



**GUIDELINES FOR POLITICAL PARTIES
AND
CONTESTING CANDIDATES**

**Municipal Elections
2013**

**State Election Commission
Arunachal Pradesh
Itanagar**

Chapter-I

PRELIMINARY

In pursuance of Article 243ZA and 243U(3) of the Constitution of India and the provisions of the Arunachal Pradesh Municipal Elections Act,2009 and Rules,2011 made thereunder, it is enjoined upon the State Election Commission to conduct Municipality elections. Accordingly, the State Election Commission of Arunachal Pradesh is going to hold elections for Itanagar and Pasighat Municipal Committee for the first time in 2013.

Since elections to Municipalities are going to be held for the first time in the State, the State Election Commission deems it necessary to apprise the political parties and contesting candidates with the various provisions of the Acts, Rules, Code of conduct, mandatory statutory returns etc which they are required to observe, file/ submit to various authorities before they go out on hustings.

As a political parties and candidates, please apprise yourself with relevant provisions of the laws and rules governing the Municipal elections so that you, as a candidate or political parties do not falter or commit electoral offences unwittingly.

The State Election Commission has also directed the Municipal Election Officers/ Returning Officers to hold meetings with the political parties and candidates in the presence of Observers after finalization of contesting candidates for clarifying/ removing any doubts they may have about various statutory requirements they need to fulfill and observe.

N.B. (The Arunachal Pradesh Municipal Election Act ,2009 and The Arunachal Pradesh Municipal (Election) Rules, 2011 herein after shall be referred as “Act” and “Rules”)

Municipal Committee/Wards/Councillors

There is a mention of 'Municipal Committee' in the Arunachal Pradesh Municipal Elections Act, 2009 in various sections. The term is not defined in the Act and therefore it is explained that the Municipal Committee means Municipality such as Itanagar Municipality /Pasighat Municipality.

Elections will be held for the said two Municipal Committees. The Itanagar Municipality is classified as Class 'A' Municipal Area whereas Pasighat Municipality is classified as Class 'C' Municipal Area. There are 30 Wards in Itanagar Municipality and 12 Wards in Pasighat Municipality. Elections will be held for electing Members of the Wards called 'Councillors' for each Municipal Committee.

ELECTORAL ROLLS

Since the Municipal elections are being held for the first time, the State Election Commission as per the provisions contained in the relevant Act has decided to adopt Electoral Rolls for State Assembly Elections and also appointed Municipal Electoral Registration Officer to invite claims and objections, carrying of transposition and register left out eligible voters.

Manner of Lodging Claims & Objections

(1) A claim or objection shall be addressed to the Revising Authority appointed by the Municipal Electoral Registration Officer and shall be presented to him personally or sent by registered post to that Authority. Every claim for inclusion of name, objection to the inclusion of the name or objection to the particulars in an entry in the electoral roll shall be in Forms 2, 3 or 4 (Annexure I, II & III) as the case may be.

(2) A claim shall be signed by the person desiring his name to be included in the electoral roll and countersigned by another person whose name is already included in the electoral roll in which the claimant desires his name to be included and shall, unless sent by post, be presented by claimant himself or by a person authorised by him in writing in this behalf.

(3) No person shall prefer an objection to the inclusion of any name in the electoral roll, unless his name is already included in that electoral roll.

(4) Any claim or objection, which is not lodged within the prescribed period or in the manner herein specified, shall be rejected and the decision shall be recorded in the register prescribed for this purpose.

Correction of Entries in the Electoral Roll

(1).If the Municipal Electoral Registration Officer on an application in Form-4 (Annexure III) or in Form-16 (Annexure IV)made to him, or on his own motion, is satisfied, after such inquiry as he thinks fit, that any entry in the electoral roll-

(a) is erroneous or defective in any particular;

(b) Should be deleted on the ground that the person concerned is dead or has ceased to be ordinarily resident or is otherwise not entitled to be registered in that electoral roll, he shall amend or delete the entry:

Provided that before taking any action on any ground under clause (a) or clause (b) that the person concerned has ceased to be ordinarily resident or that he/she is otherwise not entitled to be registered in the electoral roll the Municipal 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:

Provided further that an application under this rule at any time after the publication of the election programme under Rule 22 shall be made to the Municipal Electoral Registration Officer not later than five days before the last date fixed for the filing of nomination papers

Inclusion of name after final publication

(2). Application for inclusion of names in Electoral Rolls should be made In Form- 2 (in duplicate) (Annexure-I) to the Municipal Electoral Registration Officer accompanied by a fee of Rs. 50/- to be paid in cash.

Provided that after the publication of the election programme under Rule 22 such an application shall be made not later than five days before the last date for the filing of nomination papers.

Making False Declaration

If any person makes, in connection with-

- (a) the preparation, revision or correction of an electoral roll, or
- (b) the inclusion or exclusion of any entry in or from an electoral roll, a statement or declaration in writing which is false and which he either knows or believes to be false or does not believe to be true, **he shall be punishable with imprisonment for a term which may extend to one year, or with fine up to rupees five thousand, or with both.**

Reservation of Seats

- 1 As per the provisions in the Act not less than one third of the total number of seats to be filled by the Direct Election in every Municipality shall be reserved for women.
- 2 The State Government determines the number of seats and constituency or constituencies in which seats are reserved provided that the seats reserved shall be allotted by rotation to different constituencies in the Municipality in such manner as may be prescribed.
- 3 Not less than one third of the total number of offices of the Chairperson of Wards Committee and Chief Councillor shall be reserved for women.

Disqualification for Election as a Member

A person shall not be eligible for election as a member if such person

- (a) has been adjudged by a competent court to be of unsound mind; or
- (b) is under twenty-one years of age on the day of filing of nomination; or
- (c) is an un-discharged insolvent; or
- (d) being a discharged insolvent, has not obtained from the court a certificate that his insolvency was caused by misfortune without any misconduct on his part; or
- (e) holds any office of profit under the Municipality; or

(f) has, directly or indirectly by himself or by his partner or employer or any employee, any share or interest in any contract or employment with, by, or on behalf of, the Municipality; or

(g) is in the service of, or receives remuneration from, the Central or the State Government or the Municipality; or Panchayat or any Government aided society or organization as a regular or adhoc or contractual or contingency employee.

(h) has been elected to, or appointed as a member under, any other Municipality or Panchayat: or village authority as Gaon Bura, Gaon Buri or Head Gaon Bura by whatever name called.

Provided that notwithstanding anything contained in clause (f), no person shall be deemed to be disqualified thereunder by reason only of his having a share or interest in-

(i) any lease, sale or purchase of land or any agreement for the same; or

(ii) any agreement for the loan of money or any security for the payment of money only; or

(iii) any newspaper in which any advertisement relating to the affairs of the Municipality is inserted; or

(iv) any incorporated or registered company which contracts with, or is employed by the Municipality.

(2) A person shall be disqualified for being chosen as, and for being, a member of a Municipality if he is so disqualified by or under any law for the time being in force for the purposes of election to the State Legislature.

Election of Ineligible Person, Disqualification and Dismissal.

(1) Where a person elected to be a member was not eligible for such election on account of any disqualification referred to in section 31 of the Act or where a person incurs such disqualification subsequent to his election as a member, the election of such person shall be void upon the Commission making a declaration to that effect by notification:

Provided that no such declaration shall be made if the question of such disqualification was raised in an election petition presented under this Act.

(2) No act done by a member as aforesaid while remaining in office shall be invalid on account of his election being declared void subsequently.

(3) The casual vacancy arising out of any election being declared void under the said section shall be filled up in accordance with the provision of this Act within six months unless the State Election Commission decided otherwise by recording the reason(s) for such decision.

(4) A person who having held an office under the Government of India or under the Government of any State or under any Municipality has been dismissed for corruption or for disloyalty to the State or the Municipality, shall be disqualified for a period of five years from the date of such dismissal.

Disqualification for Failure to Lodge Account of Election Expenses

(1) If the Commission is satisfied that a person-

(a) has failed to lodge an account of election expenses within three months (ninety days) from the date of declaration of results and in the manner required by or under this Act and Rules made thereunder and

(b) has no good reason or justification for such failure, the Commission shall, by order published in the Official Gazette, declare him to be disqualified, and such person shall be disqualified for a period of three years from the date of the order.

(2) The ceiling limit on election expenses shall be prescribed by the State Election Commission in consultation with the State Government from time to time. The expenditure limit is stated in Paragraph .

Besides,

(3) If any person, after the commencement of this Act, is convicted of an offence punishable under section 171E or section 171F, of the Indian Penal Code, or under section 125 or section 135, or clause (a) of sub-section (2)

of Section 136, of the Representation of the People Act, 1951, he shall, for a period of six years from the date of conviction or from the date on which the order takes effect, as the case may be, be disqualified for contesting and voting at any election, and his name shall be struck off from the electoral roll.

(4) Any person disqualified by a decision of the Election Tribunal under section 77 for any period shall be disqualified for the same period for contesting and voting at any election

Notification for General Election

(3) The State Election Commission shall, by one or more notifications published in the Official Gazette on such date or dates as may be determined, call upon the Municipality to elect members in accordance with the provisions of the Arunachal Pradesh Municipal Election (Amendment) Act, 2011.

Conduct of Elections

Appointment of Dates for Election

- (1). As soon as the notification calling upon a Municipality to elect a Member or members is issued, the Commission shall, by notification, (under Section 37 of the Act) appoint-
 - (a) the last date for making nominations, 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 nominations, which shall be the second day after the last day of making nominations or, if that day is a public holiday, the next day which is not a public holiday ;
 - (c) the last date for the withdrawal of candidatures, which shall be the third day after the last date for the scrutiny of nominations or, if that day is a public holiday, the next day which is not a public holiday ;

- (d) the date or dates on which a poll shall, if necessary, be taken, which or the first or which shall be a date not earlier than the fourteenth day after the last date for the withdrawal of candidatures ; and
- (e) the date before which the election shall be completed.

Public Notice of Election

(2) On the issue of a Notification as mentioned above, the Municipal Returning Officer shall, in such Form and manner as may be prescribed, give public notice of the intended election inviting nominations of candidates for such election and specifying the place at which the nomination papers shall be delivered.

Nomination of Candidates for Election

(3). Any person may be nominated as a candidate for election to fill a seat in a Municipality if he is qualified to be chosen to fill that seat.

Provided that no elector shall propose more than one candidate and shall not suffer from any of the disqualifications provided under section 31, 34 and 35 of the Act mentioned above in brief.

Provided further that all nomination papers in favour of more than one candidate shall be rejected if they are subscribed by the same person.

Requirements for Valid Nomination

(4) (1) On or before the date appointed, each candidates shall, either in person or by his proposer, **between the hours of eleven o'clock in the forenoon and three o'clock in the afternoon**, deliver to the Municipal Returning Officer at the place specified in this behalf in the notice issued by the Returning Officer a nomination paper (See Form-18 at Annexure- V) completed in the prescribed Form and signed by the candidate and by an elector of the constituency as proposer :

Provided that a candidate not set up by a recognized Political Party, shall not be deemed to be duly nominated for election unless the nomination paper is subscribed by ten proposers being electors of the Constituency :

Provided further that, no nomination paper shall be delivered to the Municipal Returning Officer on a day which is a public holiday.

(2) In a constituency where any seat is reserved for women, a candidate shall not be deemed to be qualified to be chosen to fill that seat unless her nomination paper contains a declaration by her specifying the particulars as contained in section 30 (2) of the Act.

(3) Where the candidate is a person who, having held any office referred to in section 33 of the Act has been dismissed and a period of five years has not elapsed since the dismissal, such person shall not be deemed to be duly nominated as a candidate unless his nomination paper is accompanied by a certificate issued in the prescribed manner by the Commission to the effect that he has not been dismissed for corruption or disloyalty to the State.

(4) Where the candidate is an elector of a different constituency of Municipality, a copy of the electoral roll of the constituency or of the relevant part thereof or a certified copy of the relevant part thereof or a certified copy of the relevant entries in such roll shall, unless it has been filed along with the nomination paper, be produced before the Municipal Returning Officer at the time of scrutiny.

(5) Nothing for this purpose shall prevent any candidate from being nominated by more than one nomination paper:

Provided that not more than four nomination papers shall be presented by or on behalf of any candidate or accepted by the Municipal Returning Officer for election in the same constituency.

Deposits

(1) A candidate shall not be deemed to be duly nominated for election from a constituency unless he deposits or causes to be deposited a sum of one thousand rupees, or, where the candidate is a member of the Scheduled Tribes, or a woman, a sum of Rs. 550 (five hundred and fifty) only.

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

(2) Any sum required to be deposited shall not be deemed to have been deposited unless, at the time of delivery of the nomination paper the candidate has either deposited or caused to be deposited that sum with the Municipal Returning Officer in cash or enclosed with the nomination paper a receipt showing that the said sum has been deposited by him or on his behalf in the Government Treasury.

Notice of Nomination and Time and Place for Scrutiny.

(1) The Municipal Returning Officer shall, on receiving the nomination paper inform the person or persons delivering the same of the date, time and place fixed for the scrutiny of nomination and shall enter on the nomination paper its serial number and shall sign thereon a certificate stating the date on which and the hour at which the nomination paper has been delivered to him, and shall, as soon as may be thereafter, cause to be affixed in some conspicuous place in his office a notice of the nomination containing description similar to those contained in the nomination paper both of the candidate and of the proposer

Scrutiny of Nominations.

(1) On the date fixed for the scrutiny of nomination, the candidates, their election agents, one proposer of each candidate, and one other person duly authorized in writing by each candidate, but no other person, may attend at such time and place as the Municipal Returning Officer may appoint, and the Municipal Returning Officer shall give them all reasonable facilities for examining the nomination papers of all candidates which have been delivered within the time and in the manner laid down in section 40 of the Act.

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

- (a) that on the date fixed for the scrutiny of nominations the candidate either is not qualified or is disqualified for being chosen to fill the seat under the Act :
- (b) that there has been a failure to comply with any of the provisions of the Act ; or.
- (c) that the signature of the candidate or the proposer on the nomination papers is not genuine.

(3) Nothing contained in clause (b) or clause (c) of sub-section (2) shall be deemed to authorize the rejection of the nomination of any candidate on the ground of any irregularity in respect of a nomination paper, if the candidate has been duly nominated by means of another nomination paper in respect of which no irregularity has been committed.

(4) The Municipal Returning Officer shall not reject any nomination paper on the ground of any defect which is not of a substantial character.

(5) The Municipal Returning Officer shall hold the scrutiny on the date appointed in this behalf under clause (b) of section 37 and shall not allow any adjournment of the proceedings except when such proceedings are interrupted or obstructed by riot or open violence or by causes beyond his control :

Provided that in case an objection is raised by the Municipal Returning Officer or is made by any other person, the candidate concerned may be allowed time to rebut it not later than the next day but one following the date fixed for scrutiny, and the Municipal Returning Officer shall record his decision on the date to which the proceedings have been adjourned.

(6) The Municipal Returning Office shall endorse on each nomination paper his decision accepting or rejecting the same and, if the nomination paper is rejected, shall record in writing a brief statement of his reason for such rejection.

(7) For these purposes, a certified copy of an entry in the electoral roll for the time being in force of a Municipality shall be conclusive evidence of the fact that the person referred to in that entry is an elector for that Municipality, unless it is proved that he is subject to a disqualification mentioned in the Act or the Rules made thereunder.

(8) Immediately after all the nomination papers have been scrutinized and decision accepting or rejecting the same have been recorded, the Municipal Returning Officer shall prepare a list of validity nominated candidates, that is to say, candidates whose nominations have been found valid, and affix it to the notice board.

(9) The Process of Nomination will be videographed.

Withdrawal of Candidature

(1). Any candidate may withdraw his/her candidature by notice in writing in Form-21(Annexure.-VI) subscribed by him/her and delivered to the Municipal Returning Officer or the Authority specified in this behalf, before 3 P.M. on the date specified in this behalf, and no person who has thus withdrawn his/her candidature shall be allowed to cancel the notice of withdrawal.

(2) Upon receiving such a notice of withdrawal of candidature, the Municipal Returning Officer or the specified authority shall cause a notice in Form-22 (Annexure . VII) to this effect to be affixed in some conspicuous place in his/her office and at the offices of the Municipal Committee and Municipal Electoral Registration Officer concerned.

List of Contesting Candidates

(1). On completion of the scrutiny of the nomination papers and after the expiry of the period within which candidature may be withdrawn the Municipal Returning Officer shall forthwith prepare a list of contesting candidates as specified under section 46 of the Act, in English and cause it to be affixed at some conspicuous place in his/her office and at the office of the Municipal Committees and Municipal Electoral Registration Officer concerned and shall also supply a copy thereof, to each of the contesting candidates and on demand to his election agent.

Allotment of Symbols to Candidates

(1) List of symbols specified in Schedule -I, II and III of the Rules (Rule 24) has since been modified in accordance with updated list of symbols

notified by Election Commission of India (see Annexure- XIX) shall be used in such election.

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

(a) The particular symbol which the candidate has chosen for his/her first preference out of the list symbols prescribed under Rule.

(b) Candidate shall choose two other symbols out of that list for second and third preference respectively.

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

Reserved Symbols

(1) The list of symbols prescribed in the schedule I and II reserved for the candidates belonging to the recognized National Parties and the State/ regional Parties respectively.

Provided that this 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 by a political party if:-

(a) He/She has made a declaration to that effect in nomination paper.

(b) He/She communicates in writing to the respective Returning 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 authorized by the party to send such communication in advance to Returning Officer concerned and to the State Election Commissioner.

Choice of Symbol

(1) A candidate in a Municipal election from any Municipal ward shall give an order of preference of not more than three symbols specified (see

Annexure XIX). Notwithstanding anything in the Rule 24, if at any election, the choice of symbols made by the candidates exceeds the number of free symbols specified, the District Municipal election Officer with the approval of State election Commission may for smooth conduct of election, by an order specify additional free symbols for allotment by the Returning Officer to each of the Candidate. Notwithstanding anything in the sub-rule (1) of the Rule 31, if at any election, the choice of symbols made by the candidates exceeds the number of free symbols specified in schedule I, the Municipal Election Officer with the approval of State Election Commission may for smooth conduct of election, by the order specify additional free symbols for allotment by the Returning Officer to each of the candidate.

Appointment and Revocation of Election Agent

- (1) If a candidate desires to appoint an election agent such appointment shall be made in Form 24-(A) (Annexure VIII) either at the time of delivering nomination paper on at any time before election.
- (2) Appointment of the election agent may be revoked by the candidate at any time by a declaration in writing in Form-24(B) (Annexure IX) signed by him/her and lodged with the Returning officer such revocation shall take effect 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 provision of sub Rule-(1).
- (1) The contesting candidate or his/her election agent may appoint one polling agent and one relief agent for each polling station.
- (2) Every such appointment shall be made in Form 24(C) (Annexure X) and shall be made over to the polling agent for production at the polling station.
- (3) No polling agent shall be admitted into the polling station unless he/she has delivered to the Presiding Officer the instruments of his/her appointment under sub-rule (2) after duly completing and signing the declaration contained therein before the Presiding Officer.

- (4) The appointment of a polling agent may be revoked by a candidate or his/her election agent at any time before the commencement of the poll by a declaration in writing in Form 24(D) (Annexure-XI) 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 Rule.

Election Expenses and Account Thereof

(1). The maximum limit of election expenditure is fixed under Rule 33A(1) of the A.P Municipal (Election) Rules, 2011. Accordingly maximum limit of election expenditure to be incurred by the contesting candidate or his/her authorized agent shall be as under:

- i). For Itanagar Municipality :- Rs. 1,00,000 (One Lakh)
being Municipal Class %A+
 - ii). For Pasighat Municipality :- Rs. 60,000/- (Sixty Thousand)
Being Municipal Class %C+
- (2) Every candidate contesting election to a Municipal Council or a Nagar Panchayat shall keep an account of election expenditure in a register to be called the register of election expenditure in form 38 (Annexure XIV).
- (3). The account shall be maintained by the contesting candidate either by himself/herself or by his/her authorized agent.
- (4). The account shall be correctly maintained in respect of each items of expenditure on day to day basis from the date of nomination upto the date of declaration of result , both days inclusive.
- (5). All expenditure by the candidate or his/her authorized election agent on all items of expenditure maintained in form 39 shall be included in the aforesaid account of election expenditure.

- (6). All documents such as vouchers, receipts, acknowledgements etc in support of expenditure incurred and recorded in the register shall be maintained correctly.
- (7). The day to day account maintained shall be made available for inspection at any time during the process of election to the Municipal Returning Officer or any other officer authorized by him/her.
- (8). The Statement of account of the total election expenditure so maintained shall be submitted to the District Municipal Election Officer of the area under whose jurisdiction the concerned Municipal Council or the Nagar Panchayat falls, as the case may be.
- (9). The account shall be submitted within 30 (thirty) days of the declaration of the result.
- (10). The Statement of account shall be submitted in Form No. 39 and 40 (Annexure- XV & XVI) along with an affidavit of the candidate in Form No. 41. (Annexure-XVII).
- (11). On receipt of the Statement of accounts, the District Municipal Election Officer shall issue an acknowledgement in Form No. 42 (Annexure XVIII)

Also Please Note

- “ The supporting vouchers of the day to day expenses should necessarily bear the signature in full of the contesting candidate or his election agent.
- “ The register along with the prescribed Affidavit (Form 41) (Annexure XII) has to be made available by the contesting candidates for inspection by the Returning Officer/Designated Officer thrice before the date of poll. However, it has to be ensured that there is a gap of about four days in between each inspection and the first inspection may be on or after the 3rd day from the last date of withdrawal of nominations.

“ If a candidate is contesting election in more than one constituency, he is required to maintain and lodge a separate account of his election expenditure in respect of each such constituency.

“ The accounts of the candidate will be scrutinized by the Returning Officer/Designated Officers and he shall keep two photocopies of the relevant pages of the register. One copy of the relevant pages of the register shall be displayed on the notice board of the Returning Officer and the other copy will be retained in a separate file for each constituency as proof of record with the Returning Officer and furnish to the MEO on conclusion of the whole electoral process.

• Where a candidate does not produce the register containing his daily account of election expenses before the designated officers/ observer, despite notice, the MEO shall cause a complaint to be lodged u/s 171-I of the IPC against the errant candidates.

“ The candidate, while maintaining their register of accounts of election expenditure, should also account for all expenditure including those incurred prior to the date of nomination for preparation of campaign material, etc. which are actually used during the post nomination period in connection with the election.

“ The expenditure incurred by the leaders of the political parties on account of their travel for propagating the programmes of the party shall not be considered as expenditure incurred in connection with election by the candidate or his authorized agent, provided the names of the leaders for this purpose are communicated to the Commission and the MEO within a period of seven days from the date of notification of the election.

“ In the event of failure of the political party to provide such names within the stipulated time, the aforesaid expenditure on travel of all leaders in the case of such parties will necessarily be included in the account of the election expenses of the candidate.

SPECIAL PROVISION

It may be noted that for the purpose of the Arunachal Pradesh Municipal Election Act, 2009, electoral offences under Chapter III of Part VII of the Representation of the Peoples Act, 1951, shall be the electoral offences under this Act, and the provisions of the said Chapter and Part of the RP Act shall apply to the electoral offences under this Act.

Appointment of Observers

The State Election Commissioner has appointed Observers and Special Observer under the plenary power conferred on him under Article 243 K of the Constitution of India as also under Sec 15(1) of the Arunachal Pradesh Municipal Elections Act, 2009. They will act as eyes and ears of the Commission.

Manner of Voting

Votes will be recorded by a voting machine. All polling booths will be equipped with Electronic Voting Machine.

Observers' Role and EVM

The Observers will check on the stock of EVMs available in the Municipal Constituency and whether they have been serviced by the engineers of the manufacturing firms (ECIL). It has to be seen whether training programmes have been taken up properly and the people are aware of the method of casting their votes on the EVMs. The training of Presiding Officers and polling personnel, especially the polling officer who controls the %Ballot+ button on the use of EVMs is critical.

Randomization of EVMs and Mock Poll

The Commission has also mandated randomization of EVMs to avoid apprehensions of any attempt of manipulation of EVM.

The Commission has mandated conduct of mock poll before the actual poll begins to demonstrate proper functioning of the EVM to the polling agents. To this effect, the Presiding Officer has to sign a certificate in the format prescribed by the Commission. Observers should monitor that the mock-polls have been conducted and the Pos have issued the certificate to that effect.

Right to Vote

(1) No person who is not, and, except as expressly provided by this Act, every person who is for the time being entered in the electoral roll of any constituency shall be entitled to vote in that constituency.

(2) No person shall vote at an election in any constituency if he is subject to any of the disqualifications referred to in section 16 of the Representation of the people Act.

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

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

(5) No person shall vote at any election if he is confined in a prison, whether under a sentence of imprisonment or transportation or otherwise, or is in the lawful custody of the police:

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

Tendered Votes

(1) If a person representing himself/herself to be a particular voter applies for a ballot paper after another person has already voted as such voter,

he/she shall, on satisfactorily answering such questions relating to his/her identity as the Presiding Officer may ask, be entitled subject to the following provisions.

(2) Every such person shall before being supplied with a Tendered ballot paper, sign his/her name against the entry relating to him/her in the list in Form 29.

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

(a) serially the last in the bundle of ballot papers issued for use at the polling station ;

And

(b) endorsed on the back with the words "Tendered ballot papers" by the Presiding Officer in his own hand and signed by him.

(4) The voter, after making Tendered ballot paper in the voting compartment and folding it, shall, instead of recording in the EVM gives it to the Presiding Officer, who shall place it in a cover specially kept for the purpose.

Please note that Tendered votes are disputed votes and they will be not counted except under Election Tribunal/Courts order.

Counting of Votes

At every election where a poll is taken, votes shall be counted in such manner as may be prescribed, and each contesting candidate, his election agent and his counting agents shall have a right to be present at the time of counting.

Equality of Votes

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

If Candidate Elected from More Than Two Wards

If any person is elected in more than one constituency in an election, he shall, within sixty days from the date of the first meeting of the Board of Councillors, after a Municipal election, resign from the constituency excepting one constituency which he shall represent in the Municipality. On his failing to do so within the stipulated time, the Commission, in consultation with the State Government, declare the constituency, excepting one constituency which he shall represent in the Municipality, vacant :

Provided that in case of a Municipal by-election, if any person is elected from more than one constituency such person shall have to resign from constituency, excepting one constituency which he shall represent in the Municipality, within one month from the date of declaration of result. On his failing to do so within the stipulated time, the Commission, in consultation with the State Government, declare the constituency, excepting one constituency which he shall represent in the Municipality, vacant.

Report of Result

As soon as may be after the result of an election has been declared, the Municipal Returning Officer shall report the result to the Commission who shall immediately publish the names of elected member in the Official Gazette.

Model Code of Conducts

All political parties, party workers, candidates and their agents are expected to abide by the Model Code of Conducts specified by the State Election Commission. This is available on official website of the State Election Commission (www.secap.nic.in)

FORM - 2

[See Rule 9 (1) and 16]

CLAIM APPLICATION FOR INCLUSION OF NAME

To

The Revising Authority/Municipal Electoral Registration Officer.

Sir,

I request that my name be included in the electoral roll for theward relating to

Municipal Council/Nagar Panchayat.

My name (in full)

My Father's/ Mother's/Husband's Name.....

Particulars of my place of residence are :

House No.....

Street/ locality/Village/Sector

Post Office

I hereby declare that to the best of my knowledge and belief that -

(i) I am a citizen of India.

(ii) My age on i.e. date notified by the State Election Commission under clause (e) of rule 5(1)

was yearsmonths.

(iii) I am an ordinary resident at the address given above.

(iv) I have not applied for the inclusion of my name in the electoral roll for any other municipal ward.

(v) My name has not been included in the electoral roll for any ward of the above mentioned Municipal Committee

OR

That my name has been included in the electoral roll for the ward under the address mentioned below and I request that the same may be excluded from the electoral roll.

Signature/thumb-impression
of claimant.
(Full postal address).

Place ..

Contd.

I am a voter included in the electoral roll of the same part in which the claimant has applied for inclusion viz. part No..... relating to my serial number therein is I support this claim and countersign it.

Signature
(Name in full) and address

*Strike out inappropriate words.

Note.- Any person who makes a statement of declaration which is false and which he either knows or believes to be false or does not believe to be true is punishable in accordance with the law in force.

FORM-3

[See rule 9 (1)]

OBJECTION TO INCLUSION OF NAME

To

The Revising Authority,
í í í í í í í ..Ward.

Sir,

I object the inclusion of the name ofat serial Noin the electoral rollward relating toMunicipal Council/ Nagar Panchayat for the following reasons :-

.....
I hereby declare that the facts mentioned above are true to the best of my knowledge and belief that my name has been included in the electoral roll for this ward as follows :-

Name in full.....
Father's/Mother's/Husband's name
Serial No.....
No. and name of the Ward relating toMunicipal Council/Nagar Panchayat.

Signature/thumb impression of objector
(Full postal address).....

Dated

I am a voter included in the same electoral roll in which the name objected to appears, viz, number and name of the ward relating to..... Municipal Council/ Nagar Panchayat. My serial number therein is..... I support this objection and countersign it.

.....
Signature/thumb impression (Full postal address).
.....
.....

Note :- Any person who makes a statement or declaration which is false and which he either knows or believes to be false or does not believe to be true is punishable in accordance with the law in force.

FORM - 4
[See rules 9(1) and 14)
OBJECTION TO PARTICULAR IN ANY ENTRY

To
The Revising Authority/Municipal Electoral Registration Officer,
.....Ward.

I submit that the entry relating to myself which appears at Serial No..... in the roll for ward relating to Municipal Council/Nagar Panchayat as is incorrect. It should be corrected to read as follows:-

.....
.....
Place

Date.....
Signature/thumb impression of the objector
(Full Postal Address).....

FORM - 16

[See rule (14)]

APPLICATION FOR DELETION OF ENTRY IN ELECTORAL ROLL

To

The Municipal Electoral Registration Officer,

.....

.....

Sir,

I submit that the entry at Serial No..... in the electoral roll for.....Ward relating to Shri/Shrimati.....son/daughter of requires to be deleted as the said person is not entitled to be registered in the electoral roll for the following reasons.

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

I declare that I am a voter of this ward being enrolled at serial No.....

Place

Date.....

Signature or thumb impression
of applicant (full postal Address)

*Strike off the inappropriate words.

Note : - Any person who makes a statement or declaration which is false which he either knows or believes to be false or does not believe to be true is punishable in accordance with the law in force.

FORM - 18
(See rule 25)
NOMINATION PAPER

Election to the Municipal Council/Nagar Panchayat í í í í í í í í .
I hereby nominate í

(to be filled by the proposer)

as a candidate for election from ward of Municipal Council/Nagar Panchayatwhich is general/ward reserved for women.

- 1. Full name of proposer
- 2. Serial number of proposer in the roll of the ward from which the candidate for election has been nominated
-
- 3. Name of the candidate's father/husband
-
- 4. Full postal address of candidate
-
- 5. Serial number of the candidate in the electoral roll of the ward in which he is register as an elector

Date..... Signature of Proposer.

(to be filled in by the candidate)

- 1. I, the above mentioned candidate, assent to this nomination and hereby declare :-
 - (a) that I have completed years of age ; and
 - (b) that I have not been disqualified for contest of elections under any law in force.
 - (c) that the symbols I have chosen are in order of preference.
 - (i)
 - (ii)
 - (iii)

Date..... Signature of the candidate.

Contd.

VERIFICATION BY EXECUTIVE MAGISTRATE

The above declaration is solemnly affirmed before me by who is personally known to me/who has been identified by í í í í í í í í í í ..

Date
Place

Signature with seal.

(Decision of Municipal Returning Officer accepting or rejecting the nomination paper).

I have examined this nomination paper in accordance with rule 29 of the Arunachal Pradesh Municipal Election Rules, 2011, and decide as follow :-

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

Municipal Returning Officer.

The symbol assigned to the candidate is í í í í í í í í í í í í í í í í .

Date
Place.....

Municipal Returning Officer.

RECEIPT OF NOMINATION PAPER AND NOTICE OF SCRUTINY

(To be filled in by the Municipal Returning Officer or specified authority) Serial No. of nomination paper.....

This nomination papers was delivered to me at my office on (date) at(hours)..... and shall be taken up for scrutiny on at place of (hours)

Date
Place.....

Municipal Returning Officer.

FORM - 21
[See rule 29 (1)]
NOTICE OF WITHDRAWAL

Election to the Municipal Council/Nagar Panchayat
..... from ò ò ò ò ò ò ò ò ò ò ò ò ò
Ward.

To
The Municipal Returning Officer,
ò ò ò ò
.....

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

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

Signature of Candidate.

This notice was delivered to me at my office at(hours),
on (date) by (name).

Returning Officer or Specified Authority

contd

RECEIPT FOR NOTICE OF WITHDRAWAL
(To be handed over to the person delivering notice)

The notice of withdrawal of candidature by a candidate at the election to the Municipal Council/ Nagar Panchayat..... from ward, was delivered to me by the at my..... office at(hours) on.....(date).

Here insert one of the following alternatives as may be appropriate :-

1. Candidate.
2. Candidate's proposer who has been authorised in writing by the candidate to deliver it.

Annexure-VII

FORM-22
[See rule 29 (1)]
NOTICE OF WITHDRAWAL

Election to the Municipal Council/ Nagar Panchayat from
.....Ward.

Notice is hereby given that the following Candidate/Candidates at the above election withdraws/withdraw his/their candidatures today:-

Name of candidate 1	Address of candidate 2	Remarks 3
1.		
2.		
3.		
4.		
5.		
etc		

Date:-

Place:-

Returning Officer or Specified Authority

FORM - 24 (A)
[See rule 32 (A) (1)]

Appointment of Election Agent

Election to Municipal Council/ Nagar Panchayat
from.....ward.

I.....a candidate at the above Election do hereby appoint
.....as my election agent from this day at the
above election.

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

Signature of Candidate

I accept the above appointment

Place
Date.....

Signature of Election Agent

FORM - 24 (B)
[See Rule 32 (A) (2)]
Revocation of Election Agent

Election to the Election to the Municipal
Council/Nagar Panchayat from
í í í í í í íward.

To
The Returning Officer,
.....
.....

I.....a candidate at the above Election do hereby
revoked the appointment of.....my election
agent.

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

Signature of Candidate

FORM - 24(C)
[See rule 32 (B)(1)]
APPOINTMENT OF POLLING AGENT

Election to Municipal Council/Nagar Panchayat í í í . from í í í í Ward.

I,a candidate at the above election do hereby appointas polling agent to attend polling station No..... place fixed for the poll.....at

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

Signature of the candidate.

I agree to act as such polling agent.

Place
Date

Signature of Polling agent.

(Declaration of polling agent to be signed before Presiding Officer).
are that at the above election, I will not do any thing forbidden by the Arunachal Pradesh Municipal Elections Act, 2011 which I have read/ has been read over to me).

Place
Date

Signature of Polling agent.

Signed before me.

Place
Date

Presiding Officer.

FORM - 24(D)
(See Rule 32(B) (2))
Revocation of appointment of Polling Agent

Election to the Municipal Council/ Nagar Panchayat
..... from.....ward.

To
The Returning Officer,
.....
.....

I.....a candidate at the above Election do
hereby revoked the appointment of.....
polling agent/relief polling agent at the polling station No.
..... atplace.

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

Signature of Candidate/Election agent

FORM - 27

[See rule 50(1)]

DECLARATION BY THE COMPANION OF BLIND OR INFIRM VOTER

Election to Municipal Council/Nagar Panchayat

..... Ward Number and name of polling stations.....

I, í í í í í í son of aged resident *of.....hereby declare that.

(a) I have not acted as companion of any other voter at this or any other polling station today,

theand

(b) I will not disclose the secrecy of the vote recorded by me on behalf of **

Date

Signature of Companion.

Place

* Full address to be given.

** Name of voter and his/her serial No. in the electoral roll to be given.

FORM- 33

[See rule 59 (4)]

APPOINTMENT OF COUNTING AGENTS

Election to the Municipal Council/ Nagar Panchayat

í í í í í í from í í í í í í .. ward.

I, a candidate at the above election do hereby appoint the following persons as my counting agents to attend the counting of votes at

Address of the Counting Agent.

- 1.
- 2.
- 3.

Signature of Candidate.

I agree to act as such counting agent.

- 1.
- 2.
- 3.

Signature of Counting Agent.

Declaration of counting agent to be signed before the Municipal Returning Officer.

I hereby declare that at the above election, I shall not do anything forbidden by section 53 and 54 of the Arunachal Pradesh Municipal Elections Act, 2009, which I have read has been read over to me.

- 1.
- 2.
- 3.

Place.....

Signature of Counting Agent.

Date.....

Signed before me.
Municipal Returning Officer

FORM.38

[See rule 71(3)]

REGISTER FOR MAINTENANCE OF DAY TO DAY ACCOUNT OF ELECTION EXPENDITURE BY CONTESTING CANDIDATES FOR ELECTION TO NAGAR PANCHAYAT/ MUNICIPAL COUNCIL

1. Name of the candidate
2. Ward from which contested
3. Seat for which contested
4. Date of filing nomination
5. Date of declaration of result

Date of expenditure	Nature of expenditure	Amount of Exp.		Date of payment
		Paid	Outstanding	
1	2	3	4	5

Name and Address of payee	No. of vouchers in case of amount paid	No. of bills in case of amount outstanding	Name and Address of person to whom the amount outstanding is payable	Remark
6	7	8	9	10

Certified that this is a true copy of the account kept by me/ my election agent.

Signature of Contesting Candidate.

FORM-39
DETAILS OF ELECTION EXPENSES (THE CONTESTING CANDIDATE) FOR THE ELECTION TO MUNICIPAL COUNCIL/NAGAR PANCHAYAT.

1. Name of contesting candidate í

2. Name of Ward í .

Item of expenditure 1	Sources from where money procured 2	Amount of Exp. 3
--------------------------	--	---------------------

1. Expenditure on security deposit.
2. Expenditure on purchase of copies of electoral rolls.
3. Expenditure on printing of manifestos and expenditure on printing of posters and hand bills etc.
4. Expenditure on pasting of posters.
5. Expenditure on writing of wall writing and on publication of advertisements.
6. Hiring charges of places for public meetings and hiring charges of pandals etc. for public meetings.
7. Hiring charges of loudspeakers for public meetings.
8. Hiring charges on vehicle and POL use by the candidate.
9. Hiring charges and POL on vehicle used by election agent/polling agent.
10. Misc. expenses (other than those listed above).

Date(s) of payment 4	Mode of payment 5	Evidence of payment enclosed with the account 6	Remarks. 7
-------------------------	----------------------	--	---------------

Signature of the Contesting Candidate.

FORM-40
[See rule 33-A (11)]
PROFORMA FOR THE SUBMISSION OF ELECTION EXPENDITURE BY CONTESTING CANDIDATES FOR
ELECTION TO MUNICIPAL
COUNCIL/ NAGAR PANCHAYATS

1. Name of the candidate
2. Ward from which contested
3. Seat for which contested
4. Date of filing nomination
5. Date of declaration of result

Date of expenditure	Nature of expenditure	Amount of Exp.		Date of payment
		Paid	Outstanding	
1	2	3	4	5
Name and address of payee	No. of vouchers in case of amount paid	No. of bills in case of the amount outstanding	Name and address of person to whom outstanding is payable	Remarks
6	7	8	9	10

Certified that this is a true copy of the account kept by me/my election agent.

Signature of Contesting Candidate.

FORM-41
[See rule 33-A (11)]
AFFIDAVIT

I,son/wife/daughter of aged years
r/o do hereby solemnly and sincerely state and declare as under –

1. That I was a contesting candidate at the general election/bye-election to the ward of the result of which was declared on
2. That I/my election agent kept a separate and correct account of all expenditure in connection with the above election incurred or authorized by me or by my election agent between (the date on which I was nominated) and the date of declaration of the result thereof, both days inclusive.
3. That the said account was maintained in Forms 38, 39, and 40 appended to the Arunachal Pradesh Municipal Election Rules, 2011 and a true copy thereof is annexed hereto with the supporting vouchers/bills mentioned in the said account.
4. That the account of my election expenditure as annexed hereto includes all items of election expenditure incurred or authorized by me or by my election agent and nothing has been concealed or withheld/suppressed therefrom.
5. That the statements in the foregoing paragraphs 1 to 4 are true to my personal knowledge, that nothing is false and nothing material has been concealed.

Deponent,

Solemnly affirmed/sworn by.....
at this day of
20..... before me.

FORM-42
[See rule 33-A (12)]
ACKNOWLEDGEMENT

The detailed accounts of the election expenses on prescribed form are in respect of
Shri (Candidate) from (Ward) result of which was declared on
..... (Date) has been filed by him on (Date) has been received by me today the (date) of
.....(Month)(Year).

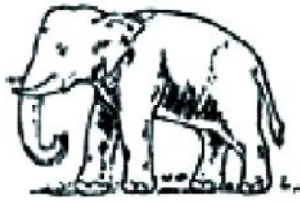
District Municipal Election Officer

District.....

Arunachal Pradesh

SCHEDULE-I (RULE - 24)
ELECTION SYMBOLS

RESERVED SYMBOLS (NATIONAL PARTIES)



ELEPHANT
1. Bahujan Samaj Party



LOTUS
2. Bharatiya Janata Party



EARS OF CORN & SICKLE
3. Communist Party of India



HAMMER SICKLE & STAR
4. Communist Party of India
(Marxist)



HAND
5. Indian National Congress



CLOCK
6. Nationalist Congress Party

SCHEDULE-II (RULE - 24)
ELECTION SYMBOLS (STATE PARTIES)



FLOWERS & GRASS
1. All India Trinamool Congress



MAIZE
2. People's Party of Arunachal

SCHEDULE 6 III (RULE-24)
FREE SYMBOLS



1. FISH



2. HORNBILL



3. ELECTRIC BULB



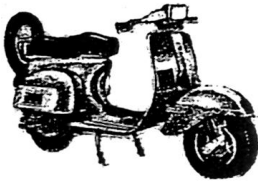
4. SPADE



5. UMBRELLA



6. JEEP



7. SCOOTER



8. HUT



9. PINEAPPLE



10. TELEPHONE



11. JUG



12. KETTLE



13. APPLE



14. POT



15. CUP & SAUCER