

**CHAPTER III.****ELECTIONS.****PART I.**

**8. Definitions.**— For the purpose of this Chapter,—

(a) “**Ballot box**” includes any box, bag or other receptacle used for the insertion of ballot paper by electors;

(b) “**Contesting candidate**” means a candidate whose nomination has been duly accepted under sub-rule (9) of rule 33 and who has not withdrawn his candidature;

(c) “**Cost**” means all costs and expenses of, a trial of an election petition or incidental to it;

(d) “**District Election Officer**” means the officer specified in rule 13;

(e) “**Election Court**” means the court of the Principal Judge, City Civil Court, Chennai in respect of the Chennai City Municipal Corporation and the court of the District Judge, in respect of other municipal corporations, municipal councils and town panchayats under whose jurisdiction, the municipal corporation or the municipal council or the town panchayat is situated;

(f) “**Elector**” in relation to a ward of a town panchayat or a municipal council or a municipal corporation, means a person whose name is entered in the electoral roll of that ward of town panchayat or municipal council or municipal corporation for the time being in force;

(g) “**Electoral Registration Officer**” means the Executive Officer of a town panchayat or the Commissioner of a municipal council or of a municipal corporation, as the case may be, or any other officer authorised in this behalf by the Election Commission under rule 14 to prepare and publish electoral rolls under the Act;

(h) “**Electoral right**” means the right of a person to stand or not to stand as, or to withdraw or not to withdraw from being, a candidate, or to vote or refrain from voting at an election;

(i) “**Electoral roll**” means the electoral rolls of the wards in a town panchayat or a municipal council or a municipal corporation;

(j) “**Electoral roll number of a person**” means and includes—

- (i) the serial number of the entry in the electoral roll in respect of that person;
- (ii) the serial number of the part of the electoral roll in which such entry occurs;
- (iii) the serial number of the street in which such entry occurs; and
- (iv) the number and name of the ward of the town panchayat or municipal council or municipal corporation to which the electoral roll relates;

(k) “**Form**” means a form appended to these rules and includes a translation thereof in the language or languages in which the electoral roll of town panchayat or municipal council or municipal corporation is prepared;

(l) “**Marked copy of the electoral roll**” means a copy of the electoral roll set apart for the purpose of marking the entry relating to the electors to whom ballot paper or ballot papers are issued at an election;

(m) “**Person**” does not include a body of persons;

(n) “**Polling Officer**” means an officer appointed under rule 19 of these rules to assist the Presiding Officer in the performance of his duties;

(o) “**Polling station**” means a place fixed under rule 16 of these rules, for taking poll at an election or elections;

(p) "**Presiding Officer**" means an officer appointed under rule 19 for taking poll at a polling station;

(q) "**Qualifying date**" in relation to the preparation of every electoral roll under these rules means the first day of January of the year in which it is so prepared;

(r) "**Returned Candidate**" means a candidate who has been declared as elected and whose name has been duly published;

(s) "**Returning Officer**" means an officer appointed under rule 15;

(t) "**State Election Officer**" means the officer specified in rule 12;

**9. Conduct of more than one election simultaneously.**— When the offices to be filled up by election under this Chapter are vacant in a town panchayat or municipal council or municipal corporation, elections to fill up such vacancies may be held either separately or simultaneously at the same polling station or polling stations, as the Election Commission may direct from time to time. The Presiding Officers, Polling Officers and such other Officers appointed for the purposes of conducting one election shall be deemed to have been appointed for the purposes of holding the elections so held simultaneously at the polling station. Unless otherwise directed by the Election Commission, the polling materials like ballot boxes, voting machines, rubber stamps, distinguishing marks, etc., used for one election may also be used for the other elections.

**10. Signing of an instrument.**— For the purpose of this Chapter, a person who is unable to write his name shall, unless otherwise expressly provided for in this Chapter, be deemed to have signed an instrument or other paper, if—

(1) he has placed a mark on such instrument or other paper in the presence of the Returning Officer, Presiding Officer or such other officer as may be specified in this behalf by the Election Commission; and

(2) such officer, on being satisfied as to his identity, has attested the mark as being the mark of that person.

## PART II.

### CONDUCT OF ELECTIONS.

**11. Powers and functions of the Election Commission.**— (1) The preparation of electoral roll and the conduct of all elections under these rules, shall be held under the superintendence and control of the Election Commission and for this purpose it shall have power to give such directions, as it may deem necessary, to the State Election Officer or District Election Officer or any other officer or servant of the Government or the local bodies or Government undertakings and aided schools, who are engaged for the purpose, so as to ensure efficient conduct of the elections.

(2) The Election Commission may, subject to control and revision, delegate its powers to such officers as it may deem necessary.

(3) The State Election Officer, the District Election Officer, Electoral Registration Officer, Returning Officer, Assistant Returning Officer, Zonal Officer, Presiding Officer, Polling Officer and any other officer appointed under these rules for the time being, for the conduct of any election and any police officer posted for election duty shall be deemed to be on deputation to the Election Commission for the period commencing on and from the date of preparation of electoral rolls till its completion and from the date of notification calling for such elections and ending with the date of completion of such elections and such officer shall, during that period, be subject to the control, superintendence and discipline of the Election Commission.

(4) (a) The Election Commission may obtain from the Executive Officers of town panchayats or the Commissioners of municipal councils and municipal corporations, as the case may be, particulars of various casual vacancies to be filled up under these rules.

(b) It shall be the duty of the Executive Officers or the Commissioners, as the case may be, to report every casual vacancy within one week from the date of its occurrence to the Election Commission.

**12. State Election Officer.**— The Commissioner or the Director of town panchayats in the case of town panchayats and the Commissioner or the Director of Municipal Administration in the case of municipal councils and municipal corporations except Chennai City Municipal Corporation shall be the State Election Officer who shall co-ordinate and supervise the preparation and publication of electoral rolls and also the conduct of all elections, respectively, to the town panchayats, municipal councils and all municipal corporations, except Chennai City Municipal Corporation in the State. The State Election Officer shall also perform such other functions as may be entrusted to him by the Election Commission from time to time.

**13. District Election Officer.**— The respective District Collector shall be the District Election Officer, in respect of town panchayats, municipal councils and municipal corporations, except in the district of Chennai. The Commissioner of Chennai City Municipal Corporation shall be the District Election Officer, for the Chennai City Municipal Corporation. The District Election Officer shall co-ordinate and supervise the works in connection with the preparation and publication of electoral rolls and the conduct of elections. The District Election Officer shall also perform such other functions as may be entrusted to him by the Election Commission from time to time.

**14. Electoral Registration Officer.**— The Election Commission shall authorise the Executive Officer of the respective town panchayat or the Commissioner of the respective municipal council or municipal corporation or any other officer, as the case may be, as the Electoral Registration Officer, for the purposes of preparing and publishing the electoral rolls of the town panchayat or the municipal council or the municipal corporation and in respect of the Wards in their jurisdictions.

**15. Returning Officer and his duties.**— (1) The Election Commission or the State Election Officer or the District Election Officer except the District Election Officer of the Chennai City Municipal Corporation, if specifically directed by the Commission, shall appoint the Executive Officer of the town panchayat or the Commissioner of the municipal council or municipal corporation or any other officer of the Government as Returning Officer for the conduct of election under these rules.

(2) Subject to the superintendence, direction and control of the Election Commission, and under the supervision and guidance of the State Election Officer and the District Election Officer, the Returning Officer shall be responsible for the proper conduct of the elections in the manner provided in the Act, these rules or any other order issued by the Election Commission from time to time.

**16. Provision of polling stations.**— The Returning Officer shall, with the approval of the District Election Officer, provide sufficient number of polling stations for every ward of a town panchayat or municipal council or municipal corporation, as the case may be, in such manner as the Election Commission may direct and shall, publish at such place or places and in such manner as the Election Commission may direct, a list, in the language or languages in which the electoral roll of the area is prepared, showing the names of polling stations so provided and the polling area or areas or group of voters for which they have been provided.

**17. Observers.**— (1) The Election Commission may nominate an Observer who shall be an officer of the Government to watch the conduct of election or elections in a town panchayat or municipal council or municipal corporation or a part or a group thereof within a Revenue division or a part of Revenue division or a group of Revenue divisions or a district and to perform such other functions as may be entrusted to him by the Election Commission.

(2) The Observer nominated under sub-rule (1) shall have the power to direct the Returning Officer appointed for the conduct of the election for which he has been nominated, to stop the counting of votes at any time before the declaration of the result or not to declare the result, if in the opinion of the Observer booth capturing has taken place at a large number of polling stations or at places fixed for the poll or counting of votes or any ballot box or electronic voting machine used at a polling station or at a place fixed for the poll is unlawfully taken out of the custody of the Presiding Officer or the Returning Officer or if at any time before the counting of the votes is completed, ballot boxes or electronic voting machines used at a polling station are unlawfully taken out of the custody of the Returning Officer or are accidentally or intentionally destroyed or lost or damaged or tampered with to such an extent that the result of the poll at that polling station or place cannot be ascertained.

(3) Where an Observer has directed the Returning Officer under this rule to stop counting of votes or not to declare the result, the Observer shall forthwith report the matter to the District Election Officer, the State Election Officer and the Election Commission and thereupon the Election Commission or the State Election Officer, as the case may be, shall, after taking all material circumstances into account, issue appropriate direction as prescribed under rule 61 or 97.

**Explanation.**— For the purposes of sub-rule (2) and sub-rule (3), “Observer” shall include any officer of the Election Commission as has been assigned under this rule the duty of watching the conduct of election or elections in a town panchayat or municipal council or municipal corporation or a part or a group thereof within a Revenue division or a part of Revenue division or a group of Revenue divisions by the Election Commission.

**18. Assistant Returning Officer.**— (1) The Election Commission or the State Election Officer or the District Election Officer, if so specifically authorised by the Election Commission, may appoint one or more officers as Assistant Returning Officers to assist any Returning Officer in the performance of all or any of his duties and functions:

Provided that every such Assistant Returning Officer shall be an officer of the Government or of the town panchayat or municipal council or municipal corporation, as the case may be, not below the rank of an Assistant in respect of town panchayat and Superintendent in respect of municipal council or municipal corporation.

(2) Every Assistant Returning Officer shall, subject to the control of the Returning Officer, be competent to perform all or any of the duties and functions of the Returning Officer as may be directed from time to time, by the Election Commission or the State Election Officer or the District Election Officer, as the case may be.

**19. Appointment of Presiding Officers and Polling Officers.**— The Returning Officer shall appoint a Presiding Officer and Polling Officers in accordance with the scale as may be specified by the Election Commission for each polling station:

Provided that only officers or servants of the Government, undertakings owned by the State Government, aided schools or local authorities except the employees of the town panchayat or municipal council or municipal corporation concerned shall be appointed as Presiding Officers:

Provided further that the officer or servants of the Central Government may also be appointed as Presiding Officers or Polling Officers with the permission of the competent authority of that Government.

**20. General duties of the Presiding Officer and Polling Officers.**— (1) Subject to the provisions of these rules, it shall be the general duty of the Presiding Officer at a polling station to keep order thereat, and to ensure that the poll is freely and fairly taken. It shall be the duty of the Polling Officers to assist the Presiding Officer in the performance of his functions.

(2) If the Presiding Officer, owing to illness or any other unavoidable cause, is obliged to absent himself from the polling station, his duties and functions shall be performed by such Polling Officer as has been specifically authorised by the Returning Officer.

### **PART III.**

#### **PREPARATION AND PUBLICATION OF ELECTORAL ROLL.**

**21. Preparation of electoral roll.**— (1) The Electoral roll of a ward of a town panchayat or municipal council or municipal corporation, as the case may be (hereinafter referred to as the roll), shall be prepared with reference to the qualifying date by the Electoral Registration Officer, by integrating the particulars in the various entries available in such part or portion thereof of the current electoral roll of the Tamil Nadu Legislative Assembly Constituency and the various amendments issued to it from time to time, as they relate to the ward of a town panchayat or municipal council or municipal corporation or portion thereof.

(2) The roll shall be divided into convenient parts which shall be numbered consecutively.

(3) There shall be a separate part or parts of the rolls for each ward of a town panchayat or municipal council or municipal corporation, as the case may be.

(4) The number of names included in any part of the roll shall not ordinarily exceed two thousand and four hundred and in case where it exceeds that number, it shall be prepared in more than one part in a convenient manner, in accordance with the directions issued by the Election Commission from time to time.

(5) The rolls of all wards so prepared, published and put together shall form the electoral roll of the town panchayat or municipal council or municipal corporation, as the case may be.

**Explanation.**— The electoral roll for a town panchayat or municipal council or municipal corporation need not be prepared or amended separately once the electoral rolls of all the constituent wards have been prepared or amended under rule 25.

(6) The electoral roll shall be prepared before every general or mid – term election.

**22. Form and language of the roll.**— The roll shall be prepared in the format adopted in the roll of Tamil Nadu Legislative Assembly constituency. The title and other particulars shall be in accordance with the directions of the Election Commission issued from time to time. The roll shall be prepared in such language or languages in which the roll of the Tamil Nadu Legislative Assembly Constituency within which the ward of the town panchayat or municipal council or municipal corporation is situated, is prepared.

**23. Order of names.**— (1) The names of electors in each part of the roll shall be arranged according to house numbers.

(2) The names of electors in each part of the roll shall be numbered consecutively with separate serial numbers beginning with number one.

**24. Publication of copies of rolls.**— (1) As soon as the roll is prepared in accordance with these rules, the Electoral Registration Officer shall get it printed or cyclostyled or written in manuscript as many copies of the roll as may be directed by the Election Commission from time to time. He shall then publish at the office of the town panchayat or municipal council or municipal corporation and in one or more conspicuous places of the ward, the roll along with a notice in Form 1, by making copies thereof available for inspection by public and political parties.

(2) The Electoral Registration Officer may also give further publicity to the roll so published as he may consider necessary.

(3) He shall supply, free of cost, if so directed by the Election Commission, two copies of the roll to each of the recognised political parties as notified by the Election Commission from time to time.

(4) Upon such publication under this rule, the roll shall be the electoral roll of the ward or of the town panchayat or municipal council or municipal corporation, as the case may be, and shall remain in force till a fresh roll is prepared and published.

**25. Procedure in case of claims and objections.**— Omissions of name in any part of the roll or objection to any entry in the roll, at any point of time after its publication under rule 24, shall be settled first by getting amended suitably the relevant portion of the electoral roll of the Tamil Nadu Legislative Assembly Constituency, based on which the roll of the town panchayat or municipal council or municipal corporation was prepared. Anybody wishing to raise a claim for inclusion of any name in the roll or any objection in respect of any entry in the roll so published, shall submit a claim or objection under the provisions of the Registration of Electors Rules, 1960, to the Electoral Registration Officer of the concerned Legislative Assembly Constituency. Subject to the provisions of the Act and based on the orders of the Electoral Registration Officer of the Assembly Constituency on such claims and objections, the Electoral Registration Officer shall amend the relevant portion of the town panchayat or municipal council or municipal corporation electoral roll, incorporating the changes by issuing an amendment. In case of any clerical or printing error or when the entries deviate from the particulars of the Assembly roll, the concerned Electoral Registration Officer may cause such errors, omissions or commissions rectified so as to bring it in conformity with the particulars of the Assembly roll concerned. The Electoral Registration Officer, shall not resort to *suo-motu* revision of the rolls by way of deletions, additions or modifications.

**26. Special Provision for preparation of rolls on changes in jurisdiction and on consequential re-delimitation of wards.**— (1) If there is any change in the jurisdiction of a town panchayat or municipal council or municipal corporation or if the ward of the town panchayat or municipal council or municipal corporation is delimited anew in accordance with law and if it is necessary to prepare the rolls urgently, the Election Commission may direct that the rolls shall be prepared,—

(a) by putting together the rolls of the existing wards or divisions comprising the new wards or divisions so formed; and

(b) by making appropriate alteration in the arrangements, serial numbers and headings of the rolls so compiled.

(2) The roll so prepared shall be published in the manner specified in rule 24 and on such publication, shall be the roll for the newly created town panchayat or municipal council or municipal corporation or delimited ward or division.

**27. Sale of electoral rolls and custody of rolls.**— (1) After its publication, copies of the rolls or portion or extract thereof, may be sold to the public at the prices determined by the Election Commission from time to time and the proceeds thereof shall be remitted to the funds of the town panchayat or municipal council or municipal corporation concerned.

(2) One copy of the roll relating to each ward of the town panchayat or municipal council or municipal corporation duly authenticated by the Electoral Registration Officer shall be kept in his office for a period of six years from the date of its final publication or till a new roll is published, whichever is earlier.

#### **PART IV.**

##### **NOTIFICATION OF ELECTION AND NOMINATION OF CANDIDATES.**

**28. Notification of programme of election.**— (1) For the purposes of filling up of ordinary and casual vacancies the Election Commission, shall, in pursuance of the Constitutional provisions and in consultation with the Government, publish one or more notifications in the manner specified below, calling upon the electors to elect Councillors on such date or dates as may be specified therein.

(2) The notifications referred to in sub-rule (1) shall specify,-

(i) the date on which the public notice of election shall be published;

(ii) the last date for making nominations, which shall be the seventh day after the publication of the public notice referred to in clause (i) or if that day is a public holiday, the next succeeding day which is not a public holiday, the hours between which the nomination can be made being 11.00 a.m. and 3.00 p.m. on each day;

(iii) the time and date for taking up the scrutiny of nominations, which shall be 11.00 a.m. of the day immediately following the last date for making nominations or, if that date is a public holiday, the next succeeding day which is not a public holiday;

(iv) the hour and date upto which the withdrawal of candidature can be made, which shall be 3.00 p.m. on the second day after the date for the scrutiny of nominations or, if that day is a public holiday, the next succeeding day which is not a public holiday;

(v) the date or dates on which the votes of electors will be taken, should there be a poll, shall be a date not earlier than the seventh day after the last date for the withdrawal of candidature and the hours during which the poll will be open being not less than ten hours between 7.00 a.m. and 5.30 p.m.;

(vi) the date before which the election shall be completed; and

(vii) the date on which the first meeting of the newly elected councillors shall be held in the case of general elections.

(3) The notifications referred to in sub-rule (1) shall be published in the *Tamil Nadu Government Gazette*. The Election Commission may also arrange to publish the notifications at such other places as it deems fit, to give further publicity to the notification.

**29. Notice of Election.—** (1) In pursuance of the notification of the Election Commission under rule 28, the Returning Officer shall cause to be published, on the appointed date, a notice of election in Tamil in Form 2 and also in any other language or languages in which the electoral roll is published for the election of Councillors, in the town panchayat or municipal council or municipal corporation office and also affix a copy of the notice in two conspicuous places in the concerned wards.

(2) The notice of election shall contain the following particulars, namely:—

- (a) the ward or wards for which elections are to be held;
- (b) whether the ward is reserved or not; if reserved, whether it is reserved for the Scheduled Caste, or the Scheduled Tribe or for Woman;
- (c) the dates on which, the place or places at which and the hours between which nomination papers shall be presented;
- (d) the person or persons by whom the nomination papers will be received;
- (e) the date on which and the hours at which and the place at which the nomination papers will be taken up for scrutiny;
- (f) the last date on which and the hours upto which the nomination papers can be withdrawn;
- (g) the date on which and the place or places at which and the hours between which the votes of the electors will be taken at the poll, should there be a poll;
- (h) the date on which and the place or places and hour at which the Returning Officer will commence the counting of votes;
- (i) the date before which the election shall be completed; and
- (j) the date on which the first meeting of the newly elected councillors shall be held in the case of general elections.

**30. Presentation of Nomination Paper.—** (1) The nomination of every candidate shall be made by means of a nomination paper in Form 3. Copies of the Form can be had from the offices specified in the notice of election on any working day.

(2) On the date or dates specified in the election notice for the presentation of nomination papers, each candidate qualified to contest the election shall, either in person or by his proposer, deliver to the Returning Officer at the place and during the hours specified in that behalf, a nomination paper completed in Form 3 and signed by the candidate and by a proposer who shall be an elector in the ward of the town panchayat or municipal council or municipal corporation, in the election of Councillors:

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

**Explanation.—** The candidate for a ward of a town panchayat or municipal council or municipal corporation need not be an elector of that ward. However, he should be an elector in that town panchayat or municipal council or municipal corporation.

(3) (a) Every candidate at the time of filing his nomination paper for any general election or mid-term election for electing a Councillor of any town panchayat/municipal council/municipal corporation shall furnish full and complete information in an affidavit in Form 4.

(b) The said affidavit shall be duly sworn before a Magistrate of the First Class or a Notary Public or a Commissioner of Oaths appointed by the High Court of Madras or before an officer competent for swearing an affidavit. The affidavit shall be prepared in a Non judicial stamp paper of a value of not less than Rs. 20/- (Rupees twenty only).

(c) Non-furnishing of the affidavit by any candidate shall be considered to be a violation of this rule and the nomination of the candidate concerned shall be liable for rejection by the Returning Officer at the time of scrutiny of nomination papers.

(d) If more than one nomination has been filed by a candidate for an election, the affidavit shall be annexed along with the first nomination and there is no need to furnish the affidavit with the other nomination papers.

(e) The information so furnished by each candidate in the affidavit shall be disseminated by the respective Returning Officers by displaying a copy of the affidavit on the notice board of his office and also by making copies thereof available to all other candidates on demand and to the representatives of the print and the electronic media.

(f) If any rival candidate has furnished any information to the contrary, by means of a duly sworn affidavit, then such affidavit of the rival candidate shall also be disseminated along with the affidavit of the candidate concerned in the manner prescribed in clause (e).

(g) All the Returning Officers shall ensure that the format of the affidavit in Form 4 shall be furnished to the candidates along with the Forms of nomination papers as part of the nomination papers.

(h) In case of furnishing of any false information by any candidate, the Returning Officer concerned may initiate criminal action against the candidate, for an offence punishable under section 177 of Indian Penal Code, 1860 (Central Act XLV of 1860) after providing reasonable opportunity of hearing and by following the procedure contemplated in section 195 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974).

(4) If the seat is reserved for the Scheduled Castes or the Scheduled Tribes, a candidate shall furnish a declaration in the nomination Form, specifying the Caste or Tribe of which he is a member and the area in relation to which that Caste or Tribe is notified as a Scheduled Caste or Scheduled Tribe in the State.

(5) On the presentation of the nomination paper, the Returning Officer shall satisfy himself that the names and roll numbers of the candidate and his proposer as entered in the nomination paper are the same as those entered in the roll:

Provided that the Returning Officer shall permit any misnomer or inaccurate description or clerical or printing error in the nomination paper in regard to the names or numbers, to be corrected or to bring them in conformity with the corresponding entries in the electoral roll and wherever necessary, direct that any clerical or printing error in the said entries shall be overlooked.

(6) Not more than four nomination papers shall be presented by or on behalf of any candidate for any one election.

(7) An elector for whom nomination papers as a candidate are presented for an election shall not sign any nomination paper as a proposer for that election.

**31. Deposits.—** (1) A candidate shall not be deemed to be duly nominated for election unless at the time of delivery of the nomination paper he deposits or causes to be deposited with the Returning Officer in cash, or encloses with the nomination paper a receipt showing that the amount specified in the Table below has been deposited by him or on his behalf into the account of the town panchayat, municipal council or municipal corporation, concerned.



THE TABLE.

Sl. No.	Nature of Election	Amount	
		Other than for Scheduled Castes/Scheduled Tribes (Rs.)	For Scheduled Castes/Scheduled Tribes (Rs.)
(1)	(2)	(3)	
1	For election of Councillor of a town panchayat	1,000/-	500/-
2	For election of Councillor of a municipal council	2,000/-	1,000/-
3	For election of Councillor of a municipal corporation	4,000/-	2,000/-

Provided that where a candidate has been nominated for election as a Councillor by more than one nomination paper, not more than one deposit need be made.

(2) (a) The deposit made under sub-rule (1) shall unless forfeited under sub-rule (3) or (4) be returned as soon as practicable after the result of the election is declared:

Provided that where a candidate is not shown in the list of contesting candidates or dies before the commencement of the poll, the deposit shall be returned as soon as practicable after the publication of the list of contesting candidates.

(b) The deposit shall be returned to the candidate, his legal heirs, or a person authorised by him in this behalf.

(3) If a candidate is not elected and the number of valid votes polled by him does not exceed one sixth of the total number of valid votes polled by all the candidates in the ward, the deposit made by him or on his behalf, shall be forfeited to the town panchayat, municipal council or municipal corporation, concerned.

(4) The Returning Officer shall maintain in such Form as may be laid down by the Election Commission, an account of the deposits made.

**32. Notice of nominations and the time and place for their scrutiny.**— (1) The Returning Officer shall on receiving nomination paper under these rules, inform the person presenting the same, of the date, time and place fixed for the scrutiny of nominations and shall enter on the nomination paper its serial number and shall sign thereon a certificate stating the date on which and the hour at which the nomination paper has been presented to him.

(2) As soon as may be, after the close of the time fixed for receiving nomination papers on each day, the Returning Officer shall cause to be affixed in some conspicuous place in his office a notice in Form 5 of all the nomination papers presented to him on that day.

(3) On the last day, after the expiry of the time fixed for receipt of nomination papers, the Returning Officer shall cause to be affixed in the notice board of his office a consolidated notice in Form 6 of all the nomination papers presented to him and the date, time and place fixed for the scrutiny of nominations.

(4) If a candidate considers that his name is incorrectly spelt or is otherwise incorrectly shown in his nomination paper or is different from the name by which he is popularly known, he may, at any time before the list of contesting candidate is prepared, furnish in writing to the Returning Officer, the proper form and spelling of his name and the Returning Officer shall, on being satisfied as to the genuineness of the request, make necessary correction or alteration in the list in Form 6 and adopt that form and spelling in the list of contesting candidates.

**33. Scrutiny of nominations.**— (1) On the date and hour notified, the Returning Officer shall take up the scrutiny of nominations at the place fixed for scrutiny. The candidate, one of his proposers and one other person duly authorised by him, may attend the scrutiny. The Returning Officer shall provide them reasonable facilities for examining the nomination papers of all the candidates entered in the list in Form 6.

(2) If any person objects to any nomination, he shall do so in writing. The Returning Officer shall give a written acknowledgement for the receipt of objection.

(3) The Returning Officer shall then examine the nomination papers and decide, ward by ward, the objections which may be raised to any nomination and may either, on such objection, or on his own motion, after such summary inquiry, as he thinks necessary, reject any nomination on any of the following grounds, namely:—

(a) that on the date of filing of nomination papers, the candidate either was not qualified for being elected to fill up the vacancy under any of the provisions of the Act; or

(b) that there has been a failure to comply with any of the provisions contained in rule 30 or 31; or

(c) that the signature of the candidate or the proposer on the nomination paper is not genuine; or

(d) that, where the election is solely for a seat reserved for the Scheduled Castes or the Scheduled Tribes or Women, the candidate does not belong to such category.

(4) Nothing contained in clause (b) or (c) of sub-rule (3) shall be deemed to authorise the rejection of the nomination of any candidate, if the candidate has been duly nominated by means of another nomination paper in respect of which no defect has been noticed.

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

**Explanation.**— For the purpose of this sub-rule, failure to complete or any defect in completing the declaration as to symbols in a nomination paper shall not be a defect of a substantial character.

(6) Where a person has signed as a proposer in more than one nomination paper in respect of an election, only that nomination paper which has been first received shall be accepted if it is otherwise valid.

(7) The Returning Officer shall hold the scrutiny on the date and time notified in this behalf in the election notice 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 if an objection is raised by the Returning Officer or by any other person, the candidate concerned may be allowed time to rebut it not later than 11.00 a.m. on the next day following the date fixed for scrutiny. The Returning Officer shall record his decision on that nomination on the adjourned date.

(8) The Returning Officer shall endorse on each nomination paper his decision accepting or rejecting the same. If the nomination paper is rejected, he shall record in writing a brief statement of his reasons for such rejection. A copy of the same may be furnished to the candidate concerned, if any application in this behalf has been made by him.

(9) Immediately after all the nomination papers are scrutinized and decisions accepting or rejecting the same are recorded, the Returning Officer shall prepare a list of validly nominated candidates, in the order of Tamil alphabet, in Form 7 and publish a copy thereof at the place notified for receipt of nominations.

**34. Withdrawal of candidature.**— (1) Any candidate may withdraw his candidature by a notice in Form 8 subscribed by him and delivered to the Returning Officer before the time fixed for the purpose. The notice may be delivered either by such candidate in person or by his proposer, who has been authorised in this behalf in writing, by such candidate.

(2) On receipt of such notice, the Returning Officer shall note thereon the date and time at which it was delivered to him.

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

(4) The Returning Officer shall, on being satisfied as to the genuineness of the notice of withdrawal and the identity of the person delivering it under sub-rule (1), cause a notice showing the list of candidates who have withdrawn their candidature in Form 9 to be affixed in the notice board of his office.

**35. Preparation of list of contesting candidates.—** (1) Immediately after the expiry of the period within which candidature is allowed to be withdrawn under sub-rule (1) of rule 34, the Returning Officer shall prepare in Form 10, a list of contesting candidates, that is to say, candidates who are included in the list of validly nominated candidates and who have not withdrawn their candidature within the period allowed for the withdrawal.

(2) The said list shall contain,—

(a) the names, as corrected under sub-rule (4) of rule 32, and arranged in the order of Tamil alphabet;

(b) the addresses of the contesting candidates as given in the nomination papers; and

(c) other particulars set out in Form 10.

**36. Procedure in contested and uncontested election.—** (1) The Returning Officer shall immediately after the preparation of the list of contesting candidates referred to in rule 35, adopt the procedure specified hereunder and determine the seat in respect of which a poll is necessary:-

(a) if there is only one contesting candidate, the Returning Officer shall, after publishing the list in Form 10 at the places mentioned in sub-rule (4) of rule 39, declare such candidate to be duly elected.

(b) if there are two or more contesting candidates, the Returning Officer shall arrange for a poll to be taken.

(c) if there is no contesting candidate, a report shall be sent to the Election Commission, State Election Officer and the District Election Officer for starting the election proceedings afresh in all respects as if for a new election.

(2) The declaration referred to in clause (a) of sub-rule (1) above shall be made in Form 28. The Returning Officer shall also cause to be affixed in some conspicuous place in his office, a copy of the declaration.

**37. Recognition of political parties.—** Every political party recognised by the Election Commission of India as a National party or as a State party in the State under the Election Symbols (Reservation and Allotment) Order, 1968 shall be a recognised political party for the purpose of election under these rules.

**38. Publication of a list of recognised parties and symbols.—** For the purpose of these rules, the Election Commission shall publish by a notification a list of recognised political parties and symbols reserved to each such recognised political party and a list of free symbols.

**39. Assignment of symbols and publication of list of contesting candidates.—** (1) After expiry of the period for withdrawal of candidature, if a poll is found to be necessary, the Returning Officer shall, subject to such direction as may be issued by the Election Commission in that behalf, assign a distinctive symbol to each contesting candidate and also be supplied with a specimen thereof.

(2) The allotment by the Returning Officer of any symbol to a candidate shall be final except where it is inconsistent with any direction issued by the Election Commission under sub-rule (1). In such cases, the Election Commission may revise the allotment in such manner as it thinks fit.

(3) Notwithstanding anything contained in sub-rule (1), the Election Commission may by order rescind, revoke, amend or vary the direction issued under sub-rule (1) for the assignment of symbols to the contesting candidates, at any stage before the last date fixed for finalising the list of contesting candidates in Form 10.

(4) The Returning Officer shall then complete the list of contesting candidates in Form 10 and publish the same at the office of the town panchayat or municipal council or municipal corporation, as the case may be. The list shall also be displayed in two or more conspicuous places in the respective ward.

**40. Death of candidate before poll.**— If a candidate, set up by a recognised political party,-

(a) dies at any time after 11.00 a.m. on the last date for making nominations and his nomination is found valid on scrutiny under rule 33; or

(b) whose nomination has been found valid on scrutiny under rule 33 and who has not withdrawn his candidature under rule 34, dies, and in either case, a report of his death is received at any time before the publication of the list of contesting candidates under rule 39; or

(c) dies as a contesting candidate and a report of his death is received before the commencement of the poll, the Returning Officer shall, upon being satisfied about the fact of the death of the candidate, by order, adjourn the poll and report the fact to the Election Commission, the State Election Officer and the District Election Officer and all proceedings with reference to the election shall be commenced afresh in all respects, by the Election Commission, as if for a new election:

Provided that no order for adjourning the poll should be made in a case referred to in clause (a) except after the scrutiny of all the nominations including the nomination of the deceased candidate:

Provided further that no fresh nomination shall be necessary in the case of a person who was a contesting candidate at the time of the adjournment of the poll.

## PART V.

### POLL.

**41. Appointment of polling personnel.**— (1) If a poll has to be taken, the Returning Officer shall appoint for each polling station one Presiding Officer, as many Polling Officers as may be authorised by the Election Commission, and such other persons to assist the Presiding Officer.

(2) The Presiding Officer shall ensure that votes are recorded at the Polling Station with absolute secrecy and he shall regulate the number of electors to be admitted at one time and shall exclude all other persons except,-

(a) the contesting candidates, their election agents and one polling agent at a time for each contesting candidate;

(b) a child in arms accompanying an elector;

(c) a person accompanying a blind or infirm elector who cannot move without help;

(d) such other persons as the Returning Officer or the Presiding Officer may admit for the purpose of helping in the identification of the electors or in searching women electors or assisting him otherwise in taking the poll;

(e) public servants on duty in connection with elections; and

(f) such other persons as may be authorised by the Election Commission and the State Election Officer as well as the District Election Officer.

**42. Appointment of election agents.**— A candidate at an election may appoint any one person to be his election agent. Such an appointment may be made by the candidate by giving notice in Form 11 by forwarding the same in duplicate to the Returning Officer, who shall return one copy thereof after affixing thereon his seal and signature in token of his approval of the appointment.

**43. Functions of election agent.**— An election agent may perform such functions in connection with the election as are authorised by or under these rules to be performed by an election agent.

**44. Appointment of polling agents.**— (1) Each contesting candidate or his election agent may appoint one polling agent and one or two relief polling agents as may be specified by the Election Commission from time to time to act as the polling agent of such candidate at each polling station.

(2) Every such appointment shall be made in Form 12 and shall be handed over to the polling agent for production at the polling station.

(3) At every election where a poll is taken, each contesting candidate at such election, his election agent or his polling agent shall have a right to be present at the polling station.

(4) Where any act or thing is required or authorised by this rule to be done in the presence of the polling agent, the non-attendance of any such agent at the time and place appointed for the purpose shall not invalidate the act or thing done, if the act or thing is otherwise done lawfully.

**45. Arrangements at polling station.**— (1) At each polling station there shall be set up one or more voting compartments as the Election Commission may direct, from time to time in which electors can record their votes screened from the observation of all others.

(2) The Returning Officer shall provide at each polling station sufficient number of ballot boxes, copies of the relevant part of the electoral roll, ballot papers, instruments for stamping the distinguishing mark on ballot papers and instruments necessary for electors to mark the ballot papers.

(3) Every ballot box shall be so constructed that ballot papers can be inserted therein but cannot be withdrawn therefrom without the box being unlocked or opened.

(4) At the entrance to each polling station there shall be displayed prominently a notice showing the number and names of the contesting candidates as published in Form 10, the distinctive symbol assigned to each candidate in respect of the election for which poll is taken in that polling station and a notice showing the polling area and the groups of electors who are entitled to vote at that polling station.

**46. Preparation of ballot boxes for poll.**— (1) Where a paper seal is used in an election for securing a ballot box, the Presiding Officer shall affix his own signature on the reverse side of the paper seal and obtain thereon the signatures of such of the polling agents present as are desirous of affixing the same.

(2) The Presiding Officer shall thereafter fix the paper seal so signed in the space meant therefor in the ballot box and shall secure the seal in such a manner that the slit for the insertion of the ballot papers thereinto remains open. An account of the paper seals used shall also be maintained by the Presiding Officer as directed by the Election Commission. The Presiding Officer may also permit the polling agents to note down the serial numbers of the paper seals used.

(3) The paper seal used for securing a ballot box shall be affixed in such manner that after the box has been closed it is not possible to open it without breaking the seal.

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

(5) Every ballot box used at a polling station shall bear labels and address tags both inside and outside marked with,—

(a) the name of the town panchayat or municipal council or municipal corporation and number of the ward;

(b) the serial number and name of the polling station;

(c) the serial number of the ballot box (to be filled in, at the end of the poll on the label and address tag outside the ballot box only); and

(d) the date of poll.

(6) The Presiding Officer shall, immediately before the commencement of the poll, show ballot box empty to such contesting candidates, election agents, polling agents and other authorised persons as are present and then lock it up and place his seal upon it. The ballot box shall then be closed, sealed and secured and placed in full view of the Presiding Officer and the polling agents. The Presiding Officer shall also sign the declaration in Part I in Form 13 and also obtain the signatures of such of the polling agents who are present and are willing to affix their signatures. He shall repeat this process as and when another ballot box is prepared for use. At the end of the poll, a further declaration in Part II of Form 13 shall be recorded in the same manner.

(7) Before the polling station is opened for the recording of votes, the Presiding Officer shall read the relevant provision of the Act relating to the maintenance of secrecy of elections to such persons as may be present and shall also explain the substance thereof in Tamil.

**47. Marked copy of electoral roll.**— (1) There shall be as many marked copies of electoral rolls as may be specified by the Election Commission for a polling station.

(2) Immediately before the commencement of the poll, the Presiding Officer shall demonstrate to the polling agents and others present that the marked copy of the electoral roll or rolls to be used during the poll does not contain any entry other than those made in pursuance of these rules and other authorised corrections made by the Electoral Registration Officer.

**48. Facilities for women electors.**— (1) Where a polling station is for both men and women electors, the Presiding Officer may direct that they shall be admitted into the polling station alternately in separate batches.

(2) The Returning Officer or the Presiding Officer may engage the services of a woman to serve as an attendant at any polling station to assist women electors and also to assist the Presiding Officer, in taking the poll in respect of women electors generally, and in particular to help in searching any woman elector in case it becomes necessary.

**49. Challenging of identity.**— (1) Any polling agent may challenge the identity of a person claiming to be a particular elector by first depositing a sum of one hundred rupees in cash with the Presiding Officer for each such challenge.

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

(a) warn the person challenged of the penalty for personation;

(b) read the relevant entry in the electoral roll in full and ask him whether he is the person referred to in that entry;

(c) enter his name and address in the list of challenged votes in Form 14; and

(d) require him to sign in the said list.

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

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

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

(c) administer an oath to the person challenged and any other person offering to give evidence.

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

(5) If the Presiding Officer is of the opinion that the challenge is frivolous or has not been made in good faith, he shall direct that the deposit made under sub-rule (1) be forfeited to town panchayat or municipal council or municipal corporation, as the case may be, and in any other case, he shall return it to the challenger at the conclusion of the inquiry.

**50. Identification of electors.—** (1) The Presiding Officer may seek the assistance of such local persons as he thinks fit to help in the identification of the electors or to assist him otherwise in taking the poll.

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

(3) In deciding the right of a person to obtain a ballot paper, the Presiding Officer or the Polling Officer, as the case may be, shall overlook mere clerical or printing error in any entry in the electoral roll, if he is satisfied that he is the elector to whom that entry relates.

**51. Safeguards against personation.—** (1) Every elector, shall before receiving the ballot paper allow,—

(a) the inspection of his left forefinger by the Presiding Officer or Polling Officer; and

(b) an indelible ink mark to be put on the back of left forefinger immediately above the root of the nail on skin or in such manner as the Election Commission may direct in special circumstances.

(2) If any such elector,—

(a) refuses to allow such inspection of his left forefinger by the Presiding Officer or Polling Officer as the case may be; or

(b) refuses to allow an indelible ink mark to be put on left forefinger; or

(c) persists in doing any act with a view to remove any such mark after it has been put, he shall not be entitled to be supplied with any ballot paper or to record his vote at the election.

(3) No person who has already such mark on the left forefinger shall be supplied with a ballot paper.

(4) Any reference in these rules to the left forefinger of an elector shall, in the case where the elector has his left forefinger missing, be construed as a reference to any other finger or fingers on his left hand, and shall in case where all the fingers of his left hand are missing, be construed as a reference to the forefinger or any other finger or fingers of his right hand, and shall in the case where all his fingers of both the hands are missing be construed as a reference to such extremity of his left or right arm as he possesses.

(5) With a view to prevent impersonation of electors and facilitating their identification at the time of poll, every elector shall produce documentary evidence establishing his identity as may be specified and in the manner directed by the Election Commission in this behalf, from time to time.

**52. Right to vote.—** (1) No person whose name is not entered in the electoral roll of any ward shall be entitled to vote.

(2) No person shall vote at an election if he is subject to any of the disqualifications referred to in section 16 of the Representation of the People Act, 1950 (Central Act 43 of 1950) or the relevant sections of the Act.

(3) No person shall vote in more than one ward in a town panchayat or a municipal council or a municipal corporation notwithstanding the fact that his name may have been registered in the electoral roll of more than one ward of the town panchayat or the municipal council or the municipal corporation and if a person votes in more than one ward, his votes in all such wards shall be void.

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

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

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

**53. Ballot papers.**— (1) Every ballot paper for election of Councillor shall be in Form 15 with a counterfoil attached to it. The names of the contesting candidates with their respective distinctive symbols shall be printed in Tamil on the ballot papers in the same order in which the names appear in Form 10. The size and colour of the ballot paper and other matters relating thereto shall be, as directed by the Election Commission from time to time.

(2) Both the ballot papers and the counterfoils, shall be serially numbered and shall be stamped on their reverse by such distinguishing mark and in such manner as may be directed by the Election Commission from time to time.

**54. Manner of voting.**— At every election where a poll is taken, votes shall be given by ballot and all voters voting at an election shall do so in person at the polling station and no votes shall be received by proxy.

**55. Issue of ballot papers and voting procedure.**— (1) Before any ballot paper is delivered to an elector, the Presiding Officer shall affix his signature in full on the back of each ballot paper and affix the distinguishing mark of the polling station. The electoral roll number and other particulars of the elector shall be noted in the counterfoil, and the elector shall be required to sign it. The entry relating to the elector in the marked copy of the electoral roll shall be underlined. No person in the polling station shall note down the serial number of the ballot paper issued to a particular elector.

(2) Each elector shall be given only one ballot paper. The elector, on receiving the ballot paper, shall forthwith proceed to one of the voting compartments which is vacant, and there, with the aid of the instrument supplied for the purpose, make a mark on the ballot paper against the name or symbol of the candidate for whom he intends to vote. The mark may be made anywhere in the compartment within which the name and symbol, of such candidate is printed on the ballot paper. He shall then fold the ballot paper so as to conceal his vote and after showing to the Polling Officer the distinguishing mark stamped on its back, insert the folded ballot paper into the ballot box kept for the purpose.

(3) Every elector shall vote without undue delay and shall quit the polling station as soon as he has voted. He shall not place anything except ballot paper in the ballot box. Anything other than ballot papers found in the box at the time of counting of votes, shall be forfeited.

(4) No elector shall be allowed to enter a voting compartment when another elector is inside.

**56. Voting procedure for electors on election duty.**— (1) When an elector entitled to vote at an election is duly appointed for election duty at a polling station at which he is not ordinarily entitled to record his vote, or is drafted for other election duty and is unable to vote, he may send a request in Form 16 to the Returning Officer so as to reach him at least seven days, or such shorter period as the Returning Officer may allow, before the date of the poll. If the Returning Officer is satisfied that the applicant is so entitled to vote, he shall forward to the applicant, an election duty certificate in Form 17 along with a ballot paper from out of those meant for the polling station where the applicant is ordinarily entitled to record his vote. The Returning Officer shall stamp on the back of the ballot paper and the counterfoil the letters "EDC". He shall before forwarding such ballot paper, underline the entry and write the letters EDC against that entry relating to that



elector in the marked copy of the electoral roll relating to the polling station at which the elector is entitled to record his vote denoting that the elector has been issued with a ballot paper.

(2) On receiving the ballot paper, the elector on election duty shall record his vote by making a tick mark on the ballot paper against the name or symbol of the candidate to whom he intends to vote. The mark may be made anywhere in the compartment within which the symbol and name of such candidate is printed on the ballot paper. The elector shall sign a declaration in Form 18. He shall then enclose the ballot paper in an envelope provided for the purpose and stick the envelope and secure it by seal or otherwise. He shall then enclose the envelope containing the marked ballot paper in an outer cover provided for this purpose, as well as the election duty certificate and the declaration aforesaid and send it to the Returning Officer by post or by messenger so as to reach him or the person authorised by him before 8.00 a.m. on the day of counting of votes.

**57. Recording of votes of blind and infirm electors.**— (1) If the Presiding Officer is satisfied that owing to old age or blindness or other physical infirmity, an elector is unable to recognise the symbol on the ballot paper or to read the name of the candidate or to make mark thereon without assistance, the Presiding Officer shall permit the elector to take with him a companion of not less than eighteen years of age to the voting compartment for recording his vote on the ballot paper on his behalf and in accordance with his wishes, and if necessary, for folding the ballot paper so as to conceal the vote and inserting 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 day:

Provided further that before any person is permitted to act as the companion of an elector on any day under these rules, the companion shall be required to declare that he shall keep the secrecy of the vote recorded by him on behalf of the elector, and that he has not already acted as the companion of any elector at any polling station on that day.

(2) The Presiding Officer shall keep a record in Form 19 of all such cases under this rule.

**58. Spoilt and returned ballot papers.**— (1) If an elector after obtaining a ballot paper decides not to use it, he shall return it to the Presiding Officer and the ballot paper so returned shall be marked "Returned-cancelled", and signed by the Presiding Officer.

(2) If an elector has inadvertently dealt with his ballot paper in such manner that it cannot be conveniently used as ballot paper shall return it to the Presiding Officer, who if satisfied of the inadvertence, may issue another ballot paper and the ballot paper so returned shall be marked "Spoilt-cancelled" and signed by the Presiding Officer.

(3) If an elector to whom a ballot paper has been issued, refuses, after warning given by the Presiding Officer, to observe the procedure as laid down in rule 55, the ballot paper issued to him shall whether he has recorded his vote thereon or not, be taken back from him by the Presiding Officer or a Polling Officer under the direction of the Presiding Officer. After the ballot paper has been taken back, the words "Cancelled: voting procedure violated" shall be marked on its rear side and signed by the Presiding Officer.

(4) All ballot papers returned or taken back under sub-rules (1), (2) and (3) shall be kept in separate covers and put into the relevant packet referred to in sub-rule (4) of rule 62.

**59. Tendered Votes.**— (1) If a person representing himself to be a particular elector applies for a ballot paper after another person has already voted as such elector, he shall, on satisfactorily answering such questions relating to his identity as the Presiding Officer may ask, be entitled, subject to the following provisions of this rule, to mark a ballot paper (hereinafter referred to in these rules as a "tendered ballot paper") in the same manner as any other elector.

(2) Every person referred to in sub-rule (1) shall before being supplied with a tendered ballot paper, affix his signature against the entry relating to him in a list in Form 20 and in the counterfoil of the ballot paper.

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

(a) such tendered ballot paper, shall be serially the last in the bundle of ballot papers issued for use at the polling station; and

(b) such tendered ballot paper and its counterfoil shall be endorsed on the back with the words “tendered ballot paper” by the Presiding Officer in his own hand and signed by him.

(4) The elector, after marking a tendered ballot paper in the voting compartment and folding it, shall, instead of putting it into the ballot box, give it to the Presiding Officer, who shall place it in a separate cover superscribed as “Tendered votes”.

**Explanation.**— If the identity of the person who applies for the issue of a tendered vote is challenged, the provisions of rule 49 shall apply.

**60. Adjournment of poll in emergencies.**— (1) If at a poll, the proceedings at any polling station are interrupted or obstructed by any riot or open violence, or if at an election it is not possible to take the poll at any polling station on account of any natural calamity or any other sufficient cause, the Presiding Officer for such polling station shall stop the poll, inform through the Returning Officer to the Election Commission, State Election Officer and the District Election Officer. The fact, that the poll has been so stopped shall be immediately announced by the Presiding Officer to the persons present at the polling station.

(2) Where a Presiding Officer stops the poll under sub-rule (1), he shall observe the procedure laid down in rule 62 and make a full report of the circumstances to the Returning Officer who shall report the matter to the Election Commission, the State Election Officer and the District Election Officer. The ballot boxes and packets referred to in rule 62 shall also be sent to the Returning Officer, as soon as practicable.

(3) The District Election Officer shall thereupon order,—

(a) that the poll be adjourned and held at such polling station for the number of hours for which it was not held on the previous occasion; or

(b) that the poll be adjourned and held at such polling station for the full number of hours. An order passed by the District Election Officer under this sub-rule shall be final;

(c) when an order under clause (a) or (b) is passed, the Returning Officer shall not count the votes cast at such election until such adjourned poll shall have been completed.

(4) An order passed under clause (a) or (b) of sub-rule (3) shall state,—

(a) the date on which and the hours between which such adjourned poll, shall be held; and

(b) the date on which and the place and hour at which the Returning Officer shall commence the counting of the votes.

(5) On receipt of an order passed under sub-rule (3), the Returning Officer shall inform the contesting candidates or their election agents, of the date, time and place fixed for such adjourned poll and affix a notice on the notice board of the town panchayat or municipal council or municipal corporation, as the case may be, and in one or two conspicuous places in the ward specifying the date and time so fixed.

(6) Where an order is passed under these rules for the adjournment of the poll for the number of hours for which it was not held on previous occasion, the Returning Officer shall proceed further as stipulated under sub-rule (1) of rule 41 and return to the Presiding Officer, all the packets received by him under sub-rule (2). The Presiding Officer shall open the packets just before the commencement of such adjourned poll in the presence of such persons who may be present at the polling station and commence such adjourned poll precisely at the hour fixed therefor. At such adjourned poll, the Presiding Officer shall allow only such electors to vote who have not cast their vote on the previous occasion.

(7) Where an order is passed under clause (b) of sub-rule (3) for adjournment of poll for the full number of hours, the Returning Officer shall proceed afresh, under sub-rule (1) of rule 41 and such adjourned poll shall be held at the polling station concerned in accordance with the provisions of these rules in all respects, as if it were being held at such polling station for the first time:

Provided that fresh nomination need not be made.

(8) Notwithstanding anything contained in this rule, if a contesting candidate sponsored by a recognised political party in the election of a Councillor dies at any time before orders are passed by the District Election Officer under sub-rule (3) or at any time after the passing of such order but before the commencement of the such adjourned poll, the Returning Officer shall, upon being satisfied of the fact of the death of the contesting candidate, stop all further proceedings in connection with the election and inform the Election Commission, State Election Officer and the District Election Officer. The Election Commission shall thereupon start election proceedings afresh in all respects as if it were a new election:

Provided that for the election proceedings so started no fresh nomination shall be necessary in the case of the remaining contesting candidates.

**61. Fresh poll in the case of destruction etc. of ballot boxes.—** (1) If at any election,— (a) any ballot box used at a polling station or at a place appointed for counting of votes is unlawfully taken out of the custody of the Presiding Officer or the Returning Officer, or is accidentally or intentionally destroyed, or lost, or is damaged or tampered with to such an extent that the result of the poll at that polling station cannot be ascertained; or

(b) any such error or irregularity in procedure as is likely to vitiate the poll is committed at a polling station, the Returning Officer shall forthwith report the matter to the Election Commission, State Election Officer and the District Election Officer.

(2) Thereupon, the Election Commission or the State Election Officer shall, after taking all material circumstances into account, either—

(a) declare the poll at the polling station to be void, appoint a day and fix the hours for taking a fresh poll at that polling station and direct that the day so appointed and the hours so fixed be published in the manner laid down in sub-rule (5) of rule 60, besides intimating the contesting candidates or their election agents; or

(b) if satisfied that the result of a fresh poll at the polling station will not in any way affect 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) The provisions of these rules or orders made thereunder shall apply to every such fresh poll as they apply to the original poll.

**62. Closing of poll.—** (1) The Presiding Officer shall close the polling station at the hour fixed in that behalf under these rules and shall not thereafter admit any elector into the polling station:

Provided that unless the poll is stopped under sub-rule (1) of rule 60 all electors present at the polling station before it is closed shall be allowed to cast their votes.

(2) if any question arises whether an elector was present at the polling station before it was closed, it shall be decided by the Presiding Officer whose decision shall be final.

(3) The Presiding Officer of each polling station, as soon as practicable after the close of the poll, shall close the slit of the ballot box or boxes and where the box does not contain any mechanical device for closing the slit, he shall seal up the slit and also allow any candidate or polling agent present to affix his seal. The ballot box shall thereafter be sealed and secured. Where it becomes necessary to use a second ballot box by reason of the first ballot box getting full, the first ballot box shall be closed and sealed before another ballot box is put into use.

(4) The Presiding Officer shall then make up the following into separate packets and seal them with the seal supplied and allow the candidates or agents to affix their own seals if they so desire:-

- (i) the marked copy of the electoral roll;
- (ii) unused ballot papers and all cancelled ballot papers under rule 58;
- (iii) the tendered ballot papers and the tendered voters list;
- (iv) the unused and damaged paper seals;
- (v) receipt for challenge fee, statement of deposit on challenged votes and the list of challenged votes; and
- (vi) any other papers that may be specified by the Election Commission.

(5) The Presiding Officer shall also prepare separate covers as indicated below:-

- (a) Covers containing,—
  - (i) ballot paper account in Form 21;
  - (ii) paper seal account; and
  - (iii) presiding officer's diary;
- (b) Covers containing record of blind or infirm voters and declaration by companions of blind or infirm voters;
- (c) A Miscellaneous cover containing,—
  - (i) reference copy of electoral roll;
  - (ii) declaration by presiding officer;
  - (iii) appointment letters of polling agents;
  - (iv) unused stationery;
  - (v) pusher; and
  - (vi) other polling materials like drawing pins, badges with safety pin, gem-clips, etc.

(6) The Presiding Officer shall also prepare any other cover that may be specified by the Election Commission.

(7) 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 therefor and shall also attest it as a true copy.

**63. Transmission of ballot boxes, etc. to the Returning Officer.**— The Presiding Officer shall then deliver or cause to be delivered to the Returning Officer at such place as the Returning Officer may direct,—

- (a) the ballot boxes including unused ballot boxes;
- (b) the cover containing the ballot paper account, paper seal account and Presiding Officer's Diary;
- (c) the sealed covers referred to in rule 62;
- (d) all other papers and marking or stamping articles used at the poll; and
- (e) cash, if any forfeited under sub-rule (5) of rule 49.

**PART VI.**  
**COUNTING OF VOTES.**

**64. Admission to the place fixed for counting.**— (1) The counting of votes shall take place on the day at the place and hour appointed in that behalf. The votes shall be counted by or under the supervision and direction of the Returning Officer. Each contesting candidate, his election agent and such number of his counting agents as may be specified by the Election Commission, shall have a right to be present at the time of counting. The counting agents shall be appointed in writing by the candidate or his election agent in Form 25. No other person shall be allowed to be present, except,—

(a) such persons hereinafter referred to as the “Counting Supervisor” or “Counting Assistant” whom the Returning Officer may appoint to assist him in the counting of votes;

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

(c) such persons as may be authorised by the Election Commission.

(2) No person who has been employed by or on behalf of any candidate for any purpose whatsoever connected with the election shall be appointed to assist in the counting of votes.

**65. Maintenance of secrecy of elections.**— The Returning Officer shall, before he commences to count the votes, read the provisions of the Act relating to the maintenance of secrecy of elections to such persons as may be present.

**66. Counting of postal ballot papers and scrutiny and opening of ballot boxes.**— (1) The Returning Officer shall first deal with the postal ballot papers received by him within the time prescribed therefor, as specified below:-

(a) No outer cover referred to in sub-rule (2) of rule 56 received by the Returning Officer after the expiry of the time fixed in that behalf shall be opened and no vote contained in any such cover shall be counted.

(b) The outer covers shall be opened one after another and the election duty certificates and declaration in Form 18 contained therein shall be collected together, counted and sealed in a separate packet.

(c) The envelopes containing the marked ballot papers shall then be opened one after another and the votes counted. If the declaration in Form 18 is not found or has not been duly signed or is otherwise substantially defective, in any envelope, after making an appropriate endorsement thereon, the Returning Officer shall reject the ballot paper contained therein.

(2) The ballot boxes relating to each of the polling stations shall then be taken up for counting. The Returning Officer may in his discretion have the ballot boxes used at more than one polling station opened and their contents counted simultaneously.

(3) Before any ballot box is opened at a counting table, the counting agents present at that table shall be allowed to inspect the paper seal and other seals on the ballot box and satisfy themselves that they are intact.

(4) The Returning Officer shall satisfy himself that none of the ballot boxes has been tampered with.

(5) If the Returning Officer is satisfied that any ballot box has been tampered with, he shall not count the ballot papers contained in that box and shall follow the procedure laid down in rule 61 in respect of that polling station.

(6) If a fresh poll is held under rule 61, the Returning Officer shall, after completion of that poll recommence the counting of votes on the date, at the time and place which have been fixed by the Election Commission or the State Election Officer in that behalf and of which notice has been previously given to the contesting candidates and their election agents. The provisions of this Part shall apply, so far as may be, to such further counting.

(7) The Returning Officer shall verify the ballot paper account prepared and delivered in Form 21 by the Presiding Officer under rule 63.

(8) The Returning Officer shall allow the candidates and their agents reasonable opportunity to inspect, without handling the ballot papers which in his opinion are liable to be rejected under rule 68. He shall endorse on every ballot paper which he rejects, the letter 'R' and the ground of rejection in abbreviated form either in his own hand writing or by means of a rubber stamp and shall initial such endorsement.

**67. Destruction or loss of ballot papers at the time of counting.—** (1) If at any time before the counting of votes is completed, ballot papers used at a polling station are unlawfully taken out of the custody of the Returning Officer or accidentally or intentionally destroyed or lost or damaged or tampered with, to such an extent that the result of the poll of that polling station cannot be ascertained, the Returning Officer shall forthwith report the matter to the Election Commission, the State Election Officer and the District Election Officer.

(2) Thereupon, the Election Commission or the State Election Officer shall after taking all material circumstances into account either,—

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

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

(3) Provisions of these rules shall apply to every such fresh poll as they apply to the original poll.

**68. Rejection of ballot papers.—** (1) A ballot paper shall be rejected,—

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

(b) if no vote is recorded thereon, or it bears a mark made otherwise than with the instrument supplied for the purpose; or

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

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

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

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

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

(h) if it does not bear the distinguishing mark or the signature of the Presiding Officer which it should have borne under the provisions of sub-rule (1) of rule 55 or the letters "EDC" under the sub-rule (1) of rule 56; or

(i) if it is not the relevant ballot paper:

Provided that where the Returning Officer is satisfied that any such defect as is mentioned in clause (g) or clause (h) has been caused by any mistake or failure on the part of a Presiding Officer, the ballot paper shall not be rejected merely on the ground of such defect:

Provided further that a ballot paper shall not be rejected merely on the ground that the mark indicating the vote is not distinct 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.

(2) All ballot papers rejected under this rule shall be made into a separate bundle.

(3) The decision of the Returning Officer under this rule shall be final, subject only to the decision of the competent court on an election petition.

**69. Counting of Valid votes.**— (1) The vote recorded in every ballot paper which is not rejected under rule 68 shall be counted:

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

(2) After the counting of the votes recorded in all ballot papers contained in all ballot boxes has been completed, the Returning Officer shall have the result of such counting entered in Part II of Form 21 and it shall be signed by the counting supervisor and the Returning Officer. The Returning Officer shall, then, make the entries relating thereto in a result sheet in Form 26.

(3) The valid ballot papers found in all the ballot boxes as well as the valid votes in the postal ballot boxes referred to in clause (c) of sub-rule (1) of rule 66 shall thereafter be bundled together and kept along with the bundle of rejected ballot papers in a separate packet which shall be sealed and on which shall be recorded the following particulars, namely:—

(a) the name of the town panchayat or municipal council or municipal corporation and the number of the ward;

(b) the particulars of the polling station where the ballot papers have been used; and

(c) the date of counting.

**70. Counting to be continuous.**— The Returning Officer shall as far as practicable proceed continuously with the counting and shall during any interval when the counting has to be suspended, keep the ballot papers, packets and all other papers relating to elections sealed with his own seal and the seals of such candidates or election agents as may desire to affix their seals and take sufficient precaution for their safe custody during such interval.

**71. Recount of votes.**— (1) After the completion of the counting and recording in Form 26 the total number of votes polled by each candidate under sub-rule (2) of rule 69, the Returning Officer shall announce the same. After such announcement and before the declaration of the result of the election, a contesting candidate or in his absence his election agent, may apply in writing to the Returning Officer for a recount of all or any of the votes already counted stating the grounds on which he demands such recount.

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

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

(4) If the Returning Officer decides under sub-rule (2) to allow an application either in whole or in part, he shall,—

(a) count the votes again in accordance with his decision;

(b) amend the result sheet in Form 26 after such recount, if need be, to the extent necessary; and

(c) announce the amendment if any made by him.

(5) After the total number of votes polled by each candidate has been announced under sub-rule (1) or under sub-rule (4), the Returning Officer shall complete and sign the result sheet in Form 26 and no application for a recount shall be entertained thereafter:

Provided that no step under this sub-rule shall be taken on completion of the counting until the candidates or the election agents present at the completion thereof have been given a reasonable opportunity to exercise the right conferred under sub-rule (1).

**72. Declaration of result of election.—** (1) After the Returning Officer has completed the scrutiny and counting of votes, he shall declare the contesting candidate to whom the largest number of valid votes have been given as elected and complete and certify the 'Return of Election' in Form 27 and send the signed copy thereof to the Election Commission, the State Election Officer and the District Election Officer.

(2) The Returning Officer shall also forthwith cause to be affixed a copy of the declaration referred to in sub-rule (1) in the office of the town panchayat or municipal council or municipal corporation, as the case may be.

(3) If there is an equality of votes between two or more contesting candidates, and the addition of one vote will entitle any of these candidates to be declared elected, the Returning Officer shall decide between these candidates by lot and the candidate on whom the lot falls shall be deemed to have received an additional vote. The Returning Officer shall then declare the result accordingly.

(4) Any contesting candidate or his election agent or his counting agent on application be permitted to take a copy or an extract from the Result Sheet in Form 26.

**73. Disposal of ballot papers.—** (1) The Returning Officer, shall after declaring the results, retain in his custody or cause to be deposited in the custody of the officer as may be specified by the Election Commission, the packets of ballot papers, whether counted, rejected, cancelled or unused, the sealed packets containing the declarations made under sub-rule (2) of rule 56 and the marked copy of the electoral roll. These packets shall not be opened and their contents shall not be inspected or produced except under the orders of a competent court.

(2) The Returning Officer or the officer specified by the Election Commission under sub-rule (1), shall retain the packets and the marked copies of the electoral roll for six months and shall, thereafter, unless otherwise directed by the Court, cause them to be destroyed.

**74. Publication of the names of successful candidates.—** The names of the candidates duly elected shall be forwarded immediately after the declaration of results in Form 28 by the Returning Officer to the Election Commission, the State Election Officer or the District Election Officer, as the case may be. The State Election Officer in the case of town panchayat or municipal council or municipal corporation except Chennai City Municipal Corporation and the District Election Officer in the case of Chennai City Municipal Corporation shall arrange to publish the same in the *Tamil Nadu Government Gazette* in a consolidated form with the approval of the Election Commission and shall also arrange to publish it on the notice board of the office of the town panchayat or municipal council or municipal corporation, as the case may be.

## PART VII.

### VOTING BY ELECTRONIC VOTING MACHINES AND COUNTING OF VOTES.

**75. Design of electronic voting machines.—** Every electronic voting machine (hereinafter referred to as the voting machine) shall have a control unit and a balloting unit and shall be of such design as may be approved by the Election Commission.

**76. Preparation of voting machine by the Returning Officer.—** (1) The balloting unit of the voting machine shall contain such particulars and, in such language, or languages as the Election Commission may specify.

(2) The names of the candidates shall be arranged on the balloting unit in the same order in which they appear in the list of the contesting candidates in Form 10.

(3) If two or more candidates bear the same name, they shall be distinguished by the addition of their occupation or residence or in some other manner.



(4) Subject to the foregoing provisions, the Returning Officer shall,—

(a) fix the label containing the names and symbols of the contesting candidates in the balloting unit and secure that unit with his seal and the seals of such of the contesting candidates or their election agents present as are desirous of affixing the same; and

(b) set the number of contesting candidates and close the candidates set section in the control unit and secure it with his seal and the seals of such of the contesting candidates or their election agents present as are desirous of affixing the same.

**77. Arrangements at polling station.**— (1) At each polling station, there shall be set up one or more voting compartments, as the Election Commission may direct from time to time in which electors can record their votes screened from the observation of all others.

(2) The Returning Officer shall provide at each polling station, one or more voting machines, as may be specified by the Election Commission, and copies of relevant part of the electoral roll and such other election material, as may be necessary for taking the poll.

(3) Without prejudice to the provisions of sub-rule (2), the Returning Officer may, with the previous approval of the Election Commission, provide one common voting machine for two or more polling stations located in the same premises.

(4) At the entrance to each polling station, there shall be displayed prominently,—

(a) a notice showing the number and names of the contesting candidates as published in Form 10 and the distinctive symbol assigned to each candidate in the election for which poll is taken in that polling station; and

(b) a notice showing the polling area and the groups of electors who are entitled to vote at that polling station.

**78. Admission to polling station.**— The Presiding Officer shall ensure that votes are recorded at the polling station with absolute secrecy and he shall regulate the number of electors to be admitted at one time and shall exclude all other persons except,—

(a) the contesting candidates, their election agents and one polling agent at a time for each contesting candidate;

(b) a child in arms accompanying an elector;

(c) a person accompanying a blind or infirm elector who cannot move without help;

(d) such other persons as the Returning Officer or the Presiding Officer may admit for the purpose of helping in the identification of the electors or in searching women electors or assisting him otherwise in taking the poll;

(e) public servants on duty in connection with elections; and

(f) such other persons as may be authorised by the Election Commission and the State Election Officer as well as the District Election Officer.

**79. Preparation of voting machine for poll.**— (1) The control unit and balloting unit of every voting machine used at a polling station shall bear a label marked with,—

(a) the name of the town panchayat or municipal council or municipal corporation and number of the ward;

(b) the serial number and name of the polling station;

(c) the serial number of the unit; and

(d) the date of poll.

(2) Immediately before the commencement of the poll, the Presiding Officer shall demonstrate to such contesting candidates, election agents, polling agents and other authorised persons as are present that no elector has already recorded in the voting machine and it bears the label referred to in sub-rule (1).

(3) A paper seal shall be used for securing the control unit of the voting machine and the Presiding Officer shall affix his own signature on the paper seal and obtain thereon the signature of such of the polling agents present as are desirous of affixing the same.

(4) The Presiding Officer shall thereafter fix the paper seal so signed in the space meant therefor in the control unit of the voting machine and shall secure and seal the same.

(5) The seal used for securing the control unit shall be fixed in such manner that after the unit has been sealed, it is not possible to press the "result button" without breaking the seal.

(6) The control unit shall be closed and secured and placed in full view of the Presiding Officer and the Polling agents and the balloting unit placed in the voting compartment.

(7) Before the polling station is opened for recording of votes, the Presiding Officer shall read the relevant provisions of the Act relating to the maintenance of secrecy of elections to such persons as may be present and shall also explain the substance thereof in Tamil.

**80. Marked copy of electoral roll.**— Immediately before the commencement of the poll, the Presiding Officer shall demonstrate to the polling agent and others present that the marked copy of the electoral roll or rolls to be used during the poll does not contain any entry other than those made in pursuance of these rules and other authorised corrections made by the Electoral Registration Officer.

**81. Facilities for Women electors.**— (1) Where a polling station is for both men and women electors, the Presiding Officer may direct that they shall be admitted into the polling station alternately in separate batches.

(2) The Returning Officer or the Presiding Officer may engage the services of a woman to serve as an attendant at any polling station to assist women electors and also to assist the Presiding Officer, in taking the poll in respect of women electors generally, and in particular to help in searching any woman elector in case it becomes necessary.

**82. Identification of electors.**— (1) The Presiding Officer may seek the assistance of such local persons, as he thinks fit to help in the identification of the electors or to assist him otherwise in taking the poll.

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

(3) At the time of poll, every elector shall produce documentary evidence establishing his identify as may be specified and, in the manner, directed by the Election Commission in this behalf, from time to time.

(4) In deciding the right of a person to cast his vote, the Presiding Officer or the Polling Officer, as the case may be, shall overlook mere clerical or printing error in an entry in the electoral roll if he is satisfied that he is the elector to whom such entry relates.

**83. Challenging of identity.**— (1) Any polling agent may challenge the identity of a person claiming to be a particular elector by first depositing a sum of one hundred rupees in cash with the Presiding Officer for each such challenge.

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

- (a) warn the person challenged of the penalty for personation;
- (b) read the relevant entry in the electoral roll in full and ask him whether he is the person referred to in that entry;
- (c) enter his name and address in the list of challenged votes in Form 14; and
- (d) require him to sign in the said list.

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

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

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

(c) administer an oath to the person challenged and any other person offering to give evidence.

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

(5) If the Presiding Officer is of the opinion that the challenge is frivolous or has not been made in good faith, he shall direct that the deposit made under sub-rule (1) be forfeited to town panchayat or municipal council or municipal corporation, as the case may be, and in any other case, he shall return it to the challenger at the conclusion of the inquiry.

**84. Safeguards against personation.**— (1) Every elector about whose identity the Presiding Officer or the Polling Officer, as the case may be, is satisfied, shall allow,-

(a) the inspection of his left forefinger by the Presiding Officer or Polling Officer; and

(b) an indelible ink mark to be put on the back of left forefinger immediately above the root of the nail on skin or in such manner as the Election Commission may direct in special circumstances.

(2) If any such elector persists in doing any act with a view to remove any such mark after it has been put, he shall not be entitled to record his vote at the election.

(3) No person who has already such mark on the left forefinger shall be allowed to record his vote.

(4) Any reference in these rules to the left forefinger of an elector shall, in the case where the elector has his left forefinger missing, be construed as a reference to any other finger or fingers on his left hand, and shall in case where all the fingers of his left hand are missing, be construed as a reference to the forefinger or any other finger or fingers of his right hand, and shall in the case where all his fingers of both the hands are missing be construed as a reference to such extremity of his left or right arm as he possesses.

**85. Procedure for voting by voting machines.**— Before permitting an elector to vote, the Polling Officer shall,-

(a) record the electoral roll number of the elector as entered in the marked copy of the electoral roll in a register of electors in Form 22;

(b) obtain the signature or the thumb impression of the elector on the register of electors; and

(c) mark the name of the elector in the marked copy of the electoral roll to indicate that he has been permitted to vote:

Provided that no elector shall be permitted to vote unless he has his signature or thumb impression on the register of electors.

**86. Maintenance of Secrecy of voting by electors within the polling station and voting procedure.**— (1) Every elector who has been permitted to vote under rule 85 shall maintain secrecy of voting within the polling station and for that purpose observe the voting procedure hereinafter laid down.

(2) Immediately on being permitted to vote, the elector shall proceed to the Presiding Officer or the Polling Officer in charge of the control unit of the voting machine who shall, by pressing the appropriate button on the control unit, activate the balloting unit, for recording of elector's vote.

(3) The elector shall thereafter forthwith,—

(a) proceed to the voting compartment;

(b) record his vote by pressing the button on the balloting unit against the name and symbol of the candidate for whom he intends to vote; and

(c) come out of the voting compartment and leave the polling station.

(4) Every elector shall vote without undue delay.

(5) No elector shall be allowed to enter the voting compartment when another elector is inside it.

(6) If an elector who has been permitted to vote under rule 85 or 89 refuses after warning given by the Presiding Officer to observe the procedure laid down in sub-rules (3) and (4), the Presiding Officer or a Polling Officer under the direction of the Presiding Officer shall not allow such elector to vote.

(7) Where an elector is not allowed to vote under sub-rule(6), a remark to the effect that voting procedure has been violated shall be made against the elector's name in the register of electors in Form 22 by the Presiding Officer under his signature.

**87. Recording of votes of blind or infirm electors.**—(1) If the Presiding Officer is satisfied that owing to old age or blindness or other physical infirmities, an elector is unable to recognise the symbol on the balloting unit of the voting machine or unable to record his vote by pressing the appropriate button thereon without assistance, the Presiding Officer shall permit the elector to take with him a companion of not less than eighteen years of age to the voting compartment for recording the vote on his behalf and in accordance with his wishes:

Provided that no person shall be permitted to act as the companion of more than one elector at any polling station on the same day:

Provided further that before any person is permitted to act as the companion of an elector on any day under these rules, the companion shall be required to declare that he shall keep secrecy of the vote recorded by him on behalf of the elector and that he has not already acted as the companion of any other elector at any other polling station on that day.

(2) The Presiding Officer shall keep a record in Form 19 of all such cases under this rule.

**88. Elector deciding not to vote.**— If an elector, after his electoral roll number has been duly entered in the register of elector in Form 22 and has put his signature or thumb impression thereon as required under rule 85 decided not to record his vote, a remark to this effect shall be made against the said entry in Form 22 by the Presiding Officer and the signature or thumb impression of the elector shall be obtained against such remark.

**89. Tendered votes.**— (1) If a person representing himself to be a particular elector seeks to vote after another person has already voted as such elector, he shall, on satisfactorily answering such questions relating to his identity as the Presiding Officer may ask, be instead of being allowed to vote through the balloting unit, supplied with a tendered ballot paper which shall be of such design, and the particulars of which shall be in such language or languages as the Election Commission may specify.

(2) Every such elector shall before being supplied with tendered ballot paper write his name and put his signature against the entry relating to him in Form 23 and put his signature on the counterfoil of the ballot paper.

(3) On receiving the ballot paper he shall forthwith,-

(a) proceed to the voting compartment which is vacant;

(b) with the aid of the instrument supplied for the purpose, make a mark on the ballot paper against the name or symbol of the candidate for whom he intends to vote;

(c) fold the ballot paper so as to conceal his vote;

(d) show to the Presiding Officer, if required, the distinguishing mark on the ballot paper;

(e) give it to the Presiding Officer who shall place it in a cover specially kept for the purpose; and

(f) leave the polling station.

(4) If owing to old age or blindness or physical infirmities, such elector is unable to record his vote without assistance, the Presiding Officer shall permit him to take with him a companion, subject to the same conditions and after following the same procedure as laid down in rule 87 for recording the vote in accordance with his wishes.

**90. Presiding Officer's entry in the voting compartment during poll.**— (1) The Presiding Officer may whenever he considers it necessary to do so, enter the voting compartment during poll and take such steps as may be necessary to ensure that the balloting unit is not tampered or interfered with.

(2) If the Presiding Officer has reason to suspect that an elector who has entered the voting compartment is tampering or otherwise interfering with the balloting unit or has remained inside the voting compartment for unduly long period, he shall enter the voting compartment and take such steps as may be necessary to ensure the smooth and orderly progress of the poll.

(3) Whenever the Presiding Officer enters the voting compartment under this rule, he shall permit the polling agents present to accompany him if they so desire.

**91. Closing of poll.**— (1) The Presiding Officer shall close the poll at the hour fixed in that behalf under these rules and shall not thereafter admit any elector into the polling station:

Provided that all electors present at the polling station before it is closed shall be allowed to cast their votes.

(2) If any question arises whether an elector was present to the polling station before it was closed, it shall be decided by the Presiding Officer and his decision shall be final.

**92. Account of votes recorded.**— (1) The Presiding Officer shall at the close of the poll prepare an account of votes recorded in Form 24 and enclose it in a separate cover with the words "Account of Votes Recorded" superscribed thereon.

(2) The Presiding Officer, shall furnish to every polling agent present at the close of the poll, a true copy of the entries made in Form 24 after obtaining a receipt from the said polling agent therefor and shall attest it as a true copy.

**93. Sealing of voting machine after poll.**— (1) As soon as practicable after the closing of the poll, the Presiding Officer shall close the control unit to ensure that no further votes are recorded and shall detach the balloting unit from the control unit.

(2) The control unit and the balloting unit shall thereafter be sealed and secured separately in such manner as the Election Commission, may direct and the seal used for securing them shall be so affixed that it will not be possible to open the units without breaking the seal.

(3) The polling agents present at the polling station, who desire to affix their seals, shall also be permitted to do so.

**94. Sealing of other packets.**— (1) The Presiding Officer shall then make up the following into separate packets:-

(a) the marked copy of the electoral roll;

(b) the register of electors in Form 22;

(c) the cover containing the tendered ballot papers and the list in Form 23;

(d) the list of challenged votes; and

(e) any other paper directed by the Election Commission to be kept in a sealed packet.

(2) Each packet shall be sealed with the seal of the Presiding Officer and with the seal, either of the candidate or of his election agent or of his polling agent, who may be present at the polling station and may desire to affix his seal thereon.

**95. Transmission of voting machines, etc. to the Returning Officer.**— (1) The Presiding Officer shall then deliver or cause to be delivered to the Returning Officer at such place as the Returning Officer may direct,—

- (a) the voting machine;
- (b) the account of votes recorded in Form 24;
- (c) the sealed packets referred to in rule 94; and
- (d) all other papers used at the poll.

(2) The Returning Officer shall make adequate arrangements for the safe transport of the voting machine, packets and other papers for their safe custody until the commencement of the counting of votes.

**96. Procedure on adjournment of poll.**— (1) If the poll at any polling station is adjourned under sub-rule (1) of rule 60, the provisions of rules 92 to 95 shall, as far as practicable apply, as if the poll was closed at the hour fixed in that behalf.

(2) When an adjournment of the poll for the number of hours for which it was not held on the previous occasion is recommended under clause (a) of sub-rule (3) of rule 60, the electors who have already voted at the poll so adjourned shall not be allowed to vote again;

(3) The Returning Officer shall provide the Presiding Officer of the polling station at which such adjourned poll is held, with the sealed packet containing the marked copy of the electoral roll, register of electors in Form 22 and a new voting machine. The Presiding Officer shall open the sealed packet in the presence of the polling agents present and use the marked copy of the electoral roll for marking the names of the electors who are allowed to vote at such adjourned poll;

(4) The provisions of rules 75 to 95 shall apply in relation to the conduct of such adjourned poll.

(5) When an adjournment of the poll the full number of hours is recommended under clause (b) of sub-rule (3) of rule 60, the Returning Officer shall proceed afresh, under sub-rule (1) of rule 41 and such adjourned poll shall be held at the polling station concerned in accordance with the provisions of rules 75 to 95 in all respects, as if it were being held at such polling station for the first time:

Provided that fresh nomination need not be made.

**97. Fresh poll in the case of destruction etc. of voting machine.**— (1) If at any election,—

(a) any voting machine used at a polling station or at a place appointed for counting of votes is unlawfully taken out of the custody of the Presiding Officer or the Returning Officer, or is accidentally or intentionally destroyed or lost or is damaged or tampered with, to such an extent that the result of the poll at that polling station cannot be ascertained or any voting machine develops a mechanical failure during the course of the recording of votes; or

(b) any such error or irregularity in procedure as is likely to vitiate the poll is committed at a polling station, the Returning Officer shall forthwith report the matter to the Election Commission, the State Election Officer and the District Election Officer.

(2) Thereupon, the Election Commission or the State Election Officer shall, after taking all material circumstances into account either,—

(a) declare the poll at the polling station to be void, appoint a day and fix the hours for taking a fresh poll at that polling station and direct that the day so appointed and the hours so fixed be published in the manner laid down in clause (b) of sub-rule (4) of rule 60, besides intimating the same to the contesting candidates or their election agents; or

(b) if satisfied that the result of a fresh poll at the polling station will not in any way affect the result of the election or that the mechanical failure of the voting machine or the error or irregularity in procedure is not material, issue such directions to the Returning Officer as he may deem fit and proper for the further conduct and completion of the election.

(3) The provisions of these rules or orders made thereunder shall apply to every such fresh poll as they apply to the original poll.

**98. Admission to the place fixed for counting.**— (1) The counting of votes shall take place on the day at the place and hour appointed in that behalf. The votes shall be counted by or under the supervision and direction of the Returning Officer. Each contesting candidate, his election agent and such number of his counting agents as may be specified by the Election Commission, shall have a right to be present at the time of counting. The counting agents shall be appointed in writing by the candidate or his election agent in Form 25. No other person shall be allowed to be present, except,—

(a) such persons hereinafter referred to as the “Counting Supervisor” or “Counting Assistant” whom the Returning Officer may appoint to assist him in the counting of votes;

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

(c) such persons as may be authorised by the Election Commission.

(2) No person who has been employed by or on behalf of any candidate for any purpose whatsoever connected with the election shall be appointed to assist in the counting of votes.

**99. Maintenance of secrecy of elections.**— The Returning Officer shall, before he commences to count the votes, read the provisions of the Act relating to the maintenance of secrecy of elections to such persons as may be present.

**100. Scrutiny and inspection of voting machines.**— (1) The Returning Officer may have the control units of the voting machines used at more than one polling station taken up for scrutiny and inspection and votes recorded in such units counted simultaneously;

(2) Before the votes recorded in any control unit of a voting machine are counted under sub-rule (1), the candidate or his election agent or his counting agent present at the counting table shall be allowed to inspect the paper seal and such other vital seals as might have been affixed on the unit and to satisfy themselves that the seals are intact;

(3) The Returning Officer shall satisfy himself that none of the voting machine has been tampered with;

(4) If the Returning Officer is of the opinion that any voting machine has been tampered with, he shall not count the votes recorded in that machine and shall follow the procedure laid down in rule 97.

**101. Counting of votes.**— (1) After the Returning Officer is satisfied that a voting machine has not been tampered with, he shall have the votes recorded therein counted by pressing the appropriate button marked “Result” provided in the control unit whereby the total votes polled and votes polled by each candidate shall be displayed in respect of each such candidate on the display panel provided for the purpose in the unit.

(2) As the votes polled by each candidate are displayed on the control unit, the Returning Officer shall have, —

(a) the number of such votes recorded separately in respect of each candidate in Part II of Form 24;

(b) Part II of Form 24 completed in other respects and signed by the counting supervisor and also by the candidates or their election agents or their counting agents present;

(c) corresponding entries made in the Result Sheet in Form 26;

(d) the number of valid votes referred to in clause (c) of sub-rule (1) of rule 66 in respect of each candidate entered in the result sheet in Form 26;

(e) the cover containing the tendered ballot papers not opened and counted but number of tendered votes entered in the result sheet in Form 26; and

(f) the result in Form 26 completed and the particulars so entered in the result sheet announced.

**102. Sealing of voting machines.**— (1) After the result of the voting recorded in a control unit has been ascertained candidate-wise and entered in Part II of Form 24 and Form 26 under rule 101, the Returning Officer shall reseal the unit with his seal and the seals of such of the candidates or their election agents present who may desire to affix their seals thereon so however that the result of voting recorded in the unit is not obliterated and the unit retains the memory of such result.

(2) (i) The control unit so sealed shall be kept in specially prepared boxes on which the Returning Officer shall record the following particulars, namely:-

(a) the name of the town panchayat or municipal council or municipal corporation and number of the ward;

(b) the particulars of the polling station where the control unit has been used;

(c) serial number of the control unit;

(d) date of poll; and

(e) date of counting.

(ii) the provisions of sub-rule (6) of rule 66, rules 70, 71, 72 and 74 shall, so far as may apply in relation to voting by voting machines and any reference in those rules to,-

(a) ballot paper shall be construed as including a reference to such voting machine; and

(b) any rule shall be construed as a reference to the corresponding rule in Part VII or, as the case may be, to rule 100 or 101 or to this rule.

**103. Custody of voting machines.**— All voting machines used at an election shall be kept in the safe custody of the concerned District Election Officer or Returning Officer, if so authorized by the District Election Officer.

**104. Production and inspection of control units.**— The control units sealed under the provisions of rule 102 and kept in the custody of the District Election Officer or Returning Officer shall not be opened and shall not be inspected by, or produced before, any person or authority except under the orders of a competent court.

**105. Retention of Voting Machines.**— The voting machines kept in the custody of the District Election Officer or Returning Officer under rule 103 shall be retained intact for such period as the Election Commission may direct and shall not be used at any subsequent election without the previous approval of the Election Commission.

**106. Fixing other dates of election for special reasons.**— Notwithstanding anything contained in the foregoing rules, the Election Commission may, for special reasons, empower the State Election Officer to fix dates and periods other than those notified earlier under these rules, for all or any of the stages of any election under the Act:

Provided that before fixing a revised date for poll, the Election Commission shall consult the Government.



**PART VIII.****ELECTION OF CHAIRPERSON, VICE-CHAIRPERSON, MAYOR, DEPUTY MAYOR, MEMBERS OF THE STATUTORY COMMITTEES AND CHAIRPERSON OF WARDS COMMITTEE.**

**107. Election of Chairperson, Vice-Chairperson, Mayor and Deputy Mayor.**— The Chairperson and Vice-Chairperson of a town panchayat or a municipal council or the Mayor and the Deputy Mayor of a municipal corporation Council shall be elected by and from among the Councillors of the wards of the town panchayat or the municipal council or the municipal corporation, as the case may be, in the manner prescribed in these rules, at a meeting specially convened by the Returning Officer:

Provided that where the office of the Mayor or the Chairperson of a Council is reserved for persons belonging to the Scheduled Castes or the Scheduled Tribes and/or for Women under the provisions of the Act, only persons belonging to that category shall be eligible to contest the election for such office:

Provided further that where no such reservation has been made, nothing contained in the above proviso shall be deemed to prevent any member belonging to the Scheduled Castes or the Scheduled Tribes or Women from contesting the election as Chairperson or Mayor.

**108. Election of Members of Statutory Committee.**— The Members of the Taxation Appeals Committee or the Contract Committee or the Appointment Committee or Standing Committees constituted under the relevant provisions of the Act, shall be elected by and from among the elected Councillors of the ward in the manner prescribed in these rules at an election meeting specially convened for this purpose.

**109. Election of Chairperson of Wards Committee.**— The Chairperson of the Wards Committee shall be elected by and from among the elected Councillors of the wards coming under the jurisdiction of the wards committee in the manner prescribed in these rules at an election meeting specially convened for this purpose.

**110. Determination of number of members of the statutory committee to be elected.**— The number of members to be elected to each one of the Statutory Committees, shall be as laid down in the relevant provisions of the Act.

**111. Place of meeting for the election.**— The election of the Chairperson and the Vice-Chairperson of the town panchayat or the municipal council or Mayor and Deputy Mayor of the municipal corporation council or the election of Members of a Statutory Committee or the election of Chairperson of Wards Committee shall be held in the office of the concerned town panchayat or municipal council or municipal corporation where the meetings of the town panchayat or municipal council or municipal corporation council are ordinarily held.

**112. Convening and presiding over the meeting for election.**— (1) The meeting for election of Chairperson and Vice-Chairperson of the town panchayat or the municipal council or of the Mayor and Deputy Mayor of the municipal corporation or Members of a Statutory Committee or the Chairperson of the Wards Committee shall be convened, presided over and conducted by the Returning Officer.

(2) In the case of an election to fill an ordinary vacancy of the Chairperson and Vice-Chairperson of the town panchayat or the municipal council or Mayor and Deputy Mayor of the municipal corporation, such meeting shall be convened on the date to be fixed by the Election Commission.

(3) In the case of ordinary vacancy of Members of a Statutory Committee or Chairperson of the Wards Committee such meeting shall be convened within thirty days from the date of reconstitution of the town panchayat or the municipal council or the municipal corporation, as the case may be, on the date to be fixed by the Election Commission.

(4) In the case of an election to fill a casual vacancy, such meeting shall be convened within sixty days of the date of the occurrence of such vacancy on the date to be fixed by the Election Commission.

(5) The Returning Officer shall give notice of the day, hour and place of the meeting atleast seven clear days prior to the date of meeting.

(6) The Returning Officer shall not start the process of election unless there be present a majority of the elected members on the council or wards committee as the case may be:

Provided that this sub-rule shall not apply, if the process of election could not be started at three consecutive meetings for want of such majority.

**Explanation.**— Notwithstanding anything contained in these Rules, for the purpose of this rule and rules 113 to 128, “members” means, the Councillors of a town panchayat or a municipal council or a municipal corporation, as the case may be and the Chairperson of a town panchayat or a municipal council and the Mayor of a municipal corporation, as the case may be.

**113. Presentation of nomination.**— (1) Every nomination for election under this Part, shall be in Form 29. The nomination paper must be signed by two members present at the meeting as proposer and seconder and delivered to the Returning Officer. The nomination shall also contain a declaration in writing expressing the candidate’s willingness to be elected under these rules and signed by the candidate. All the nominations which are duly proposed, seconded and accompanied with the declaration aforesaid, filed, and found valid shall be accepted. The nominations which are not found valid, shall be rejected. The Returning Officer shall record in writing his reason for such rejection.

(2) Where the office of the Chairperson or Mayor is reserved under the provisions of the Act to persons belonging to the Scheduled Castes or the Scheduled Tribes, the candidate shall give in writing a further declaration that he belongs to the Scheduled Caste or the Scheduled Tribe, as the case may be.

(3) The Returning Officer shall keep a record of the names of all the validly nominated candidates so proposed and seconded. The names of all candidates who have been proposed and seconded shall be read by the Returning Officer to the hearing of all members present at the meeting.

**114. Declaration of result of election when there is no contest.**— (1) (a) In case of an election under this Part, where there is only one candidate validly nominated, there shall be no ballot and the candidate shall be declared to have been duly elected.

(b) If the case of election of members of a statutory Committee, if the number of candidates referred to in sub-rule (3) of rule 113 is equal to or less than the number of Committee members to be elected, there shall be no ballot and all the candidates shall be declared to have been duly elected.

(2) When no nomination is presented within a reasonable time after the commencement of the meeting, the Returning Officer shall take necessary further action for the holding of a fresh meeting for the election in accordance with these rules. He shall also report the fact to the Election Commission and also to the State Election Officer, as the case may be.

**115. Procedure of election when there is contest.**— (1) In the case of an election under this Part, where the number of candidates is more than one, the votes of the members present at the meeting shall be taken by secret ballot in the manner laid down in rules 116 to 125.

(2) In the case of election of members of a statutory Committee, if the number of candidates is more than the number of members to be elected, the votes of the members present at the meeting shall be taken by secret ballot in the manner laid down in rules 116 to 125.

**116. Arrangement of voting compartment.**— The Returning Officer shall provide in the place where the meeting is held, a voting compartment in which the members present at the meeting can record their votes screened from the observation of all others.

**117. Ballot Box.**— The Returning Officer shall also place a ballot box for the receipt of ballot papers in full view of the members present at the meeting. The ballot box shall be so constructed that the ballot papers can be inserted therein but cannot be withdrawn therefrom without the box being unlocked or opened.

**118. Preparation of ballot box.**— The Returning Officer shall immediately before the votes are taken, demonstrate to such members as may be present that the ballot box is empty, lock it up, and place a seal upon it in such a manner as to prevent it being opened without breaking the seal.

**119. Preparation and issue of ballot papers.**— (1) Every member present at the meeting wishing to vote shall be supplied with a ballot paper in Form 30. Every ballot paper shall be of identical colour and size on which the names of all the candidates and the number of the ward of the town panchayat or municipal council or municipal corporation from which they are elected shall be legibly written or typewritten in Tamil in the order of Tamil alphabet.

(2) The ballot paper shall be assigned serial numbers and signed by the Returning Officer at the appropriate place and also on the reverse side before being handed over to the members, for voting.

**120. Voting procedure.**— Every Member shall, on receiving the ballot paper, proceed to the voting compartment for the purpose of recording his vote and put a mark on it with the help of the instrument provided for this purpose by the Returning Officer, on the ballot paper against the name of the candidate for whom he wishes to vote. He shall, before quitting the voting compartment fold up the ballot paper so as to conceal the mark and put the ballot paper so folded, into the ballot box in the presence of the Returning Officer.

**121. Arrangements to ensure secrecy of ballot.**— The Returning Officer shall cause such arrangements to be made as will ensure the secrecy of the ballot and prevent the members who have already voted, from voting for the second time and also from having access to the members who are yet to vote.

**122. Recording of votes of illiterate, blind or infirm voters.**— (1) If, owing to illiteracy or blindness or other physical infirmity, a member is unable to read the ballot paper and make a mark thereon and applies for assistance in doing so, the Returning Officer shall record the vote in the ballot paper in accordance with the wishes of the member and fold it so as to conceal the vote. The member shall then himself or with the assistance of the Returning Officer insert the ballot paper into the ballot box.

(2) While acting under this rule, the Returning Officer shall observe as much secrecy as is feasible and shall keep a brief record of each instance but shall not indicate therein for whom any vote has been given.

**123. Counting of votes.**— After the voting by the members is over, the Returning Officer shall open the ballot box in the presence of the members present, take out the ballot papers therefrom and record the number of votes obtained by each candidate in a statement.

**124. Invalid ballot papers.**— A ballot paper shall be invalid,—

- (a) if no vote is recorded thereon; or
- (b) if the vote is so recorded, as to render it doubtful to which candidate it is intended to apply; or
- (c) if the mark indicating the vote thereon is placed in such a manner as to make it doubtful to which candidate the vote has been given; or
- (d) if the votes are recorded in favour of more candidates than the number of members to be elected in the case of election of members of Statutory Committee; or
- (e) if some mark other than the one authorised, is recorded to the name of a candidate; or
- (f) if any mark is made by which the member may afterwards be identified; or
- (g) if the mark has been made by any instrument other than the one provided for this purpose under rule 120.

**125. Declaration of result of election.**— (1) (a) In the case of election under this Part, if the number of candidates is two, the candidate who obtains the highest number of votes shall be declared to have been duly elected. In the event of there being an equality of votes between the two candidates, the Returning Officer shall draw a lot in the presence of the member present and the candidate whose name is drawn shall be deemed to have the additional vote and shall be declared to have been duly elected.

(b) If the number of candidates is three and if any one of them secures more than one half of the total number of votes polled, he shall be declared to have been duly elected. If none of them secures more

than one half of the number of votes polled, the candidate who obtains the lesser number of votes shall be eliminated and a second ballot taken. In the event of there being an equality of votes among the three candidates, the Returning Officer shall draw lots in the presence of the members present and the candidates whose names are first and second drawn shall be retained and a second ballot taken.

(c) If there is an equality of votes between two candidates and if the third candidate secures a lesser number of votes he shall be eliminated and a second ballot taken. If there is an equality of votes between two candidates and if the third candidate secures a higher number of votes than the two, a lot shall be drawn between the two candidates who had secured equal number of votes and the candidate whose name is first drawn shall be retained and second ballot taken between him and the third candidate.

(d) If the number of candidates is more than three and if any of the candidates secures more than one half of the number of votes polled, he shall be declared to have been duly elected. If none of the candidate secures more than one half of the number of votes polled, the first candidate who secures the highest number of votes and the second candidate who secures the next higher number of votes shall be retained and the other candidates eliminated and a second ballot taken.

(e) In other cases, the principle enunciated in clause (b) above shall be adopted till there remain two candidates in the field.

(2) In case of election of members of statutory committee, after the counting of votes has been completed, the Returning Officer shall draw a list of contesting candidates arranged in descending order of votes secured by them. He shall then declare as many candidates from the top of the list as there are vacancies to be filled up as duly elected. In the event of there being an equality of votes between any two candidates, and the addition of one vote to anyone of such candidates will entitle him to be declared duly elected, the Returning Officer shall draw a lot in the presence of the members, and the candidate whose name is first drawn shall be deemed to have secured one additional vote and shall be declared elected.

**126. Duties of the Returning Officer after completion of voting.**— (1) Immediately after the meeting, the Returning Officer shall,—

(a) prepare a record of the proceedings of the meeting and sign it, attesting with his initials every correction made therein, and also permit any member present at the meeting to affix his signature to such record, if he expresses his desire to do so;

(b) send a report of the result of the election to the Election Commission and also to the State Election Officer or to the District Election Officer, as the case may be, and to such other officers or authorities as may be specified by the Election Commission;

(c) publish a list signed by him stating the name of the person elected on the notice board of the town panchayat or the municipal council or the municipal corporation, as the case may be.

(2) The Returning Officer shall forward a copy of the list referred to in the clause (c) of sub-rule (1), to the Election Commission and also to the State Election Officer, District Election Officer, as the case may be. The State Election Officer in the case of town panchayat or municipal council or municipal corporation except Chennai City Municipal Corporation and the District Election Officer in the case of Chennai City Municipal Corporation shall arrange to publish the same in the *Tamil Nadu Government Gazette* in a consolidated Form with the approval of the Election Commission.

**127. Packing and sealing of ballot papers.**— (1) The Returning Officer shall then bundle the ballot papers and all other records into a separate packet, seal the packet and note thereon a brief description of its contents, the election to which it relates and the date thereof.

(2) These packets shall not be opened and their contents shall not be inspected or produced except under the orders of a competent court.

(3) These packets shall be retained in safe custody in the office of the town panchayat or municipal council or municipal corporation, as the case may be, for a year and shall then, unless otherwise directed by the Court, be destroyed.

**128. Power to postpone or advance the election.**— Notwithstanding anything contained in the foregoing rules, the Election Commission may, for sufficient reason, direct, from time to time, the postponement of the meeting for the election under this Part, the advancement thereof or further postponement of the date so postponed and the Returning Officer shall give effect to such direction.

#### **PART IX.**

#### **ELECTION EXPENSES.**

**129. Election expenses.**— (1) Every candidate at an election shall, either by himself or by his election agent, keep a separate and correct account of all expenditure incurred in connection with the election or authorised by him or his election agent between the date on which he has been nominated and the date of declaration of the result thereof, both days inclusive.

(2) The account of election expenses to be kept by a candidate or his election agent under sub-rule (1), shall contain all the particulars required and in the format specified by the Election Commission.

(3) If so directed by the Election Commission, every contesting candidate at an election shall, within thirty days from the date of declaration of the result of the election, lodge with the Executive officer of the town panchayat or Commissioner of the municipal council or municipal corporation, as the case may be, or to any other officer specified by the Election Commission, an account of election expenses which shall be a true copy of the account kept by him or by his election agent under sub-rule (1).

(4) The Executive Officer or any officer specified in sub-rule (3), as the case may be, shall, within two days from the date on which the accounts of election expenses have been lodged by a candidate or his election agent under sub-rule (3), cause a notice to be affixed in the notice-board of his office, specifying,—

- (a) the date on which the account has been lodged;
- (b) the name of the candidate; and
- (c) the time and place at which such account can be inspected.

(5) Any person shall on payment of a fee of hundred rupees be entitled to obtain attested copies of such account or of any part thereof.

(6) As soon as possible, after the expiration of the period of time specified in sub-rule (3), for lodging of an account of election expenses at any election, the Executive Officer or any other officer specified under sub-rule (3), as the case may be, shall report to the Election Commission,—

- (a) the name of each contesting candidate;
- (b) whether such candidate has lodged his account of election expenses, and if so, the date on which such account has been lodged; and
- (c) whether such account has been lodged within the time and in the manner required by these rules and orders issued thereunder.

(7) Where the Executive Officer or any other officer specified under sub-rule (3), as the case may be, is of the opinion that the account of election expenses of any candidate has not been lodged in the manner required by these rules or orders issued thereunder, he shall with every such report, forward to the Election Commission the account of election expenses of that candidate and the vouchers lodged along with it.

(8) Immediately after the submission of the report referred to in sub-rule (6), the Executive Officer or any other Officer specified under sub-rule (3), as the case may be, shall publish a copy thereof by affixing the same to his notice board.

(9) As soon as possible, after the receipt of the report referred to in sub-rule (7), the Election Commission shall consider the same and decide whether any contesting candidate has failed to lodge the account of election expenses within the time and the manner required by these rules or orders issued thereunder.

(10) Where the Election commission decides that a contesting candidate has failed to lodge his account of election expenses within the time and in the manner required by these rules or orders issued thereunder, it shall by notice in writing, call upon the candidate to show cause why he should not be disqualified under relevant sections of the Act for the failure.

(11) The contesting candidate who has been called upon to show cause under sub-rule (10), may within twenty days of the receipt of such notice, submit in respect of the matter a representation in writing to the Election Commission and shall, at the same time send to the Executive Officer or the officer specified under sub-rule (3), as the case may be, a copy of his representation together with the complete account of his election expenses if he had not already furnished such an account.

(12) The Executive Officer or the officer specified under sub-rule (3), as the case may be, shall within five days of the receipt thereof forward to the Election Commission, a copy of the representation and accounts, if any, with such comments as he may wish to make thereon.

(13) If, after considering the representation submitted by the candidate and comments made by the Executive Officer or the officer specified under sub-rule (3), as the case may be, and after such inquiry as it thinks fit, the Election Commission is satisfied that the candidate has no reason or justification for the failure to lodge his account within the time and in the manner required by these rules or orders issued thereunder, it shall, by order declare him to be disqualified under relevant provisions of the Act for being chosen as, and for being a Councillor for a period of three years from the date of the order and cause the order to be published in the *Tamil Nadu Government Gazette*.

(14) The total of the expenditure of which account is to be kept under sub-rule (1) and which is incurred or authorized in connection with an election shall not exceed the amount fixed under rule 130.

**130. Maximum Election Expenses.**— (1) The total expenses which may be incurred or authorised in connection with an election under these rules shall not exceed the amount mentioned in the Table below:—

**THE TABLE.**

Sl. No.	Nature of election	Expenses (Rs.)
(1)	(2)	(3)
(1)	For election as Councillor of a Town Panchayat.	17,000/-
(2)	For election as Councillor of a Municipal Council (Second and First Grades).	34,000/-
(3)	For election as Councillor of a Municipal Council (Selection and Special Grades).	85,000/-
(4)	For election as Councillor of a Municipal Corporation (Other than Municipal Corporation of Chennai).	85,000/-
(5)	For election as Councillor of Municipal Corporation of Chennai.	90,000/-

(2) Any candidate either by himself or by his election agent, whose expenses has exceeded the amount mentioned above or who has not kept a separate and correct account of all expenses in connection with the elections as specified in sub-rule (1) of rule 129 or who fails to lodge an account of election expenses with the authority concerned within the period specified in sub-rule (3) of rule 129, shall be deemed to have indulged in a corrupt practice for the purposes of the Act.

## **PART X.**

### **ADJUDICATION OF ELECTION DISPUTES.**

**131. Election Petitions.**— Save as otherwise provided, no election held under the Act, shall be called in question except by an election petition presented in accordance with the relevant section of the Act and these rules, to the Principal Judge, City Civil Court, Chennai or the District Judge of the district concerned, as the case may be, (hereinafter referred to as the election court) under whose jurisdiction the town panchayat or municipal council or municipal corporation is situated, by any candidate or elector against the candidate who has been declared to have been duly elected.

**Explanation.**— In this rule 'elector' means a person who was entitled to vote at the election to which the election petition relates, whether he has voted at such election or not.

**132. Time limit for presenting Election petition.**— (1) An election petition shall be presented within forty five days from the date of publication of the result of the election.

**Explanation.**— If the Election Court is closed on the forty fifth day, the petition may be presented on the next following day on which the Court is open.

(2) Every election petition shall be accompanied by as many copies as there are respondents mentioned therein with three more additional copies and every copy including the additional copies should be attested either by the petitioner under his own signature or by his counsel to be the true copy of the petition. Any schedule or annexure to the petition shall also be signed either by the petitioner or his counsel and enclosed with each copy of the petition.

**133. Grounds for presenting an election petition.**— An election petition shall be presented on one or more grounds specified in the Act.

**134. Contents of an election petition.**— An election petition shall contain a statement in concise form of the material facts on which the petitioner relies. It shall set forth full particulars of any corrupt practice as specified in the Act which he alleges, and shall wherever necessary, be divided into paragraphs and numbered consecutively. The petition as well as its annexure or appendix if any, shall be signed by the petitioner or by his counsel and verified in the manner as laid down in the Code of Civil Procedure, 1908 (Central Act V of 1908), for the verification of pleadings.

**135. Relief that may be claimed by the petitioner.**— A petitioner may, in addition to claiming a declaration that the election of all or any of the returned candidates is void, claim a further declaration that he himself or any other candidate has been duly elected.

**136. Parties to the petition.**— A petitioner shall array as respondents to his petition,— (a) where the petitioner, in addition to claiming a declaration that the election of all or any of the returned candidates is void, claims a further declaration that he himself or any other candidate has been duly elected, all the contesting candidates other than the petitioner and where no such further declaration is claimed, all the returned candidates; and

(b) if allegation of corruption is made against any other candidate in the petition to the said candidate.

**137. Security for costs.**— (1) At the time of presentation of the petition, the petitioner shall deposit with the election court rupees two thousand five hundred in cash as security for the costs of the same. During the course of the trial of an election petition, the election court may, at any time, call upon the petitioner to give such further security for costs as it may direct. It may also call upon the petitioner to execute a bond for such amount and with such securities as it may require for the payment of any further cost.

(2) If the provisions of rules 132, 133, 134 or 136 or sub-rule (1) of this rule are not complied with, the Election Court shall dismiss the petition.

(3) Upon compliance with the provisions of the foregoing rules, the Court shall proceed to inquire into the petition. Where more election petitions than one are presented in respect of the same election, they may be tried individually or in one or more groups as the Election Court may deem fit.

**138. Serving of copies.**— The Election Court, shall, as soon as may be, cause a copy of the petition be served on such respondents and on the Executive Officer of the town panchayat or the Commissioner of the municipal council or municipal corporation concerned, as the case may be and on the Election Commission. Any candidate not already a respondent shall, upon application made by him to the Election Court within fourteen days from the date of commencement of the trial and subject to any order as to security for costs which may be made by the Court, be entitled to be joined as a respondent.

**139. Trial of election petition.**— (1) Every election petition shall be inquired into by the Election Court in accordance with the procedure applicable under the Code of Civil Procedure, 1908 (Central Act V of 1908) to the trial of suits:

Provided that it shall only be necessary for the Election Court to make a memorandum of the substance of the evidence of any witness examined by it:

Provided further that the Election Court shall have the discretion to refuse for reasons to be recorded in writing to examine any witness, if it is of the opinion that the evidence of such witness is not material for the decision of the petition or that the party tendering such witness is doing so on frivolous grounds or with a view to delay the proceedings.

(2) The provisions of the Indian Evidence Act, 1872 (Central Act I of 1872) shall be deemed to apply in all respects to the trial of an election petition.

(3) Notwithstanding anything contained in any Act to the contrary, no document shall be inadmissible in evidence at the trial of an election petition on the ground that it is not duly stamped or registered.

(4) No witness or other person shall be required to state for whom he has voted at an election.

(5) The reasonable expenses incurred by any person in attending to give evidence may be allowed by the Election Court to such person and shall, unless the said court otherwise directs, be deemed to be part of the costs.

**140. Withdrawal of election petition.**— (1) An Election petition may be withdrawn only by leave of the Election Court.

(2) If there are more petitioners than one in an Election petition, no application to withdraw the petition shall be made except with the consent of all the petitioners.

(3) When an application for withdrawal is made, notice thereof fixing a date for the hearing of the application shall be given to all other parties to the petition.

(4) No application for withdrawal shall be granted if the Election Court is of opinion that such application has been induced by any bargain or consideration which it considers ought not to be allowed.

(5) If the application for withdrawal is granted,—

(a) the petitioner shall be ordered to pay the cost of the respondents therefor incurred or such portion thereof as the Court may think fit; and

(b) such withdrawal shall be communicated by the Election Court to the Executive Officer of the town panchayat or to the Commissioner of the municipal council or municipal corporation, as the case may be, the State Election Officer and the Election Commission.

**141. Abatement of Election petition.**— An election petition shall abate only on the death of the sole petitioner or the petitioners, as the case may be, and such abatement shall be communicated by the Election Court to the Executive Officer of the town panchayat or the Commissioner of the municipal council or municipal corporation, as the case may be, the State Election Officer and the Election Commission.

**142. Recrimination when seat claimed.**— When in an inquiry into an election petition any candidate other than a returned candidate, claims the seat for himself, the returned candidate or any other party to the proceedings may give evidence to prove that the election of such claimant would have been void if he had been a returned candidate and a petition had been presented calling in question his election:

Provided that the returned candidate or such other party, as aforesaid, shall not be entitled to give such evidence unless he had within fourteen days from the date of commencement of the trial given notice to the election court of his intention to do so and has also given the security referred to in rule 137.

**143. Decision of Election Court.**— At the conclusion of the trial of an election petition, the Election Court shall make an order,—



- (a) dismissing the election petition; or
- (b) declaring the election of all or any of the returned candidates to be void; or
- (c) declaring the election of all or any of the returned candidates to be void and the petitioner or any other candidate to have been duly elected.

**144. Other orders of Election Court.**— At the time of making an order under rule 143, the election court shall also make an order,—

(a) Where any charge is made in the petition, of any corrupt practice having been committed at the election, recording,—

(i) a finding whether any corrupt practice has or has not been proved to have been committed at the election and the nature of that corrupt practice; and

(ii) the names of all persons, if any, who have been proved at the trial to have been guilty of any corrupt practice and the nature of that practice;

(b) fixing the costs payable and specifying the persons by and to whom the costs shall be paid:

Provided that a person who is not a party to the petition shall not be named in the order under sub-clause (ii) of clause (a) unless,—

(a) he has been given notice to appear before the election court and to show cause why he should not be so named; and

(b) if he appears in pursuance of the notice, he has been given an opportunity,—

(i) of cross examining any witness who has given evidence against him;

(ii) of calling evidence in his defence; and

(iii) of being heard.

**145. Grounds for declaring election to be void.**— If the Election Court is of opinion,—

(a) that the existence of all or any of the grounds specified in the Act or rules has been established; or

(b) that on the date of his election a returned candidate was not qualified, to be chosen to fill the seat under this Act,

then the election court may declare the election of the returned candidate to be void.

**146. Grounds on which a candidate other than the returned candidate may be declared to have been elected.**— If any person who has lodged a petition has, in addition to calling in question the election of the returned candidate, claimed a declaration that he himself or any other candidate has been duly elected and the election court is of opinion that,—

(a) the petitioner or such other candidate received a majority of the valid votes; or

(b) but for the votes obtained by the returned candidate by corrupt practice, the petitioner or such other candidate would have obtained a majority of the valid votes, the election court shall, after declaring the election of the returned candidate to be void, declare the petitioner or such other candidate, as the case may be, to have been duly elected.

**147. Procedure in case of an equality of votes.**— If during the trial of an election petition it appears that there is an equality of votes between any of the candidates at the election and that the addition of a vote would entitle any of those candidates to be declared elected, then,—

(1) any decision made by the Returning Officer under the provisions of these rules, shall, in so far as it determines the question between those candidates, be effective also for the purposes of the petition; and

(2) insofar as that question is not determined by such a decision, the Election Court shall decide between them by lot and proceed as if the one on whom the lot then falls had received an additional vote.

**148. Communication of orders of the election court.**— The election court shall, as soon as may be, after the conclusion of the trial of an election petition, intimate the substance of the decision to the Executive Officer of the town panchayat or the Commissioner of the municipal council or municipal corporation, as the case may be and to the Election Commission and as soon as may be thereafter, shall send to the State Election Officer, the Election Commission and the Government an authenticated copy of the decision.

**149. Transmission of order of the election court and its publication.**— As soon as may be, after the receipt of any order made by the Election Court under rule 143 or 144, the Election Commission shall forward copies of the order to the Executive Officer of the town panchayat or the Commissioner of the municipal council or municipal corporation, as the case may be, who shall cause the order to be published in the office of the town panchayat or municipal council or municipal corporation concerned.

**150. Effect of orders of the election court.**— (1) Every such order shall take effect as soon as it is pronounced by the election court.

(2) Whereby an order under rule 143 or 144, the election of a returned candidate is held to be void, acts and proceedings in which that returned candidate has, before the date thereof, participated shall not be invalidated by reason of that order; nor shall such candidate be subjected to any liability or penalty on the ground of such participation.

## **PART XI.**

### **MISCELLANEOUS.**

**151. Interpretation of these rules by the Government.**— (1) If any question arises as to the interpretation of these rules, otherwise than in connection with an inquiry held under the rules for the decision of disputes as to the validity of an election, the question shall be referred to the Government who, after consulting the Election Commission, shall communicate their decision, which shall be final.

**152. Removal of difficulties.**— (1) The Election Commission may issue such general or special directions as may in its opinion be necessary, for the purpose of giving due effect to these rules.

(2) If any difficulty arises in giving effect to the provisions of these rules in holding any election, the Election Commission may pass such order as it considers necessary for the purpose of removing such difficulty.

**153. Savings.**— Notwithstanding anything contained in these rules, all orders, directions, etc., issued by the Government, the Election Commission or the State Election Officer, for the preparation of electoral rolls, or for the conduct of elections under these rules, shall unless repugnant to these rules, be deemed to have been issued or made under these rules.

**FORM 1****NOTICE OF PUBLICATION OF ELECTORAL ROLL**

[See rule 24 (1)]

Notice is hereby given that the Town Panchayat/Municipal Council/Municipal Corporation\* Electoral Roll has been prepared in accordance with the Tamil Nadu Urban Local Bodies Rules, 2023 by adopting the existing entries in the relevant part of the electoral roll of the ..... Legislative Assembly Constituency. A copy thereof relating to the .....ward/division of the .....Town Panchayat/Municipal Council/Municipal Corporation\* has been published for inspection.

Any person who wishes to lodge any claim for including his/her name in the roll or any objection to the inclusion of a name or any objection to the particulars in any entry in the said roll, shall first get such claim or objection settled with reference to the corresponding entry in the Assembly Roll by lodging suitable claim or objection under the provisions of the Representation of the People Act, 1950 (Central Act 43 of 1950) and the Registration of Electors Rules, 1960 before the Electoral Registration Officer of the said Assembly Constituency located at .....

All orders of inclusion, deletion or corrections issued on the basis of these claims and objections by the Assembly Electoral Registration Officer till the last date fixed for making nomination for election of Councillors of the Town panchayat or municipal council or municipal corporation will be duly incorporated in the ..... Town Panchayat/Municipal Council/Municipal Corporation\* Electoral Rolls.

Place: .....

Date: .....

Electoral Registration Officer,  
.....Town Panchayat/  
Municipal Council/Municipal Corporation\*.

[\*strikeout whichever is not applicable.]

## FORM 2

## NOTICE OF ELECTION

[See rule 29 (1)]

**Election of the Councillors to Wards/Divisions of ..... Town Panchayat/ Municipal Council/Municipal Corporation\*.**

Notice is hereby given that,—

1. (a) elections are to be held to elect a Councillor(s) of Ward/ Divisions of ..... Town Panchayat/Municipal Council/Municipal Corporation\*.

(b) the ward/divisions which are reserved for persons belonging to Scheduled Castes/ Scheduled Tribes and/or Women are given below:--

Office	←=== Reserved for ===→					Unreserved
	Scheduled Castes	Scheduled Tribes	Women			
			Scheduled Castes	Scheduled Tribes	Open	
Councillor-ward/ division* 1						
ward/division* 2						
....						
Total						

2. Nomination papers may be delivered by a candidate or his proposer to the Returning Officer/Assistant Returning Officer at ..... between ..... a.m. and.....p.m. on any day (other than a public holiday ) from ..... to .....

3. Forms of nomination papers will be available in the office of the Town Panchayat/Municipal Council/Municipal Corporation\* and at the office of the Assistant Returning Officer from this date on all working days.

4. The nomination papers will be taken up for scrutiny at ..... a.m. on ..... at.....

5. Notice of withdrawal of candidature may be delivered by a candidate or his proposer who has been specifically authorised in this behalf in writing by the candidate to the Returning Officer/Assistant Returning Officer upto ..... p.m. on .....

6. In the event of the election being contested the poll will be taken on ..... between .....a.m. and .....p.m. at the polling stations notified for this purpose.

7. The counting of votes shall commence at ..... a.m. on .....

8. The election shall be completed before .....

9. The first meeting of the newly-elected councillors shall be held on ..... at the office of the ..... Town Panchayat/Municipal Council/Municipal Corporation\*.

Place: .....

Date: .....

Returning Officer,  
..... Town Panchayat/Municipal  
Council/Municipal Corporation\*.

[\*Strike out whichever is not applicable]

**FORM 3****NOMINATION PAPER**

[See rule 30 (1) and (2)]

**Election of the Councillor to Ward/Division No..... of ..... Town Panchayat/Municipal Council/Municipal Corporation\***

(To be filled in by the proposer)

I hereby nominate Thiru/Tmt/Selvi\* ..... as a candidate for the election as a councillor from Ward/Division\* No.....of the ..... Town Panchayat/Municipal Council/Municipal Corporation\*.

His/Her\* name is entered at Serial No. .... in Part No. .... /Street No..... of the electoral roll for Ward/Division\* No. .... of ..... Town Panchayat/Municipal Council/Municipal Corporation\*.

My name is entered at Serial No. .... in Part No...../Street No..... of the electoral roll for Ward/Division\* No. .... of ..... Town Panchayat/Municipal Council/Municipal Corporation\*.

Place: .....

Signature of the Proposer.

Date: .....

-2-

**(To be filled by the candidate)**

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

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

(b) the symbols I have chosen are in the following order of preference:-

(i).....

(ii)..... and

(iii).....

(c) \*\* I am a member of the..... caste/tribe which is a Scheduled Caste/Tribe in the State of Tamil Nadu in relation to .....(area).

(d) I am not employed as Village Administrative Officer or village servant or an officer or servant of the State or Central Government or of a Village Panchayat, Panchayat Union Council, District Panchayat, Town Panchayat, Municipal Council or Municipal Corporation or of any industrial Township or of Cantonment or of any body Corporate, owned or controlled by the State or Central Government.

Date: .....

Signature of the Candidate.

Note:

\*\* Item (c) needs to be made only by a Scheduled Castes/Scheduled Tribes candidate.

**(To be filled by the Returning Officer)**

Serial No. of nomination paper: .....

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

Place: .....

Returning Officer /Assistant Returning Officer.\*

Date: .....

**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 of Thiru/Tmt/Selvi\* ....., a candidate for election as Councillor  
from ward/division\* No..... of the Town Panchayat/Municipal Council/Municipal Corporation,\*  
was presented to me at my office at ..... (hour) on .....(date) by the candidate/proposer.

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

Place: .....

Returning Officer/Assistant Returning Officer.\*

Date: .....

**Decision of Returning Officer Accepting or Rejecting the Nomination Paper**

I have examined this nomination paper in accordance with rule 33 of the Tamil Nadu Urban Local  
Bodies Rules, 2023 and decided as follows:-

Accepted/Rejected\*

Place:

Returning Officer/

Assistant Returning Officer.\*

Date:

.....Town Panchayat/Municipal  
Council/Municipal Corporation\*.

[\*strike out whichever is not applicable]

**FORM 4**

[See rule 30 (3)(a)(g)]

**AFFIDAVIT TO BE FURNISHED BY THE CANDIDATE ALONG WITH NOMINATION PAPER BEFORE THE RETURNING OFFICER****ELECTION OF THE COUNCILLOR TO WARD/DIVISION NO.\* .....OF ..... TOWN PANCHAYAT/MUNICIPAL COUNCIL/MUNICIPAL CORPORATION\*.****PART A**

I ..... son/daughter/wife\* of ..... Aged .....years, resident of ..... (mention full postal address including pincode), a candidate at the above election, do hereby solemnly affirm and state on oath as under:-

(1) I am a candidate set up by ..... (name of the political party)/am contesting as an Independent candidate\* .

(2) My name is enrolled in Ward/Division\* No ..... of Electoral Roll of ..... Town Panchayat/Municipal Council/Municipal Corporation\* at Serial No ..... in Part No .....

(3) My contact telephone number ..... (with STD Code)/mobile number (s) is/are ..... and my e-mail id (if any) is.....

(4) Details of Permanent Account Number (PAN) and status of filing of Income Tax return:

Sl. No.	Name (s)	PAN No.	The financial year for which the last Income-tax return has been filed	Total income shown in Income – tax return (in Rupees)
(1)	(2)	(3)	(4)	(5)
1.	Self			
2.	Spouse			
3.	Dependent-1			
4.	Dependent-2			
5.	Dependent-3.....			

(5) I have not been sentenced/imprisoned for any offence(s) punishable with imprisonment for more than six months as provided under sub-section (4) of section 12 of the Tamil Nadu Urban Local Bodies Act, 1998 (Tamil Nadu Act 9 of 1999)/a case(s)/is/are pending against me in which a charge(s) has/have been framed by the court(s) of competent jurisdiction.

If the deponent is accused of any such offence(s) he shall furnish the following information:-

(i) The following case(s) is /are pending against me in which charges have been framed by the court for an offence punishable with imprisonment for six months or more:-

(a)	Case/First Information Report No./ Nos. together with complete details of concerned Police Station/District/State:	
(b)	Section(s) of the concerned Act(s) and short description of the offence(s) for which charged:	

(c)	Name of the Court, Case No. and date of order taking cognizance:	
(d)	Court(s) which framed the charge(s):	
(e)	Date(s) on which the charge(s) was/ were framed:	
(f)	Whether all or any of the proceedings(s) have been stayed by any Court(s) of competent jurisdiction:	

(ii) The following case(s) is /are pending against me in which cognizance has been taken by the court [other than the cases mentioned in item (i) above]:-

(a)	The details of cases where the court has taken cognizance, section(s) of the Act(s) and description of the offence(s) for which cognizance taken:	
(b)	Name of the Court, Case No. and date of order taking cognizance:	
(c)	Details of Appeal(s)/ Application(s) for revision (if any) filed against the above order(s):	

(6) I have not been convicted of an offence(s) and I have been/have not been removed/disqualified under Tamil Nadu Urban Local Bodies Act, 1998 (Tamil Nadu Act 9 of 1999).

If the deponent is convicted and punished as aforesaid, he shall furnish the following information:

(i) Cases in which, I have been convicted and sentenced to imprisonment by a court of law:

(a)	The Details of cases, section(s) of the concerned Act(s) and description of the offence(s) for which convicted:	
(b)	Name of the Court(s), Case No. and date(s) of order(s):	
(c)	Punishment imposed:	
(d)	Whether any appeal was/has been filed against the conviction order. If so, details and the present status of the appeal:	

(ii) If the deponent dismissed/disqualified from the post of .....under the Tamil Nadu Urban Local Bodies Act, 1998 (as in Sl.No.5 above), he shall furnish the following information:—

(a)	Removed/Disqualified under which Section(s) of Tamil Nadu Urban Local Bodies Act, 1998 (Tamil Nadu Act 9 of 1999):	
(b)	Period of punishment:	From ..... to ..... (..... Years)
(c)	Order No. and Date (i.e. Statutory Orders issued by the Tamil Nadu State Election Commission or Proceedings issued by the authority):	
(d)	Date of enforcement of removal/ disqualification:	
(e)	Whether any appeal was/has been filed against the removal/disqualification order. If so, details and the present status of the appeal:	



(7) That I give herein below the details of the assets (movable and immovable etc.) of myself, my spouse and all dependents:—

**A. Details of movable assets:**

- Note: 1. Assets in joint name indicating the extent of joint ownership will also have to be given.
2. In case of deposit/investment, the details including Serial Number, Amount, date of deposit, the scheme, Name of the Bank/Institution and Branch are to be given.
3. Value of Bonds/Share Debentures as per current market value in Stock exchange in respect of listed companies and as per books in case of non-listed companies should be given.
4. Dependent here means, a person substantially dependent on the income of the candidate.
5. Details including amount are to be given separately in respect of each investment.

Sl. No.	Description	Self	Spouse	Dependent-1	Dependent-2	Dependent-3
(i)	Cash in hand					
(ii)	Details of deposit in Bank accounts (FDRs, Term Deposits and all other types of deposits including saving accounts), Deposits with Financial Institutions, Non-Banking Financial Companies and Cooperative societies and the amount in each such deposit					
(iii)	Details of investment in Bonds, debentures/ shares and units in companies/ Mutual funds and others and the amount					
(iv)	Details of investment in NSS, Postal Savings, Insurance policies and investment in any Financial instruments in Post office or Insurance Company and the amount					
(v)	Personal loans/advance given to any person or entity including firm, company, Trust etc., and other receivables from debtors and the amount					
(vi)	Motor Vehicles/Aircrafts/Yachts/Ships (Details of Make, registration number etc. year of purchase and amount)					
(vii)	Jewellery, bullion and valuable thing(s) (give details of weight and value)					
(viii)	Any other assets such as value of claims/ interest					
(ix)	Gross Total Value					

**B. Details of Immovable Assets:**

Note: 1. Properties in joint ownership indicating the extent of joint ownership will also have to be indicated.

2. Each land or building or apartment should be mentioned separately in this format.

Sl. No.	Description	Self	Spouse	Dependent-1	Dependent-2	Dependent-3
(i)	Agricultural Land - Location(s) - Survey number(s)					
	Area (total measurement in acres)					
	Whether inherited property (Yes or No)					
	Date of purchase in case of self-acquired property					
	Cost of Land (in case of purchase) at the time of purchase					
	Any investment on the land by way of development, construction etc.					
	Approximate current market value					
(ii)	Non-Agricultural Land: - Location(s) - Survey number(s)					
	Area (total measurement in sq.ft.)					
	Whether inherited property (Yes or No)					
	Date of purchase in case of self-acquired property					
	Cost of Land (in case of purchase) at the time of purchase					
	Any investment on the land by way of development, construction etc.					
	Approximate current market value					
(iii)	Commercial Buildings (including apartments) - Locations(s) - Survey number(s)					
	Area (total measurement in sq.ft.)					
	Built-up Area (total measurement in sq.ft.)					
	Whether inherited property (Yes or No)					
	Date of purchase in case of self-acquired property					
	Cost of property (in case of purchase) at the time of purchase					

	Any investment on the property by way of development, construction etc.					
	Approximate current market value					
(iv)	Residential Buildings (including apartments):- - Location(s) - Survey number(s)					
	Area (total measurement in sq.ft.)					
	Built-up Area (total measurement in sq.ft.)					
	Whether inherited property (Yes or No)					
	Date of purchase in case of self-acquired property					
	Cost of property (in case of purchase) at the time of purchase					
	Any investment on the property by way of development, construction etc.					
	Approximate current market value					
(v)	Others (such as interest in property)					
(vi)	Total of current market value of (i) to (v) above					

(8) I give herein below the details of liabilities/dues to public financial institutions and government:-

(Note: please give separate details of name of bank, institution, entity or individual and amount before each item)

Sl. No.	Description	Self	Spouse	Dependent-1	Dependent-2	Dependent-3
(i)	Loan or dues to Bank/financial institution(s) Name of the Bank or financial institution, Amount outstanding, Nature of Loan					
	Loan or dues to any other individuals/entity other than mentioned above. Name(s), Amount outstanding, nature of loan Any other liability					
	Grand total of liabilities					
(ii)	Government dues: Dues to departments dealing with Government accommodation					
	Dues to department dealing with supply of water					
	Dues to department dealing with supply of electricity					
	Dues to department dealing with supply of telephone/mobile services					

	Dues to department dealing with government transport (including aircrafts and helicopters)					
	Income tax dues					
	Wealth tax dues					
	Service tax dues					
	Municipal/Property Tax dues					
	Sales tax dues					
	Any other dues					
(iii)	Grand total of all Government dues					
(iv)	Whether any other liabilities are in dispute, if so, mention the amount involved and the authority before which it is pending					

(9) Details of profession or occupation:

(a) Self .....

(b) Spouse .....

(10) My educational qualification is as under:-

.....(Give details of highest School/ University education mentioning the full form of the certificate/diploma/degree course, name of the School/College/University and the year in which the course was completed.)

#### PART B

(11) Abstract of the details given in (1) to (10) of Part-A:

1.	Name of the Candidate:	Thiru/Tmt/Selvi
2.	Full postal address:	
3.	Name of the Urban Local Body and District:	
4.	Name of the political party which set up the candidate (otherwise write 'Independent'):	
5.	(i) Total number of pending cases where charges have been framed by the Court for offences punishable with imprisonment for more than six months under section 12(4) of the Tamil Nadu Urban Local Bodies Act, 1998:	
	(ii) Total number of pending cases where the court(s) have taken cognizance [other than the cases mentioned in item (i) above]:	
6.	Total number of cases in which convicted and sentenced to imprisonment other than any offence(s) referred to Sl.No.5 above Dismissal/Disqualification period under the Tamil Nadu Urban Local Bodies Act, 1998:	From ..... To ..... (..... Years)

7		PAN No.	Year for which last income tax return filed	Total income shown		
	(a) Candidate					
	(b) Spouse					
	(c) Dependents					
8	Details of Assets and Liabilities in Rupees					
	Description		Spouse	Dependent-I	Dependent-II	Dependent-III
(1)	Movable Assets (Total Value)					
B(2)	Immovable Assets					
	I	Purchase price of self-acquired immovable property				
	II	Development/construction cost of immovable property after purchase (if applicable)				
	III	Approximate Current market price of -				
		(a) self acquired assets (Total value)				
		(b) inherited assets (Total value)				
9	Liabilities					
	(i)	Government dues (Total)				
	(ii)	Loans from Bank, Financial Institutions and others (Total)				
10	Liabilities that are under dispute					
	(i)	Government dues (Total)				
	(ii)	Loans from Bank, Financial Institutions and others (Total)				
11	Highest educational qualifications:- (Give details of highest School/University education mentioning the full form of the certificate/ diploma/ degree course, name of the School/College/ University and the year in which the course was completed.)					

**VERIFICATION**

I, ..... the deponent, above named, do hereby verify and declare that the contents of this affidavit are true and correct to the best of my knowledge and belief and no part of it is false and nothing material has been concealed there from. I further declare that,—

- there is no case of conviction or pending case against me other than those mentioned in items 5 and 6 of Parts A and B above;
- I, my spouse, or my dependents do not have any asset or liability, other than those mentioned in items 7 and 8 of Part A and items 8, 9 and 10 of Part B above; and
- I am aware that filing false affidavit, etc. is punishable with imprisonment for a term which may extend to six months, or with fine, or with both under relevant sections of the Act.

Verified at ..... this the ..... day of .....

**DEPONENT**

- Note:-
1. Affidavit should be filed along with the Nomination paper.
  2. Affidavit should be sworn before a Commissioner of Oaths or Magistrate of the First Class or before a Notary Public. The affidavit shall be prepared in a value of not less than twenty rupees (Rs.20) non judicial stamp paper.
  3. All columns should be filled up and no column to be left blank. If there is no information to furnish in respect of any item, either "Nil" or "Not applicable", as the case may be, should be mentioned.
  4. The Affidavit should be either typed or written legibly and neatly.

[\*strikeout whichever is not applicable.]

**FORM 5**

**NOTICE OF NOMINATION**

[See rule 32 (2)]

**Election of the Councillor to Ward/Division\* No..... of .....Town Panchayat/Municipal Council/Municipal Corporation\*.**

Notice is hereby given that the following nominations in respect of the above election have been received upto ..... p.m. today:-

Serial No. of Nomination paper	Name of candidate	Name of father/husband	Age of candidate	Address	Gender	Caste/Tribe (in case of Scheduled Castes/ Scheduled Tribes candidates)	Electoral roll Serial No. of the candidate	Name of the proposer	Electoral roll Serial No. of the proposer
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)

Note: The nomination papers will be taken up for scrutiny at 11.00 a.m. on the ..... day of ..... at ..... (Place)

Place: .....

Date: .....

Returning Officer/  
Assistant Returning Officer.\*

[\*strikeout whichever is not applicable.]

**FORM 6****LIST OF NOMINATIONS RECEIVED**

[See rules 32 (3), (4) and 33 (1)]

..... **Town Panchayat/Municipal Council/Municipal Corporation\***.List of nominations received for election of the Councillor to Ward/Division\* No.....  
of ..... Town Panchayat/Municipal Council/Municipal Corporation\*.

Sl. No.	Name of candidate	Name of Father/ Husband	Community (Scheduled Caste/ Scheduled Tribe or not)	Gender	Address
(1)	(2)	(3)	(4)	(5)	(6)

Note:- The nomination papers will be taken up for scrutiny at ..... a.m. on ..... at ..... (place)

Place: .....

Date: .....

Returning Officer/  
Assistant Returning Officer.\*

[\*strikeout whichever is not applicable.]

**FORM 7****LIST OF VALIDLY NOMINATED CANDIDATES**

[See rule 33 (9)]

..... **Town Panchayat/Municipal Council/Municipal Corporation\***.

List of nominations which are found valid among the nominations received for the election of the Councillor to Ward/Division\* No..... of ..... Town Panchayat/Municipal Council/Municipal Corporation\*.

Sl. No.	Name of candidate	Name of Father/ Husband	Community (Scheduled Caste/ Scheduled Tribe or not)	Gender	Address
(1)	(2)	(3)	(4)	(5)	(6)

Place: .....

Date: .....

Returning Officer /  
Assistant Returning Officer.\*

[\*strikeout whichever is not applicable.]



**FORM 8****NOTICE OF WITHDRAWAL**

[See rule 34 (1)]

**Election of the Councillor to Ward/Division\* No..... of ..... Town Panchayat/  
Municipal Council/Municipal Corporation\*.**

To  
The Returning Officer,

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

2. I am fully aware that I cannot cancel this notice of withdrawal under sub-rule (3) of rule 34 of the Tamil Nadu Urban Local Bodies Rules, 2023.

Place:.....

Signature of Candidate.

Date: .....

(To be filled by the Returning Officer)

The notice was delivered to me at my office at ..... (hour) on ..... (date) by ..... (name) the.....\*

Date:.....

Returning Officer

**RECEIPT FOR NOTICE OF WITHDRAWAL**

(To be handed over to the person delivering the notice.)

The notice of withdrawal of candidature by ....., a candidate at the election of councillor to Ward/Division\* No..... of ..... Town Panchayat/Municipal Council/Municipal Corporation\* was delivered to me by the \*\*..... at my office at ..... (hour) on .....(date).

Returning Officer.

**NOTE:**

[\*strikeout whichever is not applicable.]

\*\* 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.

**FORM 9****NOTICE OF WITHDRAWAL OF CANDIDATURE**

[See rule 34 (4)]

**Election of the Councillor to Ward/Division\* No..... of ..... Town Panchayat/  
Municipal Council/Municipal Corporation\*.**

Notice is hereby given that the following candidate/candidates at the above election has/have withdrawn his candidature/their candidature(s) today.

Name of candidate	Address of candidate	Remarks
(1)	(2)	(3)

Place: .....

Returning Officer.

Date: .....

[\*strikeout whichever is not applicable.]

## FORM 10

## LIST OF CONTESTING CANDIDATES

[See rules 35 (1), (2) (c), 36 (1) (a), 39 (3) (4), 45 (4), 53 (1), 76 (2) and 77 (4) (a)]

..... Town Panchayat/Municipal Council/Municipal Corporation\*.

List of contesting candidates for election of the Councillor to Ward/Division\* No..... of  
..... Town Panchayat /Municipal Council/Municipal Corporation.\*

Sl. No.	Name of the Candidate	Gender	Whether the candidate belongs to Scheduled Caste, Scheduled Tribe or not	Address of Candidate	Distinctive symbol assigned to the candidate
(1)	(2)	(3)	(4)	(5)	(6)

**Note:-** The poll will be taken on ..... between ..... a.m. and .....p.m. at the polling stations notified for the purpose.

Place: .....

Returning Officer.

Date: .....

[\*strikeout whichever is not applicable.]

## FORM 11

## APPOINTMENT OF ELECTION AGENT

[See rule 42]

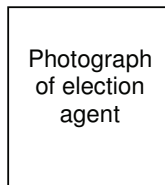
**Election of the Councillor to ward/division\* No..... of ..... Town Panchayat/Municipal Council/Municipal Corporation\*.**

To

The Returning Officer,

I, ..... of ....., a candidate at the above election do hereby appoint Thiru/Tmt/Selvi\* ..... of ..... as my election agent from this day at the above election.

His/Her\* recent photograph, duly attested by me, is pasted below.



Place:.....

Signature of Candidate.

Date:.....

I accept the above appointment.

Place:.....

Signature of Election agent.

Date:.....

[\*strikeout whichever is not applicable.]

## FORM 12

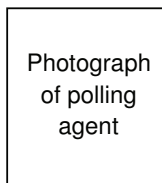
## APPOINTMENT OF POLLING AGENT

[See rule 44 (2)]

**Election of the Councillor to Ward/Division\* No..... of ..... Town Panchayat/Municipal Council/Municipal Corporation\*.**

I, ....., a candidate/election agent of ..... who is a candidate,\* in the above election do hereby appoint Thiru/Tmt/Selvi\* ..... of ..... as polling agent to attend the Polling Station No..... at .....

His/Her\* recent photograph, duly attested by me, is pasted below.



Date: .....

Signature of Candidate /  
Election Agent.\*

I agree to act as such polling agent.

Place: .....

Signature of Polling Agent.

Date: .....

[\*strikeout whichever is not applicable.]

**Declaration of polling agent to be signed before the Presiding Officer.**

I hereby declare that at the above election I will not do anything forbidden by the relevant section of the Act which I have read/ has been read over to me.

Date: .....

Signature of Polling Agent.

Signed before me.

Date: .....

Signature of Presiding Officer.

-----&gt;&lt;-----

(To be handed over to the polling agent for production at the polling station.)

**FORM 13**

[See rule 46 (6)]

**PART I****DECLARATION BY THE PRESIDING OFFICER BEFORE THE COMMENCEMENT OF POLL****Election of the Councillor to Ward/Division\* No..... of ..... Town Panchayat/Municipal Council/Municipal Corporation\*.**

Name of the Town Panchayat/Municipal Council/Municipal Corporation\* :

No. and name of the polling station :

Date of poll :

I hereby declare,—

(1) that I have demonstrated to the polling agents and other persons present that the ballot boxes to be used for the poll are empty.

(2) that on the paper seal used for securing the ballot box, I have affixed my own signature and obtained thereon the signatures of such of the polling agents who are present and desirous of affixing the same.

(3) that I have demonstrated to the polling agents and others present that the marked copy of the electoral roll/ rolls to be used during the poll does/do not contain any marks other than those used for issuing election duty certificates, and

(4) that I have allowed the polling agents to note the first and the last of the serial numbers of the ballot papers and also the numbers on the paper seals which will be used at the polling station.

Signature of Presiding Officer.  
Signature of Polling Agents.

- 1..... (of candidate.....)
2. .... (of candidate .....
3. .... (of candidate .....
4. .... (of candidate .....
5. .... (of candidate .....
6. .... (of candidate .....
7. .... (of candidate .....
8. .... (of candidate .....
9. .... (of candidate .....

The following agents declined to affix their signatures to this declaration:-

1. .... (of candidate .....
2. .... (of candidate .....
3. .... (of candidate .....
4. .... (of candidate .....

Signature of Presiding Officer.

**PART II.****DECLARATION AT THE END OF POLL.**

I have furnished to the polling agents, who were present at the polling station at the close of the poll and whose signatures are affixed below, an attested copy each of the entries in the ballot paper account in Form 21.

Date:

Signature of Presiding Officer.

Received an attested copy of the entries made in the ballot paper account.

Signature of Polling Agents.

- 1 ..... (of candidate .....)
- 2 ..... (of candidate .....)
- 3 ..... (of candidate .....)
- 4 ..... (of candidate .....)
- 5 ..... (of candidate .....)
- 6 ..... (of candidate .....)
- 7 ..... (of candidate .....)
- 8 ..... (of candidate .....)
- 9..... (of candidate .....)

The following polling agents who were present at the close of the poll declined to receive an attested copy of the ballot paper account and to give a receipt therefor and so an attested copy of the ballot paper account was not supplied to them.

- 1 ..... (of candidate .....)
- 2 ..... (of candidate .....)
- 3 ..... (of candidate .....)
- 4 ..... (of candidate .....)
- 5 ..... (of candidate .....)
- 6 ..... (of candidate .....)
- 7 ..... (of candidate .....)
- 8 ..... (of candidate .....)
- 9..... (of candidate .....)

Date:

Signature of Presiding Officer.

[\*strikeout whichever is not applicable.]

## FORM 14

## LIST OF CHALLENGED VOTES

[See rules 49 (2) (c) and 83 (2) (c)]

**Election of the Councillor to Ward/Division\* No..... of .....Town  
Panchayat/Municipal Council/Municipal Corporation\*.**

No. and Name of Polling Station:

Sl. No.	Name of elector	Serial No. of part of roll or street in which the elector's name appears	Sl. No. of the Elector's name in that part or street	Signature or thumb impression of the person challenged.	Name and address of identifier, if any.	Name and address of challenger and his signature or thumb impression.	Order of Presiding Officer	Signature of challenger, on receiving refund of deposit.	Amount forfeited and to be handed over to the Returning Officer.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)

Date: .....

Signature of Presiding Officer

[\*strikeout whichever is not applicable.]



**FORM 15**  
**BALLOT PAPER**

[See rule 53 (1)]



Counter Foil

..... Town Panchayat/Municipal Council/Municipal Corporation\*  
Ward/Division\* No.....

Electoral roll Part No. .... /Street Name .....

Sl. No. of the elector.....

Signature or thumb impression of the elector.



-----



Ballot Paper

Ward/Division\* No..... of ..... Town Panchayat/Municipal  
Council/Municipal Corporation.\*

NAME	SYMBOL
NAME	SYMBOL
NAME	SYMBOL
NAME	SYMBOL
NAME	SYMBOL
NAME	SYMBOL
NONE OF THE ABOVE	NOTA

[\*strikeout whichever is not applicable.]

## FORM 16

## APPLICATION BY AN ELECTOR ON ELECTION DUTY TO VOTE

[See rule 56 (1)]

To  
 The Returning Officer,  
 ..... Town Panchayat/  
 Municipal Council/Municipal Corporation\*.

Sir,

(1) I intend to cast my vote in person at the ensuing election to ..... of the ..... Town Panchayat/Municipal Council/Municipal Corporation\*. I have been enrolled under Serial No. .... of Part No. .... /Street Name. .... in the electoral roll of the Ward/Division\* No..... of ..... Town Panchayat/Municipal Council/Municipal Corporation\*.

(2) I have been posted for election duty at the ensuing election of Councillor of ..... Town Panchayat/Municipal Council/Municipal Corporation\* but else where than the polling station at which I am entitled to vote.

(3) I request that a certificate in Form 17 with a ballot paper may be sent to me to the address given below to enable me to cast my vote at the above election.

My address:

.....  
 .....  
 .....

Date:

Signature of elector on election duty.

[\*strikeout whichever is not applicable.]

## FORM 17

## ELECTION DUTY CERTIFICATE

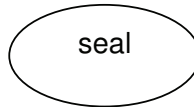
[See rule 56 (1)]

Certified that Thiru/Tmt/Selvi\*..... is an elector in Ward/Division\* No..... of ..... Town Panchayat/Municipal Council/Municipal Corporation\*. His/Her\* electoral roll particulars are given below:

Serial No. :  
Part No./Street Name :  
Ward/Division No :  
Town Panchayat/Municipal Council/ :  
Municipal Corporation\*

Certified also that by reason of being on election duty, he is unable to vote at the polling station where he is entitled to vote and that he is, therefore, hereby authorised to vote through postal ballot paper in the manner laid down in rule 56.

Date: .....



Returning Officer.

[\*strikeout whichever is not applicable]

**FORM 18****DECLARATION BY ELECTOR ON ELECTION DUTY**

[See rules 56 (2) and 66 (1) (b) and (c)]

**Election of the Councillor to Ward/Division\* No..... of ..... Town  
Panchayat/Municipal Council/Municipal Corporation\*.**

I hereby declare that I am the elector to whom the postal ballot paper bearing Serial No. ....  
has been issued at the above election. I declare that I have marked my vote myself on the ballot paper.

Date: .....

Signature of Elector.

Address.....  
.....  
.....

[\*strikeout whichever is not applicable.]

**FORM 19****LIST OF BLIND AND INFIRM ELECTORS**

[See rules 57 (2) and 87 (2)]

**Election of the Councillor to Ward/Division\* No..... of ..... Town Panchayat/ Municipal Council/ Municipal Corporation\*.**

**Polling Station No. and Name:**

Ward/Division* No. and Serial No. of elector	Full name of elector	Full name of companion	Address of companion	Signature of companion
(1)	(2)	(3)	(4)	(5)

Date: .....

Signature of Presiding Officer.

[\*strikeout whichever is not applicable.]

## FORM 20

## LIST OF TENDERED VOTES

[See rule 59 (2)]

Election of the Councillor to Ward/Division\* No..... of ..... Town  
Panchayat/Municipal Council/Municipal Corporation\*.

## Polling Station No. and Name:

Sl. No.	Serial No., Part No./ Street Name, Ward/Division* No. and Name of elector	Address of elector	Serial No. of tendered ballot paper	Signature or thumb-impression of person tendering vote
(1)	(2)	(3)	(4)	(5)

Date: .....

Signature of Presiding Officer.

[\*strikeout whichever is not applicable.]

**FORM 21**

[See rules 62 (5) (a) (i), 66 (7) and 69 (2)]

**Election of the Councillor to Ward/Division\* No..... of ..... Town Panchayat/Municipal Council/Municipal Corporation\*.****PART I****BALLOT PAPER ACCOUNT**

Name of the Town Panchayat/Municipal Council/Municipal Corporation\* ..... Ward/Division\* No.....

Polling Station No. and Name: .....

Ballot Paper details (1)	Serial No.		Total No. (4)
	From (2)	To (3)	
1. Ballot Papers received			
2. Ballot papers unused (i.e. not issued to voters),— (a) With the signature of Presiding Officer (b) Without the signature of Presiding Officer Total: (a+b)			
3. ** Ballot papers used at the polling station (1-2=3)			
4. ** Ballot papers used at the polling station but NOT INSERTED INTO THE BALLOT BOX: (a) Ballot papers cancelled for violation of voting procedure under rule 58 (b) Ballot papers cancelled for other reasons (c) Ballot papers used as tendered ballot papers Total: (a+b+c)			
5. ** Ballot papers to be found in the ballot box (3-4=5)			

[\*strikeout whichever is not applicable.]

\*\* Serial Nos. need not be given

Date: .....

Signature of Presiding Officer.

**PART II****RESULT OF INITIAL COUNTING**

1. Total No. of Ballot Papers that should be found in the ballot box(es) as shown in item 5 of Part I:
2. Total No. of Ballot Papers actually found in the ballot box(es) as per initial counting:
3. Discrepancy, if any,.....

Date: .....

Signature of Counting Supervisor.

Signature of the Returning Officer.

## FORM 22

## REGISTER OF ELECTORS

[See rules 85 (a), 86 (7), 88, 94 (1) (b) and 96 (3)]

**Election of the Councillor to Ward/Division\* No..... of ..... Town  
Panchayat/Municipal Council/Municipal Corporation\*.**

Polling Station No. and Name: -----

Sl. No.	Sl. No. of elector in the electoral roll	Signature/Thumb impression of elector	Remarks
(1)	(2)	(3)	(4)
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			

Date:

Signature of the Presiding Officer

[\*strikeout whichever is not applicable.]



**FORM 23****LIST OF TENDERED VOTES**

[See rules 89 (2) and 94 (1) (c)]

**Election of the Councillor to Ward/Division\* No..... of ..... Town Panchayat/  
Municipal Council/Municipal Corporation\*.**

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

Sl. No.	Name of elector	Sl. No. of elector in electoral roll	Sl. No. in Register of electors (Form 22) of the person who has already voted in place of elector	Sl. No. of tendered ballot paper	Signature/Thumb impression of elector
(1)	(2)	(3)	(4)	(5)	(6)
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					

Date: .....

Signature of the Presiding Officer.

[\*strikeout whichever is not applicable.]



**PART II**  
**RESULT OF COUNTING**

Sl. No.	Name of Candidates	Symbol	Number of Votes recorded
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.	None of the above		
Total			

Whether the total number of votes shown above tallies with the total Number of votes shown against Sl. No. 5 of Part I or any discrepancy noticed between the two totals.

Date: .....

Signature of Counting Supervisor.

Sl. No.	Name of Candidate/Election Agent/Counting Agent	Full signature
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		

Date: .....

Signature of Returning Officer.

[\*strikeout whichever is not applicable.]

## FORM 25

## APPOINTMENT OF COUNTING AGENTS

[See rules 64 (1) and 98 (1)]

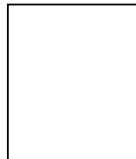
**Election of the Councillor to Ward/Division\* No..... of ..... Town Panchayat/Municipal Council/Municipal Corporation\*.**

To  
The Returning Officer,

I, ....., a candidate/the election agent\* of ....., who is a candidate at the above election do hereby appoint the following person as my counting agent to attend the counting of votes at.....

Name of the counting agent	Address of the counting agent

His recent photograph, duly attested by me is pasted below:-



Date:.....

Signature of candidate/election agent.\*

I agree to act as such counting agent.

Place: .....

Signature of counting agent.

Date:.....

**Declaration of counting agent to be signed before the Returning Officer**

I hereby declare that at the above election, I will not do anything forbidden by the relevant section of the Act, which I have read/has been read over to me.

Date: .....

Signature of counting agent.

Signed before me.

Date: .....

Signature of Returning Officer.

[\*strikeout whichever is not applicable.]

-----X-----

(To be handed over to the counting agent for production at the counting centre.)

## FORM 26

## RESULT SHEET

[See rules 69 (2), 71 (1), (4) (b) and (5), 72 (4), 101 (2) (c), (d), (e) and (f) and 102 (1)]

**Election of the Councillor to Ward/Division\* No..... of ..... Town Panchayat/  
Municipal Council/Municipal Corporation\*.**

Sl. No.	Name of the candidate	Symbol	Votes secured through postal ballot	Votes secured at the polling stations	Total
1					
2					
3					
4					
5					
6					
7					
8					
9	None of the above				
	Total No. of valid votes polled				
	Rejected votes				
	Tendered votes				
	TOTAL				

Place: .....

Signature of Returning Officer.

Date: .....

[\*strikeout whichever is not applicable.]

## FORM 27

## RETURN OF ELECTION

[See rule 72 (1)]

.....Town Panchayat/Municipal Council/Municipal Corporation\*.

Election of the Councillor to Ward/Division\* No..... of ..... Town Panchayat/Municipal Council/Municipal Corporation\*.

Sl. No.	Name of the candidate	Symbol	No. of valid votes polled
(1)	(2)	(3)	(4)
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.	None of the above		
	Total No. of valid votes polled		
	Total No. of rejected votes		

I declare that Thiru/Tmt/Selvi\*.....has been duly elected as the Councillor of the ..... Ward/Division\* of .....Town Panchayat/Municipal Council/Municipal Corporation\*.

Place: .....

Signature of Returning Officer.

Date: .....

[\*strikeout whichever is not applicable.]

**FORM 28****DECLARATION OF THE RESULT OF ELECTION**

[See rules 36 (2) and 74]

**Election of the Councillor to Ward/Division\* No..... of ..... Town Panchayat/  
Municipal Council/Municipal Corporation\*.**

**DECLARATION**

In pursuance of the provisions contained in rule 97 of the Tamil Nadu Urban Local Bodies Rules, 2023, I declare that,—

Thiru/Tmt/Selvi\*.....(Name).....(Address) has  
been duly elected as Councillor from Ward/Division\* No. .... of..... Town Panchayat/  
Municipal Council/Municipal Corporation\*.

Place: .....

Signature of the Returning Officer.

Date: .....

[\*strikeout whichever is not applicable.]

## FORM 29

## NOMINATION FORM

[See rule 113 (1)]

**Election of Chairperson/Vice-Chairperson/Mayor/Deputy Mayor\* of ..... Town Panchayat/  
Municipal Council/Municipal Corporation\*.**

**Election of Chairperson of ..... Wards Committee of ..... Municipal Council/  
Municipal Corporation\*.**

**Election of Chairperson/Members of ..... Committee.....Town Panchayat/  
Municipal Council/Municipal Corporation\*.**

I, Thiru/Tmt/Selvi\* ..... Councillor from Ward/Division\* No. ...., hereby  
nominate Thiru/Tmt/Selvi\* ..... Councillor from Ward/Division\* No....., as a  
candidate for the election of Chairperson/Vice-Chairperson/Mayor/Deputy Mayor/Chairman\* of Wards  
Committee/Chairperson/Member\* of..... Committee of the .....Town  
Panchayat/Municipal Council/Municipal Corporation\*.

Place:.....

Signature of the Proposer.

Date:.....

I, Thiru/Tmt/Selvi\* .....Councillor from Ward/Division\* No.....,  
hereby second the above nomination.

Place: .....

Signature of the Seconder.

Date: .....

**Declaration of the Candidate**

I,.....Thiru/Tmt/Selvi\* ..... Councillor from Ward/Division\* No  
....., hereby ..... assent to this nomination.

\*\* I am a Member of the ..... caste/tribe which is a Scheduled caste/tribe in the State of Tamil Nadu  
in relation to ..... (area).

Place: .....

Signature of the Candidate.

Date: .....

[\*strikeout whichever is not applicable.]

\*\*needs to be made only for Chairperson/Mayor Election by a Scheduled Castes/Scheduled Tribes  
candidate.



## FORM 30

## BALLOT PAPER

[See rule 119]

Election of Chairperson/Vice-Chairperson/Mayor/Deputy Mayor/Chairperson/Member\* of the  
.....Wards Committee ..... Statutory Committee of ..... Town Panchayat/  
Municipal Council/Municipal Corporation\*.

Serial No.:

NAME  
WARD/DIVISION NO.

NAME  
WARD/DIVISION NO.

NAME  
WARD/DIVISION NO.

NAME  
WARD/DIVISION NO.

Signature of the Returning Officer.

[\*strikeout whichever is not applicable.]