candidate	Name of Father/husband	Address	Name of proposer	Electoral roll number of proposer
1	2	3	4	5	6

Place

Date

Returning Officer

**Amended on 2nd June, 2019*

*FORM - 4
(See Rule – 13)

List of validity Nominated Candidates

*Election to the(Gram Panchayat /Zilla Parishad) from the
general constituency/ constituency reserved for Schedule Castes/
Schedule Tribes/women.

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

Place

Date

Returning Officer

*FORM - 5
[See Rule – 14 (3)]

Application for withdrawal of Nomination

*Election to the..... (Panchayat /Zilla Parishad) from the general constituency/ constituency reserved for women.

To

The Returning Officer,

I,a candidate nominate at the above election do hereby given 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)

The notice of withdrawal of candidature by a candidate for the election to the was delivered to me by the Place(hour) on (date)

Date

Returning Officer

*FORM - 6
[See Rule – 14 (4)]

Notice of withdrawal of candidatures

*Election to the Gram Panchayat /Zilla Parishad
from the
general constituency/ constituency reserved forwomen.

Notice is hereby given that the following candidate/candidates at the above election have withdrawn his/their
candidature/candidatures today:

Serial number	Name of Candidate	Address of Candidate	Remarks
1	2	3	4
1.			
2.			
3.			
4.			
5.			
6.			
etc.			

Place

Date

Returning Officer

**Ammended on 2nd June, 2019*

*FORM - 7
[See Rule – 15 (1)]

List of Contesting Candidates

*Election to the.....Gram Panchayat /Zilla Parishad from
the general constituency/constituency reserved
for.....women.

Serial number	Name of Candidate	Address of Candidate	Symbol allotted
1	2	3	4

1.

2.

3.

4.

etc.

Place

Date

Signature of Returning Officer

*FORM - 8
[See Rule – 17 (1)]

Appointment of Election Agent

*Election to the..... Gram Panchayat /Zilla Parishad from the
..... Constituency.

To

The Returning Officer,

I,.....of..... a candidate at
above election, do hereby appoint of
..... as may election agent from this day at the above
election.

Place

Date

Signature of candidate

I accept the above appointment

Place

Date

Signature of Election Agent

Form - 9
[(See Rule 17 (2)]

Revocation of Appointment of Election Agent

Election to theSeat No. of Gram Panchayat /Zilla Parishad
from the Constituency.

To

The Returning Officer,

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

Place

Date

Signature of candidate

*Amended on 2nd June 2019.

*FORM - 10
[See Rule – 18 (1)]

Appointment of Polling Agent

*Election to the Gram Panchayat /Zilla Parishad from the
..... Constituency.

I,a candidate/the election agent of
.....who is a candidate at the above election do hereby appoint
.....
of as a Polling Agent and appoint
..... of as relief Polling
Agent to attend Poling Station No. at (Place)
..... fixed for the poll

Place

Date

Signature of candidate/Election Agent

I agree to act as Polling Agent

Place

Date

Signature of Polling Agent/ Relief Polling Agent

Declaration of Polling to the signed before Presiding Officer.

I hereby declare that at the above election I will not do anything forbidden by rule 39 of the Arunachal Pradesh Panchayat Raj (Conduct of Election) Rules, 2001, which I have read/has been read over to me.

Date

Signature of Polling Agent/Relief Polling Agent

Signed before me

Signature of Presiding Officer

*FORM - 11
[See Rule – 18 (3)]

Revocation of Appointment of Polling Agent

*Election to the Gram Panchayat /Zilla Parishad from
the Constituency.

To

The Presiding Officer,

I, a candidate/the election agent of.....at the above
election hereby revoke for appointment ofPolling
Agent/Relief Polling Agent at the Polling Station No. at (Place).

Place

Date

Signature of Candidate/Election Agent

Form - 12
[See Rule 50 (1)]

Appointment of Counting Agent

Election to the Gram Panchayat /Zilla Parishad from the Constituency
.....

To

The Returning Officer,

I,(Name), a candidate/Election
Agent (Name) who is candidate at the above Election, do
hereby appoint (Name of)
..... (address) as Counting Agent to attend
counting of votes at (Place fixed for counting)

Place

Date

Signature of Candidate/Election Agent

I agree to act as Counting Agent

Signature of Counting Agent

*Amended on 2nd June 201

*FORM - 13
[See Rule – 50 (4)]

Revocation of Appointment of Counting Agent

*Election to the Gram Panchayat /Zilla Parishad from the Constituency
No. Seat No.

To

The Returning Officer,

I, (name), a candidate/Election
Agent(Name) who is a candidate at the above Election, hereby
revoke the appointment of (Name) Counting Agent, (Place fixed for
counting) :

Place

Date

Signature of Candidate/Election Agent

*Form - 14
[See Rule 22 (b) and (c)]

Declaration of Election when seat is uncontested

Election to the Gram Panchayat /Zilla Parishad from the Seat
No.....of.....Constituency.

In pursuance of the provisions contained in sub-rule (b)/(c) of rule 25 of the Arunachal Pradesh Panchayat
(Conduct of Election) Rules, 2001, I declare that (Name)
..... (Address) has been duly elected to fill the seat in the
said Gram Panchayat/ Zilla Parishad from the above Constituency.

Place

Date

Signature of Returning Officer

COUNTERFOIL NO.

Sl. No.

FORM - 15
Ballot Paper
See Rule – 25 (I)

- 1. Name of Gram Panchayat
- 2. Number and Name of Constituency
- 3. Serial No. of Elector
- 4. Electoral Roll No./Part No.

Signature/Thumb impression of the Elector

..... Perforation

Sl. No. MemberGram Panchayat
from Constituency

Name of Candidate	Symbol

*FORM - 15 (A)
(Deleted)

COUNTERFOIL NO. FORM - 15 (B)
Ballot Paper
See Rule – 25 (I)

- 1. Name of Zilla Parishad
- 2. Number and Name of Constituency
- 3. Serial No. of Elector
- 4. Electoral Roll No./Part No.

Signature/Thumb impression of the Elector

..... Perforation

Sl. No.

Member.....Zilla Parishad
from.....Constituency

Name of Candidate	Symbol

*FORM - 16
[See Rule – 32 (1)]

Application for casting Vote by person on election duty

To

The Returning Officer,

..... Gram Panchayat
..... Zilla Parishad.

I intend to cast by vote at the ensuing election to the Gram Panchayat/ Zilla Parishad to be taken at Polling Station No. in Gram.

My name is entered at Sl. No. in Part No. in the electoral roll of Gram Panchayat Constituency comprised within

I have been posted on election duty and produce, herewith, my letter of appointment. I request that a ballot paper/papers to election to Gram Panchayat /Zilla Parishad may be issued to me to cast my vote.

Yours faithfully

Place

Date

*FORM - 17
List of Challenge Votes
[See Rule – 33 (1) (c)]

*Election to the.....Gram Panchayat /Zilla Parishad from the
..... Constituency. Polling Station
.....

Sl. No. of entry	Name of Voter	Serial No. of	Signature or thumb impression of the person challenged
		Part No. Voters name in that part	
1	2	3	4
		5	

Address of the person challenged	Name of identification if any	Name of Challenger
6	7	8

Order of Presiding Officer	Signature of Challenger on receiving refund of deposit
9	10

Place

Date

Signature of Presiding Officer

*Amended on 2nd June 2019.

*FORM - 18
[See Rule – 37 (2)]

List of Blind and Infirm Voters

*Election to the Gram Panchayat /Zilla Parishad
Constituency No. and name Polling Station Polling Booth No.
.....

Part No. and Serial No. of Voter	Full name voter	Full name companion	Address of companion	Signature of companion
-------------------------------------	--------------------	------------------------	-------------------------	---------------------------

Date

Signature of Presiding Officer

*FORM - 18 (A)
Declaration by the Companion of Blind and Infirm Elector
[See Rule – 37 (1)]

* Election to theseat No. of Gram
Panchayat/ Zilla Parishad
Constituency.....No. and Name of
the Polling Station.....son of aged
..... resident of

- (a) have not acted as companion of any other elector at any polling station today, the
- (b) will keep Secret the voter recorded by me on behalf of

Signature of the Companion

* Full Address to be given

*Amended on 2nd June 2019.

*FORM - 19

List of Tendered Votes
[See Rule – 39 (2)]

*Election to theGram Panchayat/ Zilla Parishad from
theConstituency No. and name the Polling Station
.....

Part Number, Serial No. and Name of Voter	Address of Voter	Serial No. of Tendered ballot paper	Serial No. of ballot paper issued to the person who has already voted	Signature or Thumb impression of person tendering vote
1	2	3	4	5

Place

Date

Signature of Presiding Officer

*Amended on 2nd June 2019.

*FORM - 20

Ballot Paper Account
[See Rule – 42 (1)]
Part - I

*Election to the Gram Panchayat/ Zilla Parishad from
the..... Constituency No. and name of the Polling Station
.....

Serial Numbers	Total Numbers
From To	

1. Ballot papers received
2. Ballot papers unused
(a) With the signature of the Presiding Officer, if any, and
(b) Without the signature of the Presiding Officer

-
- Total (a+b)
3. Ballot papers issued to voters Ballot paper used at the polling stations but
NOT INSERTED IN TO THE BALLOT BOX
 4. Ballot papers cancelled
(a) for violation of voting procedure under rule 45 and
(b) for any other reason
(c) Ballot papers used as tendered ballot papers

- Total (a+b+c)
5. Ballot papers to be bound in the Ballot Box (3—4=5)

Date.....

Signature of Presiding Officer

PART - II
Result of initial Counting

1. Total number of Ballot papers found in the Ballot Box (es) used at the Polling Station
2. Discrepancy, if any between the total number as shown against item 1 in the part and the total number of Ballot papers to be found in the Ballot Box (es) shown in item 5 of part - I

Date

Signature of Counting Supervisor

Signature of Returning Officer

*Amended on 2nd June 2019.

*FORM -21
Counting Sheet
[See Rule 53 (3)]

Election to the

*Gram Panchayat /Zilla Parishad from the

Constituency

Date of Poll

Votes cast by person on election duty

No. and name of Polling Station	Total number of sealed covers	Total number of valid ballot papers	Total number of rejected ballot papers
1	2	3	4

Serial Number	Name of candidates	Votes secured by candidates
5	6	7

- A
- B
- C
- D
- E

Signature of Counting Supervisor

Signature of Returning Officer

Place

Date

*Amended on 2nd June 2019.

*FORM - 21 (A)

Counting Sheet
[See Rule 56 (3)]

*Election to the Gram Panchayat /Zilla
Parishad from the Constituency

Date of Poll

Votes cast in ballot box at Polling Station

No. and name of Polling Station	Ballot Papers received from Presiding Officer	Number of valid ballot papers	Number of rejected ballot papers
1	2	3	4

Votes secured by candidates

1	2	3	4	5	6	7	Total
A	B	C	D	E	F	G	

Place

Signature of Counting Supervisor

Date

Signature of Returning Officer

*Amended on 2nd June 2019.

*FORM - 22
[See Rule 56 (3)]
Counting Sheet

Election to the Zilla Parishad from
the.....Constituency
Date of Poll

Final Counting

No. and name of Polling Station	Number of Ballot papers found in ballot box(es)	Number of valid ballot papers	Number of rejected ballot papers	Number of tendered votes
1	2	3	4	5

Votes secured by the candidates

Names of Candidates

A	B	C	D	E
1	2	3	4	5

Table No. 1

Table No. 2

Table No. 3

Grand Total

Place

Date

Signature of Returning Officer

*FORM - 23
[See Rule 56 (4)]
Result Sheet

*Election to the (Gram Panchayat /Zilla Parishad)
from the.....Constituency

Date of Poll

No. and name of Polling Station(s)	Number of Ballot papers found in ballot box(es)	Number of valid ballot papers	Number of rejected ballot papers	Number of tendered votes
1	2	3	4	5

Votes secured by the candidates

Names of Candidates

A	B	C	D	E	F	G
1	2	3	4	5	6	7

Table No. 1

Sheet No. 1

Sheet No. 2

Sheet No. 3

Table No. 2

Sheet No. 1

Sheet No. 2

Sheet No. 3

Election Duty
Votes

Grand Total

Place

Date

Signature of Returning Officer

*Amended on 2nd June 2019.

*FORM - 24
[See Rule 60 (I)]

*Declaration of Election when seat is contested

Election to the.....Gram Panchayat/ Zilla Parishad from
theConstituency.

In pursuance of the provisions contained in rules 63 of the Arunachal Pradesh Panchayat Raj (Conduct
of Election) Rules, 2002.

I declare that
.....Name
(a).....Address.
has/have been duly elected to fill the seat in the said Gram Panchayat/ Zilla Parishad from the above Constituency.

Place

Date

Signature of Returning Officer

*FORM - 25
[See Rule 60 (4)]
Certificate of Election

I, Returning OfficerGram Panchayat /Zilla Parishad
Constituency hereby certify that I have on the day of
..... declared Shri/Smti.
..... ofto have been
duly elected to theGram Panchayat /Zilla Parishad from
the Constituency.

Signature of Returning Officer

(Seal)

Place

Date

*Amended on 2nd June 2019.

THE CONSTITUTION (SEVENTY-THIRD AMENDMENT) ACT, 1992

ANNEXURE - I

[20th April, 1993]

An Act further to amend the Constitution of India.

Be it enacted by Parliament in the Forty-third Year of the Republic of India as follows:-

1. (1) This Act may be called the Constitution (Seventy-third Amendment) Act, 1992.
(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.
2. After Part VIII of the Constitution, the following Part shall be inserted, namely:
-

Short title
and
commencement

Insertion of
new Part IX

PART IX THE PANCHAYATS

243. In this Part, unless the context otherwise requires,-

Definitions

- (a) "district" means a district in a State;
- (b) "Gram Sabha" means a body consisting of persons registered in the electoral rolls relating to a Village comprised within the area of Panchayat at the village level;
- (c) "intermediate level" means a level between the village and district levels specified by the Governor of a State by public notification to be the intermediate level for the purposes of this Part;
- (d) "Panchayat" means an institution (by whatever name called) of self- government constituted under article 243B, for the rural areas;
- (e) "Panchayat area" means the territorial area of a Panchayat;
- (f) "Population" means the population as ascertained at the last preceding census of which the relevant figures have been published;
- (g) "Village" means a village specified by the Governor by public notification to be a village for the purposes of this Part and includes a group of village so specified.

243A. A Gram Sabha may exercise such powers and perform such functions at the Village levels as the Legislature of a State may by law, provide.

Gram
Sabha

243B. (1) There shall be constituted in every State, Panchayats at the village, intermediate and district levels in accordance with the provisions of this Part.

(2) Notwithstanding anything in clause (1), Panchayats at the intermediate level may not be constituted in a State having a population not exceeding twenty lakhs.

243C. (1) Subject to the provisions of this Part, the Legislature of a State may, by law, make provisions with respect to the composition of Panchayats;

Provided that the ratio between the population of the territorial area of a Panchayat at any level and the number of seats in such Panchayat to be filled by election shall, so far as practicable, be the same throughout the State.

Constitution
of
Panchayats

(2) All the seats in a Panchayat shall be filled by persons chosen by direct election from territorial constituencies in the Panchayat area and; for this purpose, each Panchayat area shall be divided into territorial constituencies

in such manner that the ratio between the population of each constituency and the number of seats allotted to it shall, so far as practicable, be the same throughout the Panchayat area.

(3) The Legislature of a State may, by law, provide for the representation-

- (a) of the Chairpersons of the Panchayats at the village level, in the Panchayats at the intermediate level or, in the case of a State not having Panchayats at the intermediate level, in the Panchayats at the district level;
- (b) of the Chairpersons of the Panchayats at the intermediate level, in the Panchayats at the district level;
- (c) of the members of the House of the People and the members of the Legislative Assembly of the State representing constituencies which comprise Wholly or partly a Panchayat area at a level other than the village level, in such Panchayat;
- (d) of the members of the Council of States and the members of the Legislative Council of the State, where they are registered as electors within-
 - (i) a Panchayat area at the intermediate level, in Panchayat at the intermediate level;
 - (ii) a Panchayat area at the district level, in Panchayat at the district level;

4) The Chairperson of a Panchayat and other members of a Panchayat whether or not chosen by direct election from territorial constituencies in the Panchayat area shall have the right to vote in the meetings of the Panchayats.

(5) The Chairperson of-

- (a) a Panchayat at the village level shall be elected in such manner as the Legislature of a State may, by law, provide; and
- (b) a Panchayat at the intermediate level or district level shall be elected by, and from amongst the elected members thereof.

243D. (1) Seats shall be reserved for-

- (a) the Scheduled Castes; and
- (b) the Scheduled Tribes,

Reservation
of seats

in every Panchayat and the number of seats so reserved shall bear, as nearly as may be, the same proportion to the total number of seats to be filled by direct election in that Panchayat as the population of the Scheduled Castes in that Panchayat area or of the Scheduled Tribes in that Panchayat area bears to the total population of that area and such seats may be allotted by rotation to different constituencies in a Panchayat.

(2) Not less than one-third of the total number of seats reserved under clause (1) shall be reserved for women belonging to the Scheduled Castes or, as the case may be, the Scheduled Tribes.

(3) Not less than one-third (including the number of seats reserved for women belonging to the Scheduled Castes and the Scheduled Tribes) of the total number of seats to be filled by direct election in every Panchayat shall be reserved for women and such seats may be allotted by rotation to different constituencies in a Panchayat.

(4) The offices of the Chairpersons in the Panchayats at the village or any other level shall be reserved for the Scheduled Castes, the Scheduled Tribes and women in such manner as the Legislature of a State may, by law, provide:

Provided that the number of offices of Chairpersons reserved for the Scheduled Castes and the Scheduled Tribes in the Panchayats at each

level in any State shall bear, as nearly as may be, the same proportion to the total number of such offices in the Panchayats at each level as the population of the Scheduled Castes in the State or of the Scheduled Tribes in the State bears to the total population of the State:

Provided further that not less than one-third of the total number of offices of the Chairpersons in the Panchayats at each level shall be reserved for women:

Provided also that the number of offices reserved under this clause shall be allotted by rotation to different Panchayats at each level.

(5) The reservation of seats under clauses (1) and (2) and the reservations of offices of Chairpersons (other than the reservation for women) under clause (4) shall cease to have effect on the expiration of the period specified in article 334.

(6) Nothing in this Part shall prevent the Legislature of a State from making any provision for reservation of seats in any Panchayat or offices of Chairpersons in the Panchayats at any level in favour of backward class of citizens.

243E. (1) Every Panchayat, unless sooner dissolved under any law for the time being in force, shall continue for five years from the date appointed for its first meeting and no longer.

Duration of Panchayats etc.

(2) No amendment of any law for the time being in force shall have the effect of causing dissolution of a Panchayat at any level, which is functioning immediately before such amendment, till the expiration of its duration specified in clause (1).

(3) An election to constitute a Panchayat shall be completed-

- (a) before the expiry of its duration specified in clause (1);
- (b) before the expiration of a period of six months from the date of its dissolution;

Provided that where the remainder of the period for which the dissolved Panchayat would have continued is less than six months, it shall not be necessary to hold any election under this clause for constituting the Panchayat for such period.

(4) A Panchayat constituted upon the dissolution of a Panchayat before the expiration of its duration shall continue only for the remainder of the period for which the dissolved Panchayat would have continued under clause (1) had it not been so dissolved.

243F. (1) A person shall be disqualified for being chosen as, and for being, a member of a Panchayat-

Disqualifications for membership

- (a) if he is so disqualified by or under any law for the time being in force for the purposes of elections to the Legislature of the State concerned:

Provided that no person shall be disqualified on the ground that he is less than twenty-five years of age, if he has attained the age of twenty-one years;

- (b) if he is so disqualified by or under any law made by the Legislature of the State.

(2) If any question arises as to whether a member of a Panchayat has become subject to any of the disqualifications mentioned in clause (1), the question shall be referred for the decision of such authority and in such manner as the Legislature of a State may, by law, provide.

243G. Subject to the provisions of this Constitution. the Legislature of a State may, by law, endow the Panchayats with such powers and authority as may be necessary to enable them to function as institutions of self government

and such law may contain provisions for the devolution of powers and responsibilities upon Panchayats at the appropriate level, subject to such conditions as may be specified therein, with respect to-

- (a) the preparation of plans for economic development and social justice;
- (b) the implementation of schemes for economic development and social justice as maybe entrusted to them including those in relation to the matters listed in the Eleventh Schedule.

243H. The Legislature of a State may, by law :-

- (a) authorise a Panchayat to levy, collect and appropriate such taxes, duties, tolls and fees in accordance with such procedure and subject to such limits;
- (b) assign to a Panchayat such taxes, duties, tolls and fees levied and collected by the State Government for such purposes and Subject to such conditions and limits;
- (c) provide for making such grants-in-aid to the Panchayats from the Consolidated Fund of the State; and
- (d) provide for constitution of such Funds for crediting all moneys received, respectively, by or on behalf of the Panchayats and also for the withdrawal of such moneys therefrom, as may be specified in the law.

(1) The Governor of a State shall, as soon as may be within one year from the commencement of the Constitution (Seventy-third Amendment) Act, 1992, and thereafter at the expiration of every fifth year, constitute a Finance Commission to review the financial position of the Panchayats and to make recommendations to the Governor as to -

- (a) the principles which should govern-
 - (i) the distribution between the State and the Panchayats of the net proceeds of the taxes, duties, tolls and fees leviable by the State, which may be divided between them under this Part and the allocation between the Panchayats at all levels of their respective shares of such proceeds;
 - (ii) the determination of the taxes, duties, tolls and fees which may be assigned to; or appropriated by, the Panchayats;
 - (iii) the grants-in-aid to the Panchayats from the Consolidated Fund of the State;
- (b) the measures needed to improve the financial position of the Panchayats;
- (c) any other matter referred to the Finance Commission by the Governor in the interests of sound finance of the Panchayats.

(2) The Legislature of a State may, by law, provide for the composition of the Commission, the qualifications which shall be requisite for appointment as members thereof and the manner in which they shall be selected.

(3) The Commission shall determine their procedure and shall have such powers in the performance of their functions as the Legislature of the State may, by law, confer on them.

(4) The Governor shall cause every recommendation made by the Commission under this article together with an explanatory memorandum as to the action taken thereon to be laid before the Legislature of the State.

243J. The Legislature of a State may, by law, make provisions with respect to the maintenance of accounts by the Panchayats and the auditing of such accounts.

243K. (1) The superintendence, direction and control of the preparation of electoral rolls for, and the conduct of, all elections to the Panchayats shall be vested in a State Election Commission consisting of a State Election Commissioner to be appointed by the Governor.

Powers,
authority
and
responsibilities
of
Panchayats

Audit of
Accounts of
Panchayats

Elections to
the
Panchayats

(2) Subject to the provisions of any law made by the Legislature of a State, the conditions of service and tenure of office of the State Election Commissioner shall be such as the Governor may by rule determine:

Provided that the State Election Commissioner shall not be removed from his office except in like manner and on the like grounds as a Judge of a High Court and the conditions of service of the State Election Commissioner shall not be varied to his disadvantage after his appointment.

(3) The Governor of a State shall, when so requested by the State Election Commission, make available to the state Election Commission such staff as may be necessary for the discharge of the functions conferred on the State Election Commission by clause (1).

(4) Subject to the provisions of this Constitution, the Legislature of a State may, by Law, make provision with respect to all matters relating to, or in connection with, elections to the Panchayats.

243L. The provisions of this Part shall apply to the Union territories and shall, in their application to a Union territory, have effect as if the references to the Governor of a State were references to the Administrator of the Union territory appointed under article 239 and references to the Legislature or the Legislative Assembly of a State were references, in relation to a Union territory having a Legislative Assembly, to that Legislative Assembly.

Application to
Union
territories

Provided that the President may, by public notification, direct that the provisions of this Part shall apply to any Union territory or part thereof subject to such exceptions and modifications as he may specify in the notification.

243M. (1) Nothing in this Part shall apply to the Scheduled Areas referred to in clause (1), and the tribal areas referred to in clause (2), of article 244.

Part not to
apply to
certain areas

(2) Nothing in this Part shall apply to -

- (a) the States of Nagaland, Meghalaya and Mizoram;
- (b) the hill areas in the State of Manipur for which District Councils exist under any law for the time being in force.

(3) Nothing in this Part-

- (a) relating to Panchayats at the district level shall apply to the hill areas of the District of Darjeeling in the State of West Bengal for which Darjeeling Gorkha Hill Council exists under any law for the time being in force;
- (b) shall be construed to affect the functions and powers of the Darjeeling Gorkha Hill Council constituted under such law.

(4) Notwithstanding anything in this Constitution,

- (a) the Legislature of a State referred to in sub-clause (a) of clause (2) may, by law, extend this Part to that State, except the areas, if any, referred to in clause (1), if the Legislative Assembly of that State passes a resolution to that effect by a majority of the total membership of that House and by a majority of not less than two-thirds of the members of that House present and voting;
- (b) Parliament may, by law, extend the provisions of this Part to the Scheduled Areas and the tribal areas referred to in clause (1) subject to such exceptions and modifications as may be specified in such law, and no such law shall be deemed to be an amendment of this Constitution for the purposes of article 368.

243N. Notwithstanding anything in this Part, any provision of any law relating to Panchayats in force in a State immediately before the commencement of the Constitution (Seventy-third Amendment) Act, 1992, which is inconsistent with the provisions of this Part, shall continue to be in force until amended or repealed by a competent Legislature or other competent authority or until the expiration of one year from such commencement, whichever is earlier.

Continuance
of existing
laws and
Panchayats

Provided that all the Panchayats existing immediately before such commencement shall continue till the expiration of their duration, unless sooner dissolved by a resolution passed to that effect by the Legislative Assembly of that state or, in the case of a State having a Legislative Council, by each House of the Legislature of that State.

243-O. Notwithstanding anything in this Constitution-

- (a) the validity of any law relating to the delimitation of constituencies or the allotment of seats to such constituencies made or purporting to be made under article 243K, shall not be called in question in any court;
- (b) no election to any Panchayat shall be called in question except by an election petition presented to such authority and in such manner as is provided for by or under any law made by the Legislature of a State.

Bar to
Interference by
courts in
electoral
matters

3. In clause (3) of article 280 of the Constitution, after sub-clause (b), the following sub-clause shall be inserted, namely:-

Amendment of
article 280

(bb) "the measures needed to augment the Consolidated Fund of a State to supplement the resources of the Panchayats in the State on the basis of their recommendations made by the Finance Commission of the State."

Addition to
Eleventh
Schedule

4. After the Tenth Schedule to the Constitution, the following Schedule shall be added, namely:-

"ELEVENTH SCHEDULE
(Article 243G)

1. Agriculture, including agricultural extension.
2. Land improvement, implementation of land reforms, land consolidation and soil conservation.
3. Minor irrigation, water management and watershed development.
4. Animal husbandry, dairying and poultry.
5. Fisheries.
6. Social Forestry and farm forestry.
7. Minor forest produce.
8. Small scale industries, including food processing industries.
9. Khadi, village and cottage industries.
10. Rural housing.
11. Drinking water.
12. Fuel and fodder.
13. Roads, culverts, bridges, ferries, waterways and other means of communication.
14. Rural electrification, including distribution of electricity.
15. Non-conventional energy sources.
16. Poverty alleviation programme.
17. Education, including primary and secondary schools.
18. Technical training and vocational education.
19. Adult and non-formal education.
20. Libraries.
21. Cultural activities.
22. Markets and fairs.
23. Health and sanitation, including hospitals, primary health centers and dispensaries.
24. Family welfare.
25. Women and child development.
26. Social welfare, including welfare of the handicapped and mentally retarded.
27. Welfare of the weaker sections, and in particular, of the Scheduled Castes and Scheduled Tribes.
28. Public distribution system.
29. Maintenance of community assets."

K. L. MOHANPURIA,
Secretary to the Government of India.



The Arunachal Pradesh Gazette
EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 197 Vol. XII Naharlagun, Monday, March 24, 2003 Chaitra, 3 1925 (Saka)

GOVERNMENT OF ARUNACHAL PRADESH
LAW AND JUDICIAL DEPARTMENT

NOTIFICATION
The 22nd March, 2003

No. LAW/LEGN-44/2003 - The following Act of the Arunachal Pradesh Legislative Assembly which received the assent of the Governor of Arunachal Pradesh is hereby published for general information.

(Received the assent of the Governor on 22-03-2003)

THE ARUNACHAL PRADESH LOCAL AUTHORITIES
(PROHIBITION OF DEFECTION) ACT, 2003

(ACT NO. 3 OF 2003)
AN
ACT

to prohibit defection by the Members of Zilla Parishad, Anchal Samiti and Gram Panchayat from the political parties by which they were set up as candidates and matters connected therewith.

Whereas, it is expedient to prohibit defection by the Members of Zilla Parishad, Anchal Samiti and Gram Panchayat from the political parties by which they were set up as candidates and matters connected therewith;

BE it enacted by the Arunachal Pradesh State Legislature in the Fifty Fourth Year of the Republic of India as follows:

- | | | |
|----|---|-------------------------------|
| 1. | (i) This Act may be called the Arunachal Pradesh Local Authorities (Prohibition of Defection) Act, 2003.
(ii) They shall come into force on the date of their publication in the official gazette. | Short title
and commencing |
| 2. | In this Bill, unless the context other wise requires -
(i) " Zilla Parishad" means Zilla Parishad established under the Arunachal Pradesh Panchayat Raj Act, 1997;
(ii) "Anchal Samiti" means Anchal Samiti established under the Arunachal Pradesh Panchayat Raj Act, 1997.
(iii) "Gram Panchayat" means Gram Panchayat established under the Arunachal Pradesh Panchayat Raj Act, 1997;
(iv) "Member" means a member of Zilla Parishad, Anchal Samiti and Gram Panchayat elected under the Arunachal Pradesh Panchayat Raj Act, 1997;
(v) "Political Parties" in relation is a member means a political party recognized by the Election Commission of India as National Party or a State Party in the State of Arunachal Pradesh under the Election Symbols | Definition |

- (Reservation and Allotment) Order.
3. (1) Subject to the provisions of Section 4, 5 and 6 a member, belonging to any political party, shall be disqualified for being such member:
- (a) if he has voluntarily given up his membership of such political party; or
- (b) if he votes or abstains from voting in, or intentionally remains absent from any meeting of the Zilla Parishad or Anchal Samiti or Gram Panchayat contrary to any direction issued by the political party to which he belongs or by any person or authority authorized by it in this behalf without obtaining the prior permission of such party, person or authority and such voting, abstention or absence has not been condoned by such political party, person or authority within fifteen days from the date of voting or such abstention or absence;
- Explanation:-** For the purpose of this sub-section a person elected as a member, shall be deemed to belong to the political party, if any by which he was set up as a candidate for election as such member;
- (2) A person elected as a member otherwise than as a candidate set up by a political party, shall be disqualified for being a member if he joins any political party after such election.
4. Where a Member makes a claim that he and any other members of his political party constitute the group representing a faction which has arisen as a result of a split in his political party and such group consists of not less than one-third of the members of such political party-
- (a) he shall not be disqualified under sub-section (1) of Section 3 on the ground;
- (i) that he has voluntarily given up his membership of his political party or
- (ii) that he has voted or abstained from voting in, or, intentionally remained absent from any meeting of the Zilla Parishad or Anchal Samiti or Gram Panchayat contrary to any direction issued by the political party to which he belongs or by any person or authority authorized by it in this behalf, without obtaining in any case, the prior permission of such political party person or authority and such voting or abstention or absence has not been condoned by such political party, person or authority within fifteen days from the date of voting or such abstention or absence; and
- (b) from the time of such split, such faction shall be deemed to be political party to which he belongs for the purpose of sub-section (1) of Section-3 and to be his political party for the purpose of this section.
5. (1) A member shall not be disqualified under sub-section (1) of Section-3, where his political party merges with another political party and he claims that he and any other members of his political party-
- a) have become members of such other political party, or as the case may be, of a new political party formed by such merge; or
- (b) have not accepted the merger and opted to function as a separate group and from the time of such merger, such other political party or new political party or group as the case may be, shall deemed to be the political party to which he belongs for the purpose of sub-section (1) of Section 3 and to be his political party for the purposes of this section.
- (2) for the purpose of sub-section (1) of this section:
- (a) the merger of the political party or a Member shall be deemed to have taken place if, and only if, not less than two-thirds of the members of the political party concerned have agreed to such merger.
- (b) the expression “such other political party” and “new political party”

Disqualification on the ground of defection

Disqualification on the ground of defection not to apply in case of split.

Disqualification on the ground of defection not to apply in case of merger

shall include a political party whether such political party has been recognized or not by the Election Commission of India as a National Party or a State Party in the State of Arunachal Pradesh under the Election Symbols (Reservation and Allotment) order 1968.

6. (1) A complaint that a member has become subject to the disqualification under Section 3 may be made by a member or a political party to the Member Secretary of the concerned local authority.
- (a) in a case falling under clause (a) of sub-section (1) after the Member gives up the membership of the political party;
- (b) in a case falling under clause (b) of sub-section (1) after the expiry of fifteen days;
- (c) in a case falling under sub-section (2) after he joins the political party.
- (2) Where a complaint under sub-section (1) is received by the Member Secretary of the concerned local authority, he shall, within twenty four hours from the receipt of such complaint, refer the same for decision to the State Election Commissioner who shall decide the question within thirty days after the receipt by him of the reference and his decision shall be final.

Decision on the question as to disqualification on the ground of defection.

7. Notwithstanding anything contained in any law, no Court shall have any jurisdiction in respect of any matter connected with disqualification of a Member under this Act.

Bar on jurisdiction of Courts

8. The State Government may, by notification and after previous publication, make rules for carrying out the purpose of this Act,

Power to make Rules

Explanation: In this section:-

(1) "Member Secretary" means:-

- (a) in case of a Zilla Parishad, the Member Secretary of the Zilla Parishad;
- (b) in case of an Anchal Samiti, the Member Secretary of the Anchal Samiti;
- (c) in case of a Gram Panchayat, the Member Secretary of the Gram Panchayat;

(2) "Local Authority" means the Zilla Parishad, Anchal Samiti and the Gram Panchayat.

(3) "State Election Commissioner" means the State Election Commissioner appointed under section 104 of the Arunachal Pradesh Panchayat Raj Act, 1997.

Sd/- C.P. Mansai
Secretary to the Government of
Arunachal Pradesh, Itanagar



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No. 42 Vol. XIV Naharlagun, Monday, May 15, 2006 Vaisakha, 25 1928 (Saka)

GOVERNMENT OF ARUNACHAL PRADESH
LAW AND JUDICIAL DEPARTMENT

NOTIFICATION

The 9th May, 2006

No. LAW/LEGN-21/2005 - The following Act of the Arunachal Pradesh Legislative Assembly which received the assent of the Governor of Arunachal Pradesh is hereby published for general information.

(Received the assent of the Governor on 5th May, 2006)

THE ARUNACHAL PRADESH LOCAL AUTHORITIES
(PROHIBITION OF DEFECTION) (AMENDMENT) ACT, 2006
(ACT NO. 8 OF 2006)
AN
ACT

further to amend the Arunachal Pradesh Local Authorities (Prohibition of Defection) Act, 2003 (Act No.3 of 2003).

BE it enacted by the Legislative Assembly of Arunachal Pradesh in the Fifty seventh year of the Republic of India as follows:-

- | | | |
|----|--|--|
| 1. | (1) This Act may be called the Arunachal Pradesh Local Authorities (Prohibition of Defection) (Amendment) Act, 2006. | Short title and commencement |
| | (2) It shall come into force at once. | |
| 2. | In the Arunachal Pradesh, Local Authorities (Prohibition of Defection) Act, 2003 in Section 3 (1), the figure '4' shall be omitted. | Amendment of Section 3(1) |
| 3. | In the Arunachal Pradesh, Local Authorities (Prohibition of Defection) Act, 2003 Section 4 shall be omitted. | Omission of Section 4 |
| 4. | In the Arunachal Pradesh, Local Authorities (Prohibition of Defection) Act, 2003 in Section 6 (2) the words, 'State Election Commissioner' shall be substituted by the words, 'Deputy Commissioner.' | Substitution of words at Section 6. |
| 5. | In the Arunachal Pradesh, Local Authorities (Prohibition of Defection) Act, 2003 SI. No. 3 of the explanation below Section 8 shall be omitted. | Omission of SI. No.3 of Explanation below Section 8. |

Sd/- C.P. Mansai
Secretary to the Government of
Arunachal Pradesh,
Itanagar.



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No. 114 Vol. XVIII Naharlagun, Monday, June 20, 2011 Jyaistha, 30 1933 (Saka)

GOVERNMENT OF ARUNACHAL PRADESH
DEPARTMENT OF PANCHAYATI RAJ
ITANAGAR

NOTIFICATION
The 1st June, 2011

No. PR/SEC-296/2011/102 - In exercise of the powers conferred by sub-section (2) of section 104 of the Arunachal Pradesh Panchayati Raj Act 1997 (No. 5 of 2001), the Governor of Arunachal Pradesh hereby makes the following Rules further to amend the Arunachal Pradesh Panchayati Raj (Constitution of State Election Commission) (Amendment) Rules 2002 as follows.

- (1) These Rules may be called the Arunachal Pradesh Panchayati Raj (Constitution of State Election Commission) (Amendment) Rules, 2011.
(2) They shall come into force on the date of their publication in the Official Gazette.

Short title and commencement

- In the Arunachal Pradesh Raj (Constitution of State Election Commission) Rules, 2002 (hereinafter referred to as the Principal Rules), for the entries in Rule 4, the following entries shall be substituted, namely:-

Amendment of Rule 4

“4” Emoluments and pension payable to the State Election Commissioner: The State Election Commissioner shall have the status of a High Court Judge and shall be entitled to pay and allowances, pension and perks and facilities to which a High Court Judge is entitled under the High Court Judges (Salaries and Conditions of Service) Act, 1954 (Central Act No. 28 of 1954) and the rules made there under, as amended, and any order issued in pursuance thereto either by the State Government or the Central Government from time to time”

Omission of Rule 5

- In the Principal Rules, Rule 5 shall be omitted.

Sd/- C.P. Mansai
Secretary to the Government of
Arunachal Pradesh,
Itanagar



The Arunachal Pradesh Gazette
EXTRAORDINARY
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No. 70 Vol. XXII Naharlagun, Monday, March 18, 2015 Phalguna, 25 1938 (Saka)

GOVERNMENT OF ARUNACHAL PRADESH
LAW, LEGISLATIVE AND JUSTICE DEPARTMENT
ARUNACHAL PRADESH CIVIL SECRETARIAT
ITANAGAR

NOTIFICATION
The 18th March, 2015

No. LAW/LEGN-24/2012 - The following Act of the Arunachal Pradesh Legislative Assembly which was passed in the Third Session of the Sixth Legislative Assembly and received the assent of the Governor of Arunachal Pradesh is hereby published for general information.

(Received the assent of the Governor on 3rd March, 2015)
THE ARUNACHAL PRADESH PANCHAYAT RAJ (AMENDMENT) ACT, 2015
(ACT NO. 1 OF 2015)
AN
ACT

further to amend the Arunachal Pradesh Panchayat Raj Act, 1997 (Act No.5 of 2001).

BE it enacted by the Legislative Assembly of Arunachal Pradesh in the Sixty- sixth year of the Republic of India, as follows:-

1. (1) These Act may be called the Arunachal Pradesh Panchayat Raj (Amendment) Act, 2015.
(2) It shall extend to the whole of Arunachal Pradesh.
(3) They shall come into force on the date of its publication in the Official Gazette.
2. In the Arunachal Pradesh Panchayat Raj Act, 1997 (Act No. 5 of 2001), in sub-section (1) of section 9, in sub-section (1) of section 53, in sub-section (1) of section 54, in sub-section (1) of section 55 and in sub-section (1) of section 85, for the word, "Government" wherever appears, the words "State Election Commission" shall be substituted.

Short title and
commen-
cement

Amendment
of Sections 9,
53, 54, 55
and 85

Onit Payeng, IAS
Secretary to the Government of
Arunachal Pradesh,
Itanagar



The Arunachal Pradesh Gazette
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No 148, Vol. XXV, Naharlagun, Saturday, April 21, 2018 Vaisakha 1, 1940 (Saka)

GOVERNMENT OF ARUNACHAL PRADESH
LAW, LEGISLATIVE AND JUSTICE DEPARTMENT
ARUNACHAL PRADESH CIVIL SECRETARIAT
ITANAGAR

NOTIFICATION

The 21st April, 2018

No. Law/Legn-10/2018, - The following Act of the Arunachal Pradesh Legislative Assembly which was passed in the Fifteenth Session of the Sixth Legislative Assembly and received the assent of the Governor of Arunachal Pradesh is hereby published for general information.

(Received the assent of the Governor on 21st April, 2018)
THE ARUNACHAL PRADESH PANCHAYAT RAJ (AMENDMENT) ACT, 2018

(ACT No. 6 OF 2018)

An
Act

further to amend the Arunachal Praaesn Panchayat Raj Act, 1997 (Act No 5 of 2001).

BE it enacted by the Legislative Assembly .of Arunacnai Pradesh in the Sixty-ninth Year of the Republic of India as foliows -

- | | | |
|----|--|--------------------------------------|
| 1. | (1) This Act may be called the Arunachal Pradesh Panchayati Raj (Amendment) Act, 2018. | Short title, extent and commencement |
| | (2) It shall extend to the whole of the State of Arunachal Pradesh merit. | |
| | (3) It shall come into force on such date, as the State Government may, by notification in the Official Gazette appoint. | |
| 2. | In the Arunachal Pradesh Panchayat Act, 1997 (Act No. 5 of 2001) (hereinafter referred to as the Principal Act), in section 2, clauses (iii), (iv) of section 2 and (ix) shall be deleted | Amendment of section 2 |
| 3. | In the Principal Act, in section 9, after sub-section(3), the following proviso shall be inserted,-

Provided that the State Government may review the size of the population for determining the area of Gram Panchayats from time to time" | Amendment of section 9 |
| 4. | In section 19, the words "or Anchal Samiti Member(s)" appearing after the words "Gram Panchayat Member(s)" and before the word "forthwith" shall be deleted. | Amendment of section 19 |
| 5. | In section 27, in sub-section (2), for the words, "Executive Officer of Anchal Samiti" the words, "Member Secretary of Zilla Parishad" shall be inserted, | Amendment of section 27 |

6.	In section 44, in sub-section (1), in clause (b) the words "Anchal Samiti" appearing after the words "Zilla Parishad" and before the words "or any authority" shall be deleted.	Amendment of section 44
7.	In section 50, sub-sections (1), (2), (3), (4), and (5)-and in section 51, for the words "Anchal Samiti", the words "Zilla Parishad" shall be substituted.	Deletion sections 53 54 55 and 55
8	In the principal Act. sections 53 54 55 and 56 snail de deleted.	Amendment of section 57
9	(1) In the principal Act, in section 57, the words, "Anchal Samiti" wherever appear except sub-section (c) and (l) shall be deleted. (2) In the principal Act, in section 57, in sub-section (c) and (l) the words "Anchal Samiti" shall be substituted by the words "erstwhile Anchal Samiti".	Deletion of sections 58 and 59
10.	In the principal Act, sections 58 and 59 shall be deleted.	Amendment of sections 50 and 51.
11.	(1) In sections 60, the words "Anchal Samiti" in the heading and wherever appear, shall be deleted. (2) In section 60, for sub-section (1) the following shall be substituted: "A Member of Gram Panchayat may resign his office by giving notice in writing to that effect to the Chairperson of the Gram Panchayat and the Chairperson of the Gram Panchayat may resign his Office by giving notice in writing to that effect to the Chairperson of the Zilla Parishad".	Amendment of section 60.
12.	(1) In section 61, the words, "Anchai Samiti" wherever appear shall be deleted.	Amendment of section 61
13.	In the principal Act, section 62 shall be deleted.	Deletion of section 62.
14.	In the principal Act, in sections 63, the words "or Anchal Samiti" and "an Anchai Samiti" wherever appear shall be deleted.	Amendment of section 63.
15.	(1) In section 64, the words, "or an Anchal Samiti"; "or the Anchal Samiti" and "or Anchal Samiti Members" wherever appear shall be deleted.	Amendment of section 64.
16.	In the principal Act, sections 65, 66, 67 and 68 shall be deleted.	Deletion of sections 65, 66, 67 and 68.
17.	In the principal Act, in section 69, the words "or Anchai Samiti" and of "Anchai Samiti" wherever appear shall be deleted.	Amendment of section 69.
18.	(1) In the principal Act, sections 70 and its corresponding Schedule-II, 71 72 73 74 75, 76 and 77 shall be deleted.	Deletion of sections 70, 71,72,73, 74, 75, 76 and 77.
19.	(1) In the principal Act, in section 78, in the heading, the words, "Anchal Samiti" shall be substituted by the words, Zilla Parishad and for sub-section (1), the following shall be substituted,- "(1) Zilla Parishad shall exercise general powers of supervision over Gram Panchayats in the District and it shall be duty of these authorities to give effect to the directions of the Zilla Parishad".	Amendment of section 78

- (2) In sub-section (2), for the words “an Anchal Samiti”, the words “the Zilla Parishad” shall be substituted.
- (3) In sub-section (2), in clause (a), the word “Block” shall be substituted by the word “District”.
- (4) In sub-section (2), in clause (c), the words, “or the Anchal Samiti” appearing in the last sentence shall be deleted.
20. (1) In the principal Act, sections 79, 80, 81, 82, 83 and 84, shall be deleted.
 (2) After Section 84 of the Principal Act, the following shall be inserted:-
 “84A All the properties, capital assets, resources records, institutions and funds of erstwhile Anchal Samiti, if any, shall be transferred and vested to the respective Zilla Parishad of the Districts as may be determined and prescribed by the State Government on the commencement of the Amendment Act.”
21. (1) In the principal Act, in section 85, in sub-section (2), for clause (i) the following shall be substituted,-
 “(i) One member directly elected from such numbers of Gram Panchayats territorial constituencies earmarked for the purpose for electing Gram Panchayats in the manner prescribed”
 (2) clause (ii) shall be deleted.-
22. In section 99, in sub-section (1) in clause (b), the words “Anchal Samiti” shall be substituted by the words, “Gram Panchayat”
23. In the principal Act in sections 105, 112, 120, 121, 122, 138, 139, Amendment 140 and 141, the words, “an Anchal Samiti”, “the Anchal Samitis”, “Anchal of sections Samiti”, “Anchal Samitis”, “the Anchal Samiti” “or an Anchal Samiti” “and the words “Member of Anchal Samiti”, wherever appear shall be deleted.
24. (1) In the principal Act, in section 142, the words, “or Anchal Samiti”, “Anchal Samiti” and “Anchal Samiti” wherever appear shall be deleted.
 (2) In section 142, after sub-section (6), the following provisions shall be inserted -
 “(7) Notwithstanding anything contained in this Act, in case, the Zilla Parishad or Gram Panchayats are not reconstituted in terms of this Act and in case the Zilla Panchads or Gram Panchayats are dissolved due to compelling circumstances, the functions of the Zilla Parishads and Gram Panchayats shall be vested to such competent authorities as may be determined by the Government to ensure that the interests of public are protected, during the transition period till the new Zilla Parishad and Gram Panchayat are reconstituted under this Act”,
25. In the principal Act, in sections 143, 144, 145, 146, 148, 149, 151, and 153 the words, “or an Anchal Samiti”, “or Anchal Samiti”, “Anchal Samiti” “Anchal Samities”, “the Anchal Samiti” “an Anchal Samiti” and the words “Chairperson or Executive Officer of Anchal Samiti” wherever appear shall be deleted.
26. In section 52, for the words and figures Schedule- I, II, III” the words and figures “Schedule- I and III” shall be substituted.
27. In section 153, the words “or the Anchal Samitis”. “or an Anchal Samiti” and “the Anchal Samiti” shall be deleted.

- | | | |
|-----|---|--------------------------------|
| 28. | <p>(1) In the principal Act. in section 154. the words “Anchal Samiti” wherever appears shall be deleted.</p> <p>(2) In section 154. in sub-section (1)</p> <p style="padding-left: 40px;">(i) clause (a) shall be substituted as under,-</p> <p style="padding-left: 80px;">“(a) on the Gram Panchayat, shall be forwarded to the Ziila Parishad by the Gram Panchayat”</p> <p style="padding-left: 40px;">(ii) clause (b) shall be deleted.</p> | Amendment
of section
154 |
| 29. | <p>In the principal Act for section 155. the following shall be substituted.-</p> <p>“As soon as may be after the first day of April in every year, and not later than such date as may be fixed by the Government, the Member Secretary shall place before the Gram Panchayat a report of the administration of the Gram Panchayat during the preceding financial years, in such form and with such details as the Government may direct, and shall forward the report, with the resolution of the Gram Panchayat thereon, to the Zilla Parishad and to the Government”.</p> | Amendment
of section
155 |
| 30. | <p>In the Schedules appended to the Act, the words “Anchal Samiti” wherever appear shall be deleted.</p> | Amendment
of
Schedules. |

G.S. Meena, IAS
Commissioner to the
Government of Arunachal Pradesh,
Itanagar.



सत्यमेव जयते

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GOVERNMENT OF ARUNACHAL PRADESH
DEPARTMENT OF PANCHAYATI RAJ
ITANAGAR

NOTIFICATION

The 2nd June, 2019

THE ARUNACHAL PRADESH PANCHAYATS (PREPARATION OF ELECTORAL ROLLS) (AMENDMENT) RULES, 2018

No.PR-159/2018 – In exercise of the power conferred by section 106 read with section 150 of the Arunachal Pradesh Panchayati Raj Act, 1997, (Act No. 5 of 2001) the Governor of Arunachal Pradesh is pleased to make the following rules to amend the Arunachal Pradesh Panchayati Raj (Preparation of Electoral Rolls) Rules, 2002 except as respect things done or omitted to be done before such amendment, for regulating the preparation of Electoral Rolls for constesting election to Gram Panchayat and Zilla Parishad as follow :-

- | | | |
|----|--|--|
| 1. | (1) These rules may be called the Arunachal Pradesh Panchayati Raj (Preparation of Electoral Rolls)(Amendment) Rules 2018.
(2) They shall come into force at once. | Short title and commencement |
| | (1)In the Arunachal Pradesh Panchayati Raj (Preparation of Electoral Rolls) Rules, 2002, (herein after referred to as the Principal Rules), clause (C) of Rule 3 shall be deleted.
(2) In clause (h) of Rule 3 of the Principal Rule, the word “Anchal Samiti “ appearing after the word “Panchayat “ and before the word “and’ shall be deleted.
(3) In clause (i) of Rule 3 of the Principal Rule, the word “Anchal Samitis” appearing after the words “Gram Panchayat” and before the word “or” shall be deleted. | Amendment of Rule 3

Amendment of Rule 4 |
| 2. | In sub-Rule (2) of Rule 4 of the Principal Rule, the words “Anchal Samitis” appearing after the words “Gram Panchayats” and before the word “or” shall be deleted. | Amendment of Rule 5 |
| 3. | In Rule 5 of the Principal Rule, the word “Anchal Samiti”appearing after words “Gram Panchayat Constituency” and before the word “or” shall be deleted. | Amendment of Rule 8 |
| 5. | In the Principal Rule, in Rule 8, for sub-rule (1) the following shall be substituted :-
“The Electoral Registration Officer shall Prepare or cause to be prepared Electoral Rolls of all the Gram Panchayat Constituencies and integrated Electoral Rolls under the respective Zilla Parishad as per form-I. | Amendment of Rule 8 |
| 6. | In Rule 10 of the Principal Rule,the word “Anchal Samiti” appearing after the words “Gram Panchayat” and before the word “or” shall be deleted. | Amendment of Rule 10 |

- | | | |
|-----|---|-----------------------|
| 7. | In Rule 13 of the Principal Rule, the words "Anchal Samiti" appearing after the words "Gram Panchayat" and before the words "or Zilla Parishad" shall be deleted. | Amendment of Rule 13 |
| 8. | (1) In the Principal Rule, in sub-rule (1) of Rule 16 of the Principal Rule, the words "Anchal Samiti" appearing after the words, "Gram Panchayat" and before the word "or" shall be deleted.

(2) In sub-rule (2) of Rule 16 of the Principal Rule, for the words "Anchal Samiti" appearing after the word "Officer" and before the word , "or", the words, "Gram Panchayat" shall be substituted. | Amendment of Rule 16 |
| 9. | In Form-1, the words "No. and Name of Anchal Samiti Constituency" appearing after the word "Area" shall be deleted. | Amendment of Form-1 |
| 10. | In Form-3, the words " Panchayat Samiti" appearing after the words Gram Panchayat" and before the words "Zilla Parishad" shall be deleted. | Amendment of Form-3 |
| 11. | In Form-4, the words "Panchayat Samiti" wherever appears shall be deleted | Amendment of Form-4 |
| 12. | In Form-5, the words "Panchayat Samiti" wherever appears shall be deleted. | Amendment of Form-5 |
| 13. | In Form-6, the words "Panchayat Samiti" appearing after the words "Gram Panchayat and before the words "Zilla Parishad" shall be deleted. | Amendment of Form-6 |
| 14. | In Form-7, the words "Panchayat Samiti" appearing after the words "Gram Panchayat" and before the words "Zilla Parishad " shall be deleted. | Amendment of Form-7 |
| 15. | In Form-8, the words "Panchayat Samiti" appearing after the words "Gram Panchayat" and before the words "Zilla Parishad" shall be deleted. | Amendment of Form-8 |
| 16. | In Form-9, the words "Panchayat Samiti" appearing after the words "Gram Panchayat" and before the words "Zilla Parishad" shall be deleted. | Amendment of Form-9 |
| 17. | In Form-10, in "Original/Duplicate" the words "Panchayat Samiti" appearing after The words "Gram Panchayat" and before the words "Zilla Parishad" shall be deleted | Amendment of Form-10 |
| 18. | In Form-11, in "Original/Duplicate" the words "Panchayat Samiti" appearing after The words "Gram Panchayat" and before the words "Zilla Parishad" shall be deleted. | Amendment of Form-11 |
| 19. | In Form-12, in "Original/Duplicate" the words "Panchayat Samiti" wherever appears Shall be deleted. | Amendment of Form-12 |
| 20. | In Form-13, in "Original/Duplicate" the words "Panchayat Samiti" appearing after The words "Gram Panchayat" and before the words "Zilla Parishad" shall be deleted. | Amendment of Form-13 |
| 21. | In Form-14, the words "Panchayat Samiti" wherever appears shall be deleted. | Amendment of Form-14. |

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GOVERNMENT OF ARUNACHAL PRADESH
DEPARTMENT OF PANCHAYATI RAJ
ITANAGAR

NOTIFICATION

The 2nd June, 2019

**THE ARUNACHAL PRADESH PANCHAYATS (DELIMITATION OF CONSTITUENCIES
AND RESERVATION OF SEATS FOR WOMEN) (AMENDMENT) RULES, 2018**

No.PR-159/2018 – In exercise of the power conferred by section 150 of the Arunachal Pradesh Panchayati Raj Act, 1997, (Act No. 5 of 2001) the Governor of Arunachal Pradesh is pleased to make the following rules to amend the Arunachal Pradesh Panchayati Raj (Delimitation of Constituencies and Reservation of Seats for Women) Rules, 2002 except as respect things done or omitted to be done before such amendment, for regulating the Delimitation of Constituencies and Reservation of Seats for Gram Panchayat and Zilla Parishad as follow :-

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| 1. | (1) These rules may be called the Arunachal Pradesh Panchayati Raj (Delimitation of Constituencies and Reservation of Seats for Women) (Amendment) Rules, 2018.

(2) They shall come into force at once. | Short title and commencement |
| 2. | In the Arunachal Pradesh Panchayati Raj (Delimitation of Constituencies and Reservation Seats for Women) Rules, 2002, (Herein after referred to as the principal rules), for sub-rule (iii) of rule 5, the following shall be substituted :-

"For the first term of election, the Deputy Commissioner shall notify the constituencies reserved for women by drawing lots from all the seats for which constituencies should be properly named and serially numbered. Copies of such notification shall be widely circulated before 15 days from the date of submission of nomination." | Amendment of Rule 5 |
| 3. | In the Principal Rule, for Rule 6 the following shall be substituted :-

"For the purpose of sub-section (3) of section 16 of the Act, the Deputy Commissioner shall compound together the offices of the Gran Panchayat in the member territorial constituencies of Zilla Parishad and determined and publish the number of offices of Chairpersons that shall be reserved for women on the manner prescribed under sub-rule (1) of Rule 5. | Amendment of Rule 6 |
| 4. | In the Principal Rule, Rules 7, 8, 9 and 10 shall be deleted. | Deletion of Rule 7 to 10 |
| 5. | In the Principal Rule, for Rule 11, the following shall be substituted :-

"Subject to the provision of sub-section (2) (i) of Section 85, the Deputy Commissioner of the District shall assign and notify the names and consecutive serial number of all the Gram Panchayat constituencies falling within the area of the Zilla Parishad." | Amendment of Rule 11 |

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| 6. | <p>In the Principal Rule, for Rule 12, the following shall be substituted :-</p> <p>“For the purpose of sub-section (2) (iv) of Section 85 of the Act, the Deputy commissioner shall compound together the total number of gram panchayats constituting zilla parishad member constituency and determine the constituency or constituencies that shall be reserved for women. the constituencies so reserved shall be widely circulated.</p> <p>(i) The constituencies available for reservation shall be rotated among the single group of gram panchayats constituting zilla parishad memberconstituency by drawing lots in each term.”</p> | Amendment
of Rule 12 |
| 7. | <p>(1) In Principal Rule, in Rule 14, for the entries “(3) Anchal Samiti” the entries, (3) Gram Panchayat” shall be substituted.</p> <p>(2) For the entries “(4) Block Development Office/SDO/EAC Office” the entries,”(4) ADC/SDO/EAC/CO/BDO Office” shall be substituted.</p> | Amendment
of Rule 14 |
| 8. | <p>In Principal Rule, in Rule 15, the entries “Anchal Samiti “ appearing in the title and appearing after the words, “Gram Panchayat” and before the word, “or” shall be deleted.</p> | Amendment
of Rule 15 |
| 9. | <p>In Principal Rule, in Form-4, for the entries “(iii) that I am ordinary resident at the address given above”appearing after the declaration, the following entries shall be substituted.</p> <p>“(iii) that I am ordinary indigenious local resident at the address given above.”</p> | Amendment
of Form-4. |

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GOVERNMENT OF ARUNACHAL PRADESH
DEPARTMENT OF PANCHAYATI RAJ
ITANAGAR

NOTIFICATION
The 2nd June, 2019

**THE ARUNACHAL PRADESH PANCHAYATS (CONDUCT OF ELECTION)
(AMENDMENT) RULES, 2018**

No.PR-159/2018 – In exercise of the power conferred by section 150 of the Arunachal Pradesh Panchayati Raj Act, 1997, (Act No. 5 of 2001) the Governor of Arunachal Pradesh is pleased to make the following rules to amend the Arunachal Pradesh Panchayati Raj (Conduct of Election) Rules, 2001 except as respect things done or omitted to be done before such amendment, for regulating the Conduct of Election of Gram Panchayat and Zilla Parishad and all other matter relating thereto under the said Act, namely :-

1. (1) These rules may be called the Arunachal Pradesh Panchayati Raj (Conduct of Election)(Amendment) Rules 2018.

(2) They shall come into force at once.

2. (1) In the Arunachal Pradesh Panchayati Raj (Conduct of Election) Rules, 2001, (herein after referred to as the Principal Rules), in sub-rule (1) of Rule 2, in clause (e)the words “Anchal Samiti” appearing after the words “Gram Panchayat” and before the words “or” shall be deleted.

Short title and commencement

(2) In sub-rule (1) of Rule 2, in clause (f) the words “Anchal Samiti “ appearing after the words “Gram Panchayat “ and before the word “and’ shall be deleted.

Amendment of Rule 2

(3) In sub-rule (1) of Rule 2, in clause (g), in sub-clause (iii), the words “Anchal Samiti” appearing after the words “Gram Panchayat” and before the word “and”shall be deleted.

(4) In sub-rule (1) of Rule 2, in clause (j), the words “Anchal Samiti”appearing after the words “Gram Panchayat” and before the word “and”shall be deleted.

3. In the Principal Rule,sub-rule (2) of Rule 5 shall be deleted.

Amendment of Rule 5

4. In the Principal Rule, the word sub-rule (3), the following shall be substituted:-
(3) Every nomination paper presented to the Returning Officer shall be in Form 2(A) In case of Gram Panchayat and in Form 2 (C) in case of Zilla Parishad.

Amendment of Rule 5

Provided that a failure to complete or defects in completing the declaration as to the symbol in a nomination paper in Form 2 (A) or 2 (C) shall not be deemed to be a defect of substantial character within the meaning of sub-rule (4) of rule 12”.

5. (1) In the Principal Rule, sub-rule (2) of Rule 9 shall be deleted.

Amendment of Rule 9.

(2) In sub-rule (4) of Rule 9, the words, “or Table-B” shall be deleted.

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| 6. | (1) In the Principal Rule, in clause (a) of Rule 10, for the word and figures "Rs. 50" The word and figures "Rs 500" shall be substituted.
(2) Clause (b) of Rule 10 shall be deleted.
(3) In clause (c) of Rule 10, for the word and figures "Rs 200" the word and figures "Rs 2000" shall be substituted. | Amendment of Rule 10 |
| 7. | In Rule 22 of the Principal Rule, the words "Anchal Samiti" appearing after the word "Panchayat" and before the word "or" shall be deleted. | Amendment of Heading of Part-III. |
| 8. | In the Principal Rule, the Heading of part-III shall be substituted as below:-
"POLL AND VOTING IN GRAM PANCHAYATS AND ZILLA PARISHAD CONSTITUENCIES" | Amendment of Rule 25. |
| 9. | In Rule 25 of the Principal Rule, the words "in Form 15 (A) for Anchal Samiti" appear after the words "Gram Panchayat" and before the word "and" shall be deleted. | Amendment of Rule 48. |
| 10. | (1) In clause (b) of Rule 48 of the Principal Rule, the words "Anchal Samiti" appearing after the words "Gram Panchayat" and before the word "or" shall be deleted.
(2) In clause (e) of Rule 48 of the Principal Rule, the words, "Anchal Samiti" appearing after the words "Gram Panchayat" and before the word "or" shall be deleted. | Amendment of Rule 53. |
| 11. | In sub-rule (3) of Rule 53 of the Principal Rule, the words "Anchal Samiti Election" appearing after the word "Election" and before the word "or" shall be deleted. | Amendment of Rule 56. |
| 12. | (1) In sub-rule (2) of Rule 56 of the Principal Rule, the words "Anchal Samiti or" appearing after the word "to" and before the words "Zilla Parishad" the words, "Gram Panchayat" shall be substituted.
(2) In sub-rule (3) of Rule 56 of the Principal Rule, the words "Anchal Samiti election" appearing after the word "Election" and before the words "Zilla Parishad" shall be deleted.
(3) In sub-rule (4) of Rule 56 of the Principal Rule, the words "Anchal Samiti Election" appearing after the word "Gram Panchayat Election" and before the words "Zilla Parishad" shall be deleted. | Amendment of Rule 60. |
| 13. | (1) In Sub-rule (2) of Rule 60 of the Principal Rule, for the words "Anchal Samiti or" appearing after the word "to" and before the words "Zilla Parishad", the words "Gram Panchayat" shall be substituted.
(2) In sub-rule (4) of Rule 60 of the Principal Rule, the words "Anchal Samiti" appearing after the word "Gram Panchayat" and before the words "Zilla Parishad" shall be deleted. | Amendment of Rule 63. |
| 14. | In Rule 63 of the Principal Rule, the words "Anchal Samiti" appearing in the heading and after the words "Gram Panchayat" and before the word "or" shall be deleted. | Amendment of Heading of Part-IV. |
| 15. | In the Principal Rule, the Heading of Part –IV shall be substituted as below:-
"ELECTION OF CHAIRPERSON OF GRAM PANCHAYAT OR ZILLA PARISHAD" | Amendment of Rule 67. |
| 16. | (1) In Rule 67 of the Principal Rule, the words "Anchal Samiti" appearing in the heading and wherever appears shall be deleted.
(2) In sub-rule (2) of Rule 67 of the Principal Rule, the words "Anchal Samiti" appearing after the word "Gram Panchayat" and before the word "or" shall be deleted. | Deletion of Table-B. |
| 17. | In the Principal Rule, Schedule-III Table-B, shall be deleted. | |

18.	In the Principal Rule, in the "Notice of Election" appearing below Table-C under Schedule-III, the words "Anchal Samiti" appearing after the words "Gram Panchayats" and before the words "Zilla Parishad" shall be deleted.	Amendment of Notice of Election.
19.	In the Principal Rule, "Perforation" appearing after Form-2(A), for the words "Anchal Samiti" shall be substituted by the words "Gram Panchayat".	Amendment of Perforation.
20.	In the Principal Rule, Form-2 (B), shall be deleted.	Deletion of Form-2(B)
21.	In the Principal Rule, "Perforation" appearing after Form-2(B), shall be deleted.	Deletion of Perforation
22.	In the Principal Rule, in Form-3, the words "Anchal Samiti" appearing after the words "Gram Panchayat" and after the words "Zilla Parishad" shall be deleted.	Amendment of Form-3.
23.	In the Principal Rule,in Form-4, the words "Anchal Samiti" appearing after the words "Gram Panchayat" and after the words "Zilla Parishad" shall be deleted.	Amendment of Form-4.
24.	In the Principal Rule,in Form-5, the words "Anchal Samiti" appearing after the words "Gram Panchayat" and after the words "Zilla Parishad" shall be deleted.	Amendment of Form-5.
25.	In the Principal Rule,in Form-6, the words "Anchal Samiti" appearing after the words "Gram Panchayat" and after the words "Zilla Parishad" shall be deleted.	Amendment of Form-6
26.	In the Principal Rule,in Form-7, the words "Anchal Samiti" appearing after the words "Gram Panchayat" and after the words "Zilla Parishad" shall be deleted.	Amendment of Form-7.
27.	In the Principal Rule,in Form-8, the words "Anchal Samiti" appearing after the words "Gram Panchayat" and after the words "Zilla Parishad" shall be deleted.	Amendment of Form-8.
28.	In the Principal Rule,in Form-9, the words "Anchal Samiti" appearing after the words "Gram Panchayat" and after the words "Zilla Parishad" shall be deleted.	Amendment of Form-9.
29.	In the Principal Rule,in Form-10, the words "Anchal Samiti" appearing after the words Amendment"Gram Panchayat" and after the words "Zilla Parishad" shall be deleted.	Amendment of Form-10.
30.	In the Principal Rule,in Form-11, the words "Anchal Samiti" appearing after the words "Gram Panchayat" and after the words "Zilla Parishad" shall be deleted.	Amendment of Form-11.
31.	In the Principal Rule,in Form-12, the words "Anchal Samiti" appearing after the words "Gram Panchayat" and after the words "Zilla Parishad" shall be deleted.	Amendment of Form-12.
32.	In the Principal Rule,in Form-13, the words "Anchal Samiti" appearing after the words "Gram Panchayat" and after the words "Zilla Parishad" shall be deleted.	Amendment of Form-13.
33.	In the Principal Rule,in Form-14, the words "Anchal Samiti" wherever appears shall be deleted.	Amendment of Form-14.
34.	In the Principal Rule, in Form-15 (A), shall be deleted.	Deletion of Form-15 (A)

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| 35. | In the Principal Rule,in Form-16, the words “Anchal Samiti” wherever appears shall be deleted. | Amendment of Form-16. |
| 36. | In the Principal Rule,in Form-17, the words “Anchal Samiti” appearing after the words “Gram Panchayat” and after the words “Zilla Parishad” shall be deleted. | Amendment of Form-17. |
| 37. | In the Principal Rule,in Form-18, the words “Anchal Samiti” appearing after the words “Gram Panchayat” and after the words “Zilla Parishad” shall be deleted. | Amendment of Form-18. |
| 38. | In the Principal Rule,in Form-18(A), the words “Anchal Samiti” appearing after the Words “Gram Panchayat” and after the words “Zilla Parishad” shall be deleted. | Amendment of Form-18(A). |
| 39. | In the Principal Rule,in Form-19, the words “Anchal Samiti” appearing after the words “Gram Panchayat” and after the words “Zilla Parishad” shall be deleted. | Amendment of Form-19. |
| 40. | In the Principal Rule,in Form-20, the words “Anchal Samiti” appearing after the words “Gram Panchayat” and after the words “Zilla Parishad” shall be deleted. | Amendment of Form-20 |
| 41. | In the Principal Rule,in Form-21, the words “Anchal Samiti” appearing after the words “Gram Panchayat” and after the words “Zilla Parishad” shall be deleted. | Amendment of Form-21. |
| 42. | In the Principal Rule,in Form-21(A), the words “Anchal Samiti” appearing after the Words “Gram Panchayat” and after the words “Zilla Parishad” shall be deleted. | Amendment of Form-21(A). |
| 43. | In the Principal Rule,in Form-22, the words “Anchal Samiti” appearing after the words “Gram Panchayat” and after the words “Zilla Parishad” shall be deleted. | Amendment of Form-22. |
| 44. | In the Principal Rule,in Form-23, the words “Anchal Samiti” appearing after the words “Gram Panchayat” and after the words “Zilla Parishad” shall be deleted. | Amendment of Form-23. |
| 45. | In the Principal Rule,in Form-24, the words “Anchal Samiti” wherever appears shall be deleted. | Amendment of Form-24. |
| 46. | In the Principal Rule,in Form-25, the words “Anchal Samiti” wherever appears shall be deleted. | Amendment of Form-25. |

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