



HARYANA STATE LAW COMMISSION

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ELEVENTH REPORT

Rules for delimitation of wards and election of the Haryana Sikh Gurdwara Management Committee

Government of Haryana

HARYANA STATE LAW COMMISSION

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Registrar**

Government of Haryana

HARYANA STATE LAW COMMISSION

ELEVENTH REPORT

20th June, 2023

Haryana State Law Commission on the advice of the Government of Haryana, Home Department received vide letter No. 04/66/2023-3GEC Dated 9th June, 2023 prepared the following draft :-

“Haryana Sikh Gurdwara Management Committee (De-limitation of Wards and Election) Rules, 2023”

and recommends the same to the Government for necessary action i.e. notification in the Government Gazette.

Haryana Sikh Gurdwaras Management Committee(Delimitation of Wards and Election) Rules, 2023.

In exercise of powers conferred under sub-section (1) and (2) of section 52 read with sub-section (1) of section 6 of the Haryana Sikh Gurdwaras (Management) Act, 2014 (22 Of 2014), the Governor of Haryana hereby makes the following rules for delimitation of wards and election of the Haryana Sikh Gurdwara Management Committee, namely:-

1. These rules may be called the Haryana Sikh Gurdwaras Management Committee (Delimitation of Wards and Election) Rules, 2023.

Short title.

2. (1) In these rules, unless the context otherwise requires,—

Definitions.

- (a) “Act” means the Haryana Sikh Gurdwaras (Management) Act, 2014 (22 of 2014);
- (b) “agent” means any person appointed in writing by a candidate at an election to be agent for the purposes of these rules, with the acceptance in writing by such person of the office of such agent, whether as election agent, polling agent or counting agent;
- (c) “candidate” means a person who has been or claims to have been duly nominated as a candidate at any election and any such person shall be deemed to have been a candidate as from the time when with the election in prospect, he began to hold himself out as a prospective candidate;
- (d) “elector” in relation to a ward, means a person whose name is registered in the electoral roll of that ward for the time being in force;
- (e) “Form” means form appended to these rules;
- (f) “population” means the Sikh population as ascertained at the last preceding census of which the relevant figures have been published;
- (g) “qualifying date” means the 1st day of January of the year in which the list of voters is prepared for the purpose of general election of members of the Haryana Sikh Gurdwara Management Committee;
- (h) “roll” means the electoral roll of a ward;
- (i) “State Government” means the Government of the State of Haryana in the Administrative Department;
- (j) “ward” means the ward from which the elected member of the Haryana Sikh Gurdwara Management Committee shall be returned from the State;

(2) Words and expressions used herein and not defined in these rules shall have the same meaning as are assigned to them in the Act.

3. The following principles shall be observed in the delimitation of wards of the Haryana Sikh Gurdwara Management Committee, namely:-

Principles for delimitation of wards.

- (a) wards shall, as far as practicable, be geographically compact areas, and having regard to physical features, existing boundaries of administrative units, if any, facilities of communication and public convenience;
- (b) the population of each ward, as far as practicable, should be the same throughout the State as applicable with a variation upto 20 per cent above or below the average population per ward.

4. (1) The State Government shall publish in the news papers in all the three languages i.e. Punjabi, Hindi and English, the proposal for delimitation of wards for eliciting objections or suggestions from the general public, wherein it shall specify the time, at least ten days from the date of publication of proposal, during which the objections or suggestions, if any, shall be received from the General Public;

Publication for proposal for delimitation of Wards.

(2) The Commissioner, Gurdwara Elections shall consider all objections or suggestions which may be received from the General Public and decide the same; and thereafter, by order, determine the delimitation of wards of the State and submit the same to the State Government.

Publication of final list of wards in Official Gazette.

5. After disposal of the objections or suggestions if any, received from the general public by Commissioner, Gurdwara Elections, the State Government shall publish the final list of wards in the official Gazette and on such publication such notification shall have the force of law. This list of delimitation of wards shall remain in force till the next list of delimitation of wards is notified.

Rectification of clerical mistakes in delimitation of Wards.

6. The State Government shall be competent to rectify the clerical mistake, if any, in the delimitation of wards.

Registration of voters.

7. (1) Any Sikh more than eighteen years of age, who wishes to have his name registered as a voter in any ward in which he is resident, may register his name with the Patwari of the Revenue estate in which he is resident or, if he is a resident in a town, with such person as the Deputy Commissioner of the district in which such town is situated may appoint for the purpose by notice posted at his office and at the office of the local authority of such town, or with the Secretary of local authority, if the Deputy Commissioner does not post any notice in respect of the appointment of any such person:

Provided that if he is a resident in more than one ward, he shall not be registered as a voter in more than one ward, and his name shall, subject to the provisions of these rules, remain registered as a voter in the ward in which he elects first to have it registered and shall not be registered in any other ward so long as he remains a resident in the ward in which he elects first to have his name registered:

Provided further that no person shall be registered, who does not make a declaration as set out in Form-1, appended to these rules either, if he be literate, by signing the form after striking out inapplicable matter or, if he be illiterate, by repeating the declaration, as read out from the form after striking out matter inapplicable to the case, and thereafter thumb marking the form.

(2) If a Patwari or any person appointed by the Deputy Commissioner for the registration of the names under the provisions of sub-rule(1), or the Secretary of the local authority, as the case may be, refuses or neglects to enter the name of any person who applies to have his name registered such person may at any time during the preparation of the electoral rolls apply to the Returning Officer to have his name registered and if such person is entitled to have his name registered, the Returning Officer shall direct the registration of his name.

Returning officers.

8. (1) For every ward, the Commissioner, Gurdwara Elections of the State in which the ward is situated, shall by notification in the official Gazette, appoint a Returning Officer who shall be an officer of the Government, not below the rank of an HCS Officer:

Provided that nothing in this rule shall prevent the Commissioner, Gurdwara Elections from appointing the same person to be the Returning Officer of more than one ward.

(2) It shall be the general duty of the Returning Officer at any election to do all acts and things as may be necessary for effectually conducting the election in the manner provided by the Act and the rules or orders made thereunder.

(3) The Deputy Commissioner may appoint Assistant Returning Officer not below the rank of Block Development and Panchayat Officer (BDPO) or Tehsildar who shall assist the Returning Officer in the preparation of electoral roll and elections of the Committee.

(4) Jurisdiction of the Returning Officer shall be the concerned ward assigned to him.

General duties of the Deputy Commissioner.

9. The Deputy Commissioner shall coordinate and supervise all work in connection with the conduct of the election in all the wards or parts thereof falling within his district.

Form of Roll.

10. The roll for each ward shall be in such form and in such language as the Commissioner, Gurudwara Election, may specify

Preparation and publication of preliminary rolls.

11. (1) The Deputy Commissioner shall commence the preparation of the roll on such date as the Commissioner, Gurdwara Elections, may direct, and as soon as may be, after the roll is prepared shall publish it together with a notice giving the names and designations, or in the case of officials, the designations only, and the addresses of the Returning Officer to whom claims or objections relating to the roll may be presented and the date, not less than fifteen days from the date of publication of the roll, by which such claims or objections must be presented.

(2) The roll and the notice prescribed in sub-rule (1) shall be published by being posted up at the office of the Returning Officer and at the office of the Deputy Commissioner of each district in which a part of the ward is situated; and such portion of the roll as the Returning Officer may deem fit together with the notice shall be posted up at the office of each tehsil in which the area comprising the ward or part thereof is situated, at the office of every Patwari and at every Notified Sikh Gurdwara situated in such area:

Provided that it shall not be necessary to post the notice or the roll at the office of any patwari in whose circle no voter has been registered as a resident:

Provided further that the roll published at the office of the Deputy Commissioner shall not be rendered invalid on the ground merely that it does not contain the roll in relation to any part or parts of a ward which have become inaccessible due to climate condition or otherwise.

12. (1) When a roll has been published under the provisions of rule 11, claims and objections relating to the inclusion of names in, or their exclusion from, the roll may be presented to the appropriate Returning Officer named in the notice published with the roll by the date specified in such notice, provided that—

Presentation of claims and objections with regard to roll.

- (a) a claim or objection shall not relate to more than one person, shall be in writing, shall be verified by the claimant or the objector and shall be presented to the appropriate Returning Officer personally by the claimant or objector or by an agent duly authorised in writing or be sent by post/email to the Returning Officer, so as to reach him within the specified period; and
- (b) a claim or objection not lodged within the specified period shall not be entertained.

(2) When objection is made to the inclusion in the electoral roll of any person whose name appears therein or to any particular in any entry in the roll, such objection shall contain in respect of such person or entry, as the case may be, all the particulars entered in the roll and shall be lodged in triplicate.

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

(4) No application for the transfer of a name from the electoral roll of one ward to that of another ward shall be entertained. If any person desires such a transfer, he shall prefer an objection to the inclusion of his name in the former roll, and a separate claim for the registration of his name in the latter roll.

(5) The Returning Officer shall maintain registers of claims and objections in Forms 2 and 3 in which he shall cause to be entered at the time of its receipt particulars of every claim or objection received.

13. (1) When a returning officer receives an objection presented under the provisions of rule 12, he shall cause one copy of it to be served on the person to whom objection pertains, provided that if an objection or claim is presented by a person from whom he is not authorised to receive it, he shall return it to the person presenting it for presentation to the appropriate Returning Officer.

Posting of list of claims and objections.

(2) Subject to such instructions as may from time to time be issued in this behalf by the Commissioner, Gurdwara Elections, the Returning Officer shall post at his office a list of all claims and objections received in time together with a notice showing the dates on which and the places at which such claims and objections will be heard;

Provided that in no case shall a date be fixed less than seven days or more than twenty-two days from the date on which such list is posted.

14. (1) On the date and at the place fixed under the provisions of rule 13, the Returning Officer shall call up the cases in the order in which they are entered in the list, shall dismiss any case in which the claimant or objector is not present or is not represented, and shall pass such order in any other case as he may deem fit after hearing the parties concerned or their authorised agents.

Disposal of claims and objections.

(2) The orders of a Returning Officer passed under the provisions of sub-rule (1) shall be final.

(3) A Returning Officer, as soon as he has disposed of all claims and objections presented to him, and, in any case, not later than twenty-one days from the date by which under the provisions of sub-rule (1) of rule 13 claims and objections must be presented, shall communicate each one of his decisions to the Deputy Commissioner who shall cause the electoral roll to be amended in accordance therewith.

(4) The Returning Officer shall also intimate to the Deputy Commissioner to correct any clerical or printing errors which the Returning Officer may himself discover in the roll. The Deputy Commissioner may also, at any time before the publication of the final roll under rule 14, himself correct any clerical or printing errors which he may discover in the electoral roll.

Final
publication of
electoral roll.

15. (1) The Deputy Commissioner shall then cause the roll, so amended either to be reprinted and republished or if he deems fit, shall republish the preliminary roll published under the provisions of sub-rule (1) of rule 11 together with a list of additions and corrections, in the manner provided for the publication of roll and notices in sub-rule (2) of rule 11.

(2) A roll republished under the provisions of sub-rule(1) with or without a list of corrections, as the case may be, shall come into force from the date of such republication and shall continue in force for a period of five years when a fresh roll shall be prepared in accordance with these rules, provided that the State Government may, by notification, direct the preparation in accordance with these rules of a fresh roll at any time before the expiry of the said period.

(3) If a ward is called upon to elect a member after an electoral roll has ceased to have force and before the completion of the new electoral roll, the old electoral roll shall, for the purposes of that election, continue to operate as the electoral roll for the ward.

- (4) (a) Any person whose name is not included in the electoral roll of ward may apply in the manner herein after provided for the inclusion of his name in that electoral roll;
- (b) Where an application under clause (a) is made at any time after the issue of a notice calling upon the ward to elect a member or members and before the completion of that election it shall be made to the Deputy Commissioner of the district in which the ward is situated, or if the ward extends over more than one district, to the Deputy Commissioner within whose jurisdiction the applicant resides, and in other cases it shall be made to the Returning Officer of the ward;
- (c) The Deputy Commissioner or the Returning Officer; as the case may be, shall, if satisfied after such notice and such enquiry as he thinks fit that the applicant is entitled to be registered in the electoral roll, direct his name to be included therein:

Provided that if the applicant is registered in the electoral roll of any other ward, the Deputy Commissioner or the Returning Officer, as the case may be, shall inform the Returning Officer of that ward, and that officer shall, on receipt of the information, strike off the applicant's name from that electoral roll;

- (d) No application or appeal under this sub-rule shall be entertained unless it is accompanied by a fee of-
- (i) One hundred rupee in the case of application to the Returning Officer;
- (ii) Five hundred rupees in the case of an application to the Deputy Commissioner;
- (e) The fee prescribed under clause (d) shall in no case be refunded; and
- (f) Any person may apply for obtaining the copy of the voters list subject to payment of Rs.10/- per page to be deposited in the office of the Returning Officer.

(5) When a direction is issued under sub-rule (4), the electoral roll to which such direction relates, shall be deemed to have been revised accordingly.

Correction of
clerical errors
in rolls.

16. Any person whose name is on the roll of a ward may apply in writing to the Returning Officer for the correction of any error in the entry in the roll relating to his name which is a clerical error or a mistake in the entry of any particular which does not affect his right to be entered in the roll, and the Returning Officer may at any time make or cause to be made such correction in the roll as he may deem necessary in respect of such entry.

17. (1) The Commissioner, Gurdwara Elections, shall by notification in the Official Gazette of the State fix the date or dates on, by or within which-

Dates for various stages of election.

- (i) the nomination papers shall be presented;
- (ii) the list of nomination papers shall be posted;
- (iii) the nomination papers shall be scrutinized;
- (iv) the applications for the revision of the orders of the authority scrutinizing the nomination papers may be made to the Deputy Commissioner;
- (v) the revision applications shall be decided;
- (vi) a candidate may withdraw his candidature;
- (vii) the list of valid nomination papers shall be posted;
- (viii) the list of polling stations shall be posted;
- (ix) the polling shall be held; and
- (x) the counting of votes shall be held and the result of election shall be declared:

Provided that the last date for the nomination of candidates for election shall be fixed not less than twenty days before the date fixed for the poll and not less than seven days after the date of the publication of the notice and the date for the scrutiny of nominations shall be fixed not more than seven days from the last date for the nomination of candidates.

(2) The Returning Officer shall publish a copy of the notification fixing the dates under sub-rule (1) at his office and the places at which the electoral roll is required to be published.

(3) The Commissioner, Gurdwara Elections may by notification in the Official Gazette, order a change in any of the dates fixed under sub-rule (1) at any time:

Provided that unless the Commissioner, Gurdwara Elections otherwise directs, no such order shall be deemed to invalidate any proceedings taken before the date of the order.

18. (1) The Commissioner, Gurdwara Elections shall by notification in the Official Gazette publish a list of symbols and may in like manner add to or vary such list.

Notification of symbols.

(2) In each ward every nomination paper delivered under rule 19 shall also be accompanied by a declaration in writing specifying the particular symbol which the candidate has chosen for his first preference out of the list of symbols published under sub-rule (1) and also specifying two other symbols out of that just which he has chosen for his second and third preferences, respectively:

Provided that the choice to be made by a candidate under this sub-rule shall be subject to such restrictions as the Commissioner, Gurdwara Elections may think fit to impose in that behalf.

19. (1) Any person not ineligible for membership of the committee under the provisions of section 10 of the Act may be nominated as a candidate for election:

Nomination of candidates.

Provided that—

- (a) on or before the date fixed for the nomination of candidates under the provisions of rule 17, he shall deliver, either in person, or by his proposer or by an agent appointed by authority in writing, signed by the candidate and verified by a magistrate, sub- registrar, sarpanch, nambardar or member of Legislature or local body to the Returning Officer or Assistant Returning Officer, a nomination paper completed in Form 4 and subscribed by the candidate himself as assenting to the nomination and by one person as proposer, whose name is included in the roll of the ward concerned published under the provisions of rule 15.
- (b) no person shall subscribe as proposer a number of nomination papers greater than the number of members to be elected to represent the ward in question, and if a person has subscribed a larger number of nomination papers than there are vacancies to be filled, only those of the papers so subscribed which have been first received up to the number of such vacancies shall be deemed to be valid.

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

Provided that the Returning Officer may—

- (a) permit any clerical error in the nomination paper in regard to the said names or numbers to be corrected in order to bring them in conformity with the corresponding entries in the electoral rolls, and
- (b) where necessary, direct that any clerical or printing error in the said entries shall be overlooked.

Deposits.

20. (1) On or before the date appointed for the nomination of candidates, each candidate shall deposit or cause to be deposited with the Returning Officer a sum of five thousand rupees and the Returning Officer shall deposit the amount in the account of Commissioner, Gurdwara Elections after the completion of the election process and no candidate shall be deemed to be duly nominated unless such deposit has been made:

Provided that not more than one such deposit need be made by any candidate in respect of his candidature for any one ward.

(2) If a candidate by whose or on whose behalf the deposit has been made withdraws his candidature in the manner and within the time specified in rule 24, except sub-rule (2) thereof, or if the nomination of any such candidate is rejected, the whole deposit shall be returned to the person by whom it was made.

(3) If a candidate by whom or on whose behalf the deposit has been made withdraws his candidature within the time specified in sub-rule (2) of rule 24, half of the deposit shall be returned to the person by whom it was made and the remaining half shall be forfeited to the State Government.

(4) If a candidate by whom or on whose behalf the deposit has been made dies before the commencement of the poll the deposit, if made by him shall be returned in full to his legal representative or, if not made by the candidate, shall be returned in full to the person by whom it was made.

(5) If a candidate by whom or on whose behalf the deposit referred to in sub rule(1), has been made is not elected and the number of votes polled by him does not exceed one-sixth of the total number of valid votes polled divided by the total number of members to be elected in the ward concerned, the deposit shall be forfeited to the State Government.

Explanation—For the purpose of this sub-rule, the number of votes polled shall be deemed to be the number of ballot-papers other than rejected ballot papers counted.

(6) If a candidate by whom or on whose behalf the deposit, referred to in sub-rule (1), has been made is elected or is not elected, the deposit shall if it is not forfeited under sub-rule (5), be returned to the candidate or to the person who has made this deposit on his behalf, as the case may be, after the publication of the result of the election in the Official Gazette:

Provided that if a candidate is duly nominated/returned at a general election in more wards than one, not more than one of the deposits made by him or on his behalf shall be returned and the remainder shall be forfeited to the State Government.

List of nominations to be posted.

21. The Returning Officer shall, on the date specified under rule 17 in this behalf, post at his office a list of all the candidates, whose nomination papers have been duly presented in accordance with the provisions of rule 19, together with descriptions similar to those contained in the nomination papers of the candidates and of the persons who have subscribed the nomination papers as proposers.

Candidates, etc., to be allowed to examine nomination papers.

22. On the date fixed for the scrutiny of nominations under the provisions of rule 17 the candidates, one proposer of each candidate and one agent of such candidate but no other person, may attend at such time and place as the Returning Officer may appoint, and the Returning Officer shall give them all reasonable facilities for examining the nomination papers of all candidates whose names are included in the list of candidates posted under the provisions of rule 21.

Scrutiny of nominations and decision of objections.

23. (1) On the date fixed for the scrutiny of nominations under the provisions of rule 17, after facilities have been given for the examination of nomination papers under the provisions of rule 22, and if necessary on the next following, the Returning Officer or Assistant Returning Officer appointed by the Deputy Commissioner in this behalf shall examine the nomination papers of all candidates whose names are included in the list of candidates posted under the provisions of rule 21, and shall decide all objections made to, any nomination, and may, either on such objection or of his own motion, after such summary enquiry, if any, as he may deem necessary, reject any nomination on any of the following grounds, namely:-

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- (a) that the candidate is ineligible for election under the provision of section 10 of the Act;
 - (b) that a proposer was not qualified to subscribe the nomination paper under the provisions of rule 19;
 - (c) that there has been any failure to comply with any of the provisions of rule 19 or rule 20;
 - (d) that the candidate or his proposer is not identical with the person whose number on the roll is given in the nomination paper as the number of such candidate or proposer, as the case may be;
 - (e) that the signature of the candidate or his proposer is not genuine or has been obtained by force or fraud:

Provided that —

- (i) nothing contained in clause (a) of this sub-rule shall be deemed to authorize the rejection of the nomination of any candidate on the ground that he is ineligible for election owing to his being a patit;
- (ii) nothing contained in clauses (b), (c), (d) or (e) of this sub-rule shall be deemed to authorise the rejection of the nomination of any candidate on the ground of any irregularity in respect of a nomination paper if the candidate has been duly nominated by means of another nomination paper in respect of which no irregularity has been committed.

(2) If any question arises whether a candidate is or is not able to read and write Gurmukhi, the candidate shall be deemed to fulfil that qualification if he produces a certificate from the headmaster of a Government or a recognized school, or not below the middle standard, to the effect that the candidate can recite Shri Guru Granth Sahib in Gurmukhi and can also write Gurmukhi.

(3) The Returning Officer or other officer appointed under the provisions of sub-rule (1) for the scrutiny of nomination papers shall endorse on each nomination paper his decision accepting or rejecting it, and if he rejects it, shall record in writing a brief statement of his reasons for so rejecting it.

(4) Any person aggrieved by any order passed by an authority under sub-rule (1) or sub-rule (3), may, within the date specified under the rule 17 in this behalf, present in person or by counsel or by an agent appointed by authority in writing signed by him and verified by a Magistrate, Sub Registrar, Sarpanch, Lambardar or a Member of Legislature or local authority, to the Deputy Commissioner of the district in which the Returning Officer is posted, an application for revision of such order.

(5) When any application for revision of an order has been received under sub-rule (4), the Deputy Commissioner, may, after hearing the applicant or his counsel, confirm such order or, after serving the candidates for election from the ward with a notice, either personally or by registered post or by affixing its copy to those person's residence or at the addresses given in their nomination papers, intimating the date on which the application will be heard, and after hearing the applicant and such other candidates, as may appear on the date so intimated, may confirm such order or set it aside and pass such other order as he may deem fit. The order so passed under this sub- rule shall be final.

24. (1) Any candidate may withdraw his candidature by notice in Form 5 subscribed by him and delivered by him in person or by his agent to the Returning Officer before three O'clock in the afternoon on or before the date specified under rule 17 in this behalf and the Returning Officers can publish a notice in Form 6 in respect of such withdrawal and no person who has thus withdrawn his candidature shall be allowed to cancel his withdrawal or to be re-nominated as a candidate for the same election.

Withdrawal of candidature.

(2) The Returning Officer may allow withdrawal of candidature not less than ten days previous to the date of the commencement of the poll in a ward where the number of remaining candidates is one.

Assignment of symbols to candidates.

25. (1) If in any ward, the number of validly nominated candidates exceeds the number of seats is to be filled, the Returning Officer shall, before preparing a list of valid nominations under rule 26, consider the choice as respects symbols expressed by candidates in the declarations referred to in sub-rule (2) of rule 18, delivered by them along with their nomination papers and shall subject to any general or special directions issued by the Commissioner, Gurdwara Elections in this behalf, assign a different symbol to each candidate in conformity, as far as practicable, with his choice. If more candidates than one indicate their preference for the same symbol, the Returning Officer shall decide by lot to which or those candidates the symbol shall be assigned. The decision of the Returning Officer in assigning any symbol to a candidate under this rule shall be final.

(2) In every case where a symbol has been assigned to a candidate under sub-rule (1), such candidate or his agent shall forthwith be informed of the symbol so assigned and be supplied with a specimen thereof by the Returning Officer.

List of valid nominations to be posted.

26. (1) On completion of the scrutiny of nominations and after the expiry of the period within which candidatures may be withdrawn under the provisions of sub-rule (1) of rule 24, the Returning Officer shall forthwith prepare a list of valid nominations and cause it to be posted up in some conspicuous place in his office and at such other places in the ward as he may deem fit.

(2) The list to be posted under sub-rule (1) shall contain the name in alphabetical order in Gurmukhi and addresses of the validly nominated candidates as given in the nomination papers and indicate the symbol assigned to each candidate.

(3) If there are two candidates whose names are the same, they shall be distinguished by the addition of their occupation or their village or in such other manner as the Returning Officer may think fit.

Death of a candidate before poll.

27. If a candidate dies before the poll and after the date fixed for the nomination of candidates and his nomination is or has been accepted as valid at the time of scrutiny of nomination papers, all proceedings with reference to the election of a member in the Ward or Wards in which he was candidate shall be commenced a new in all respects as if for a fresh election:

Provided that no fresh nomination shall be necessary in the case of candidate whose name is entered on a list of valid nominations posted under the provisions of rule 26.

Procedure in uncontested election.

28. (1) The Returning Officer shall, subject to the provisions of rule 27, deem and declare the validly nominated candidate (s) elected if in a ward where there is only one validly nominated candidate.

(2) The Returning Officer shall forward the names of the elected candidate(s) to the Commissioner, Gurdwara Elections.

(3) If there is no validly nominated candidate the Commissioner, Gurdwara Elections shall fix another date for election to that seat (s).

Procedure in contested election.

29. If the number of candidates validly nominated in any ward is more than one, a poll shall be taken on the date or dates specified under rule 17 in this behalf for the election.

Appointment of election agents.

30. (1) A contesting candidate may appoint in Form 7 any person to be his election agent and notice of such appointment shall be given by forwarding the same in duplicate to the Returning Officer who shall return one copy thereof to the election agent after affixing thereon his seal and signature in token of his approval of the appointment.

(2) The revocation of the appointment of the election agent under sub- rule (1) shall be made in Form 8 and shall be lodged with the Presiding Officer and the Returning Officer and in the case of any such revocation the candidate may make fresh appointment in his place.

Appointment of polling agent

31. (1) A contesting candidate may appoint in Form 9 any person to be his polling agent and the same shall be handed over to the polling agent for production at the polling station.

(2) No polling agent shall be admitted in the polling station unless he has delivered to the Presiding officer the instrument of his appointment made under sub-rule (1) after duly signing before the Presiding Officer the declaration contained therein.

(3) The revocation of the appointment of a polling agent made under sub-rule (1) shall be made in Form 10 and shall be lodged with the Presiding Officer and in the event of any such revocation the candidate may make fresh appointment in his place.

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| <p>32. The Deputy Commissioner shall publish the list of polling stations for concerned wards on the recommendation of the Returning Officer at least fifteen days from the first date fixed for the elections for which each such station has been selected and the hours during which each such station shall remain open for the recording of votes, and no person shall be permitted to record his vote except at the polling station of the area to which according to the roll he belongs and during the hours specified in the list:</p> | <p>Publication of polling stations.</p> |
| <p>Provided that the number of voters shall not exceed one thousand in a polling station.</p> | |
| <p>33. (1) The Deputy Commissioner shall appoint a presiding officer for each polling station and such other persons (hereinafter referred to as polling officers/staff) to assist the presiding officer as he may deem necessary but he shall not appoint any person who has been employed by or on behalf of, or has been otherwise working for a candidate in or about the election. If the presiding officer, owing to illness or other unavoidable cause, absents himself from the polling station, his functions shall be performed by such polling officer as has been previously authorised by the Deputy Commissioner to perform such functions during any such absence, and if a polling officer is absent from the polling station, the presiding officer may, subject to the restriction imposed above, appoint any person who is present at the polling station to be the polling officer and inform the Deputy Commissioner accordingly.</p> | <p>Appointment of Presiding officer and other supporting staff for each polling station.</p> |
| <p>The Deputy Commissioner may at any time, if he thinks fit, appoint any other person to act in a place of any person previously appointed.</p> | |
| <p>(2) The presiding officer shall, in addition to performing any other duties imposed upon by these rules, be in general charge of all arrangements at the polling station and may issue orders as to the manner in which persons shall be admitted to the polling station and generally for the preservation of peace and order at or in the vicinity of the polling station.</p> | |
| <p>34. (1) The Commissioner, Gurdwara Elections, may direct that before any ballot paper is delivered to a voter at a polling station, it shall be marked with such official mark as may be specified by him in this behalf, and the official mark so specified shall be kept secret.</p> | <p>Materials to be supplied at polling stations.</p> |
| <p>(2) The Returning Officer shall provide at each polling station as many ballot boxes/voting machines and ballot papers as may be necessary, instruments for stamping the official mark on the ballot papers when any direction in this behalf has been issued by the Commissioner, Gurdwara Elections, copies of the roll or such part thereof as contain the names of the electors entitled to vote at such station and materials sufficient for the purpose of enabling electors to mark the ballot papers.</p> | |
| <p>35. Each polling station shall be furnished with such number of polling compartments, in which electors can record their votes screened from observation, as the presiding officer thinks necessary.</p> | <p>Arrangement for secrecy of voting.</p> |
| <p>36. (1) Every ballot box shall be of such design as may be approved by the Commissioner, Gurdwara Elections, and it shall be so constructed that ballot papers can be inserted thereinto during the polling but cannot be withdrawn therefrom without the box being unlocked and the seals being broken.</p> | <p>Ballot box.</p> |
| <p>(2) One ballot box shall, at a time, be used in a polling station and the same shall be placed for the receipt of the ballot papers in the view of the presiding officer, candidates and their agents</p> | |
| <p>37. Outside each polling station and each polling compartment there shall be displayed prominently:-</p> | <p>Notice to be exhibited.</p> |
| <p>(i) a notice specifying the polling area the electors of which are entitled to vote at the polling station;</p> <p>(ii) a list of the validly nominated candidates; and</p> <p>(iii) instructions for marking the votes on the ballot papers.</p> | |
| <p>38. (1) The presiding officer shall, immediately before the commencement of the poll, allow inspection of each ballot box to be used at the poll to the candidates, their election agents and their polling agents who may be present at the polling station and demonstrate to them that it is empty.</p> | <p>Procedure before commencement of poll.</p> |
| <p>(2) Where it is necessary to use a paper seal for securing the ballot box, the presiding officer shall thereafter fix, in the space meant therefor in each such box, a paper seal provided for the purpose.</p> | |

(3) He shall also affix on such paper seal his own signature and signatures or seals of the candidates or of their election or polling agents as may be present and who desire to affix such signatures or seals and shall then secure and seal each box in their presence in such a manner that the slit in the box for the insertion of the ballot papers remains open.

(4) Where it is not necessary to use a paper seal for securing a ballot box, the presiding officer shall, after demonstration under sub-rule (1) that the ballot box is empty, secure and seal the box in such a manner that the slit in the box for insertion of ballot papers therein remains open and shall also allow the candidates or their election or polling agents, who may be present, to affix their own seals on the box, if they so desire.

(5) The paper seal or other seals used in a ballot box shall be affixed in such a manner that it shall not be possible to open the box without breaking such paper seal or other seals or any thread on which such seals have been affixed.

Admission to polling station.

39. The presiding officer shall regulate the number of electors to be admitted at any one time inside the place fixed for the poll and shall exclude therefrom all other persons except:-

- (a) the polling officers;
- (b) every candidate, his election agent and one polling agent for each candidate;
- (c) persons authorised by the Commissioner, Gurdwara Elections and the Returning Officer;
- (d) public servants on duty in connection with elections;
- (e) a child in arm accompanying an elector;
- (f) a person accompanying a blind or infirm elector who cannot move without help; and
- (g) such other persons as the presiding officer may from time to time admit for the purpose of assisting him in taking the poll.

Form of ballot papers.

40. (1) Every ballot paper shall have a counterfoil attached thereto and the ballot paper and counterfoil shall be in such form and the particulars therein shall be in such language or languages as the Commissioner, Gurdwara Elections may direct.

(2) The names of the candidates shall be arranged on the ballot paper in the same order in which they appear in the list of validly nominated candidates prepared under rule 26.

(3) If two or more candidates bear the same name, they shall be distinguished by the addition of their occupation or residence or in any other manner as may be directed by the Commissioner, Gurdwara Elections.

Voting by marking ballot papers or voting machines.

41. The voting shall be given by marking the ballot paper or by giving and recording of votes by voting machines, as the Commissioner, Gurdwara Elections may, having regard to the circumstances of each case, specify.

Explanation.- For the purpose of the rule "voting machine" means any machine or apparatus whether operated electronically or otherwise used for casting or recording of votes and any reference to a ballot paper in the Act or the rules made thereunder shall, save as otherwise provided, be construed as including a reference to such voting machine wherever such voting machine is used at any election.

Voting to be in person and not by proxy.

42. The voting shall be by ballot and every elector wishing to record his vote shall do so in person and not by proxy.

Questions to be put to electors.

43. At any time before a ballot paper is delivered to an elector, the Presiding Officer or a Polling Officer may of his own accord, if he has reason to doubt the identity of the elector or his right to vote at the Polling Station and shall, if so required by a candidate or his agent, put to the elector the following questions:-

- (a) Are you the person enrolled as follows:- (Reading the whole entry relating to the elector from the roll)?
- (b) Have you already voted at the present election?
- (c) Such other question as he may deem fit or necessary; and the elector shall not be supplied with a ballot paper unless he answers the first question in the affirmative and the second question in the negative or if he refuses to answer any other question put to him in pursuance of this rule.

44. (1) Subject to the other provisions of this rule, every elector who applies for a ballot paper or ballot papers for the purpose of voting at a polling station shall, before receiving such ballot paper or papers, allow:-

Special procedure for preventing personation of electors.

- (a) the inspection of his left forefinger to the Presiding Officer or any Polling Officer; and
 - (b) an indelible ink mark to be put on his left forefinger.
- (2) If any such elector -
- (a) refuses to allow such inspection of his left forefinger, or
 - (b) persists in doing any act with a view to remove 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 already has a mark on his left forefinger at the time he enters the polling station shall be supplied any ballot paper, and if any such person applies for a ballot paper or ballot papers, he shall be liable to be arrested and prosecuted for personation.

(4) Any reference in this rule or in rule 45 of 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 of his left hand, and shall, in the case where all the fingers of his left hand are missing, be construed as a reference to the forefinger or any other finger 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.

45. (1) The elector on entering the polling station shall first allow his left forefinger to be inspected by a Polling Officer for the purpose of ascertaining if he already has any mark of indelible ink on that finger. If there is no such mark, the Polling Officer in-charge of the electoral roll shall ascertain the elector's name and address and such other particulars as appear on the roll and, after having checked these by reference to the roll, shall call out the number, name and description of the elector according to the entry in the roll.

Procedure before recording of votes.

(2) On the elector's name being called out, the elector shall approach the Polling Officer-in-charge of the ballot papers who shall then cause the left forefinger of the elector to be marked with indelible ink and shall thereafter deliver a ballot paper or the requisite number of ballot papers to the elector:

Provided that before delivering the ballot paper or papers the Polling Officer-in-charge, where a direction has been issued in this behalf under sub- rule (1) of rule 34, stamp the ballot paper or papers, as the case may be, with such official mark as may have been specified under that rule.

(3) At the time of issuing a ballot paper or papers to an elector the Polling Officer-in-charge shall-

- (a) record on its counterfoil the electoral roll number of the elector as entered in the marked copy of the electoral roll;
- (b) obtain the signature or thumb impression of the elector on the said counterfoil; and
- (c) mark the name of the elector in the marked copy of the electoral roll to indicate that a ballot paper has been issued to him, without further recording therein the serial number of the ballot paper issued to that elector:

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

(4) Notwithstanding anything contained in sub-rule (3) it shall not be necessary for the Presiding Officer or the Polling Officer or any other officer to attest the signature or the thumb impression, as the case may be, of the elector on the counterfoil.

(5) No person in the polling station shall note down the serial number of the ballot paper or papers issued to particular electors.

(6) In deciding the right of a person to obtain a paper under this rule, the Presiding Officer at any polling station may interpret an entry in the electoral roll so as to overlook merely clerical or printing error if he is satisfied that such person is identical with the elector to whom such entry relates.

Identification of electors.

46. The Presiding Officer may employ at the polling station such persons as he thinks fit to assist him or any Polling Officer in identifying the electors

Manner of recording votes.

47. (1) The elector on receiving a ballot paper shall forthwith proceed to one of the polling compartments and there make a mark on the ballot paper against the name of the candidate for whom he intends to vote in accordance with such instructions as the Commissioner, Gurdwara Elections, may issue in this behalf.

(2) The elector shall then, before quitting the polling compartment, fold his ballot paper so as to conceal his vote, and after showing to the presiding Officer the distinguishing mark, if any, on the ballot paper, put the ballot paper so folded into the ballot box in the presence of the Presiding Officer.

(3) The Presiding Officer shall, when he is so requested by an elector, explain to him instructions for the recording of votes.

(4) Every elector shall vote without undue delay and shall quit the polling station as soon as he has put his ballot paper in the ballot box. No elector shall remain in a polling compartment longer than is reasonably necessary for marking his vote.

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

Recording of votes of infirm electors.

48. (1) If owing to blindness or other physical infirmity, an elector is unable to read the ballot paper or make a mark thereon, the Presiding Officer shall record the vote on the ballot paper in accordance with the wishes of the elector and fold it up so as to conceal the vote.

(2) The elector shall then himself or with the assistance of the Presiding Officer insert the ballot paper into the ballot box.

(3) While acting under this rule the Presiding officer shall observe as much secrecy as is feasible and shall keep a brief record of each such instance but shall not indicate therein the manner in which any vote has been given.

Tendered votes.

49. (1) If a person representing himself to be a particular elector named on the electoral roll applies for a ballot paper after another person has already voted as such elector, he shall, after duly answering such questions as the Presiding Officer may ask, be supplied with a ballot paper in Form 11 (hereinafter in the rules referred to as a tendered ballot paper).

(2) Every such person shall, before being supplied with a tendered ballot paper sign his name against the entry relating to him in a list in Form 12.

(3) Such person shall thereafter record on the ballot paper the name or names of the candidate or candidates for whom he wishes to vote; but if owing to illiteracy or any other reason he is unable to make such record, the Presiding Officer shall do so in accordance with his wishes.

(4) The procedure laid down in sub-rule (3) shall be followed with due regard to secrecy.

(5) Every such tendered ballot paper shall forthwith be placed in a separate cover which shall be sealed and all such covers containing tendered ballot papers shall be kept in a separate packet.

Challenged votes.

50. (1) If any candidate or his agent declares and undertakes to prove that any person by applying for a ballot paper has committed the offence of personation, the Presiding Officer may require such person to state his name and address and shall then enter such name and address in the list of challenged votes in Form 13 and shall require such person to sign such entry or, if he is unable to write, to affix his thumb-impression thereto and the Presiding Officer shall sign his name across such impression and may further require such person to produce evidence of identification:

Provided that no action shall be taken by the Presiding Officer under this sub-rule unless a sum of hundred rupees has been deposited in cash with the Presiding Officer by the candidate or his agent for each challenge he makes.

(2) If the person so challenged refuses to comply with such requisition, he shall not be permitted to vote. But if such person does so comply and on being questioned in the manner provided in rule 43 answers the first question in the affirmative and the second question in the negative and replies satisfactorily, to any other question put to him in pursuance of that rule, and if having been required to produce evidence of identification he produces evidence, which the Presiding Officer considers satisfactory, he shall be allowed to vote after he has been informed of the penalty for personation.

(3) If the Presiding Officer after such inquiry on the spot as he thinks necessary is of opinion that the challenge made by the candidate or his agent under sub-rule (1) is frivolous and has not been made in good faith, he shall direct the deposit made under sub-rule (1) to be forfeited to the State Government and his order in this respect shall be final.

(4) if the deposit made under sub-rule (1) is not forfeited under sub-rule (3), it shall be returned forthwith to the person by whom it was made.

(5) The Presiding Officer shall in every case, whether or not the person challenged is allowed to vote, make a note of the circumstances in the list of challenged votes.

51. A voter who has inadvertently dealt with his ballot paper in such a manner that it cannot conveniently be used as a ballot paper may, after delivering such ballot paper to the Presiding Officer and satisfying him of such inadvertence, obtain another ballot paper in place of the spoilt paper, and the latter shall be marked as spoilt-cancelled

Spoilt ballot papers.

52. (1) A Presiding Officer, a polling officer, any other public servant or a polling agent, who is an elector in a Ward and is, by reason of his being on duty at a polling station, unable to vote at the polling station where he is entitled to do so may, on application, be allowed to record his vote in that Ward by means of the ballot paper(s) prescribed for the Ward concerned, to be returned to the Returning Officer of that Ward by post so as to reach him before the date fixed for the declaration of result under rule 17.

Recording of votes by staff on duty at polling station at which they are not entitled to vote.

(2) Every such application shall be addressed to the Returning Officer of the Ward, shall specify the name of the elector, his address and his electoral roll number and shall be made at least ten days before the date fixed for the poll.

(3) If the Returning Officer is satisfied that the applicant is entitled to vote under sub-rule (1), he shall make arrangements for the supply to him of the ballot paper(s) by adding the word "postal" thereon.

53. If an elector after obtaining any ballot paper for the purpose of recording his vote decides not to use the same, he shall return the ballot paper to the Presiding Officer, and the ballot paper so returned shall then be marked as "cancelled-returned" and kept in a separate envelope set apart for the purpose and a record shall be kept by the Presiding Officer of all such ballot papers.

Return of Ballot Paper by elector.

54. The Presiding Officer shall close the polling station each day at the hour appointed under the provisions of rule 32 and no ballot paper shall be issued to any elector after such hour, but all electors present at the place fixed for the poll before it is so closed, shall be entitled to have their votes recorded:

Closing of polling station.

Provided that if for any reason it was not possible to open the polling station at the hour appointed under the provisions of Rule 32, or if by reason of disorder at the polling station, or for any other reason the polling was stopped for a certain time, the Presiding Officer shall keep the polling station open for a further period equal to the period that elapsed between the hour appointed for the opening of the polling station and the hour at which it was actually opened or the time during which polling was stopped, as the case may be.

55. (1) The Presiding Officer of each polling station shall, as soon as practicable after the close of the poll, in the presence of the candidates or their agents who may be present, prepare an account of ballot papers in Form 14.

Procedure at close of poll.

(2) He shall also make up into separate packets,-

(i) the unused ballot papers;

(ii) the tendered ballot papers;

(iii) the cancelled ballot papers (returned as well as spoilt);

(iv) the marked copy of the electoral roll;

(v) the tendered votes list;

(vi) the list of challenged votes;

(vii) any other paper directed by the Returning Officer to be kept in a sealed packet; and shall seal each such packet with his own seal and the seals of such candidates or election or polling agents as may desire to affix their seals thereon.

(3) He shall forward the account of ballot papers referred to in sub-rule (1) and the packets referred to in sub-rule (2) to the Returning Officer, alongwith the packets referred to in rule 63.

Fresh poll in case of destruction of ballot boxes.

56. (1) If at an election any ballot box or boxes is or are unlawfully taken out of the custody of the Presiding Officer, or is/are in any way tampered with, or is or are either accidentally or intentionally destroyed or lost, the election to which such ballot-box or boxes relate shall be liable to be declared as void but only in respect of the polling at the polling station or stations provided for the poll, as the case may be, at which ballot-box or boxes was or were used and no further.

(2) Whenever the polling at any polling station or stations or at the place fixed for the poll shall be liable to be declared as void under sub-rule (1), the Presiding Officer shall, as soon as practicable after the act or event causing such violence has come to his knowledge, report the matter to the Returning Officer, Deputy Commissioner and Commissioner, Gurdwara Elections. The Deputy Commissioner shall, in the event of his being satisfied, declare the election void and the Returning Officer shall, with the approval of the Commissioner, Gurdwara Elections, appoint a day for the taking of a fresh poll in such or every polling station or in such place fixed for the poll and fix the hours during which the poll shall be taken:

Provided that no fresh poll shall be taken if the difference between the votes secured by the two candidates who have obtained the largest number of votes is more than the total number of voters entitled to vote at such a polling station or polling stations in the Ward.

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

Adjournment of poll in emergencies.

57. (1) If at an election the proceedings at any polling station provided under rule 32 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 shall announce an adjournment of the poll to a date to be specified later, and shall forthwith inform the Returning Officer.

(2) Whenever a poll is adjourned under sub-rule (1), the Returning Officer shall immediately report the circumstances to the Commissioner, Gurdwara Elections and shall, as soon as may be, with the approval of the Commissioner, Gurdwara Elections appoint the day on which the poll shall recommence and fix the hours during which the poll shall be taken and the votes cast at that polling station shall not be counted until such adjourned poll shall have been completed:

Provided that no adjourned poll shall be taken if the difference between the votes secured by the two candidates who have obtained the largest number of votes is more than the total number of voters entitled to vote at such a polling station.

Programme for counting of votes.

58. (1) The Commissioner, Gurdwara Elections may direct as to whether the counting of votes is to be done at the polling station itself after the close of the poll or at a different date, time and place.

(2) The Returning Officer will appoint Ward-wise number of persons as he may deem necessary to be known as Counting Supervisors and Counting Assistants to assist him in counting of votes.

(3) Where the counting is to be done at a place other than the polling station the Presiding Officer shall seal the ballot boxes and election papers in accordance with the provisions of these rules and as per further directions of the Commissioner, Gurdwara Elections and deposit the same at the place fixed for this purpose by the Returning Officer for safe custody.

(4) Where the counting is to be done by the Returning Officer, reference to the Presiding Officer in rule 58, 63 and 64 shall be construed as a reference to the Returning Officer

Intimation of time and place for counting of votes.

59. Where the counting of votes is to be done by the Returning Officer, he shall, at least seven days before the date or the first of the dates, fixed for poll, appoint the place or places where counting of votes will be done and the date and time at which counting will be done and shall give notice of the same in writing to each candidate or his election agent:

Provided that if for any reason the Returning Officer finds it necessary and expedient to do so, he may alter the date, time and place so fixed and inform by giving notice of the same to each candidate or his election agent

Appointment of counting agents and revocation of such appointment.

60. (1) Each contesting candidate shall, subject to such general or special direction as the Commissioner, Gurudwara Election may issue in this behalf, appoint one Counting Agent, for each polling station, one Counting Agent for the table of the Returning Officer if counting is to take place at a different place from the polling station and one counting agent for each of the tables on which counting of votes is to be done.

(2) Every such appointment shall be made in Form 15 in duplicate, one copy of which shall be forwarded to the Returning Officer and the second shall be made over to the Counting Agent for production at the place of counting.

(3) No Counting Agent shall be admitted into the place fixed for counting unless he has delivered to the Returning Officer or the Presiding Officer, as the case may be, his copy of appointment letter after duly completing and signing the declaration contained therein and receiving from the Returning Officer or the Presiding Officer an authority for entry into the place fixed for counting.

(4) The appointment of a Counting Agent can be revoked in Form 16 and lodged with Returning Officer or the Presiding Officer, as the case may be, and in the event of any such revocation, the candidate may make a fresh appointment in his place.

61. (1) The Returning Officer or the Presiding Officer, as the case may be, shall exclude from the place fixed for counting of vote all persons except,-

Admission to the place fixed for counting.

- (a) such persons (to be known as Counting Supervisors and Counting Assistants) as he may appoint to assist him in counting;
- (b) persons authorised by the Commissioner, Gurudwara Election;
- (c) public servants on duty in connection with elections; and
- (d) candidates, their election agents and counting agent.

(2) No person who has been employed by or on behalf of, or has been otherwise working for a candidate in or about the election, shall be appointed under clause (a) of sub-rule (1).

(3) The Returning Officer or the Presiding Officer, as the case may be, shall decide which counting agent or agents shall watch the counting at any particular counting table or group of counting tables.

(4) Any person who during the counting of votes misconducts himself or fails to obey the lawful directions of the Returning Officer or the Presiding officer, may be removed from the place where the votes are being counted by the Returning Officer or by any Police Officer on duty or by any person authorised in this behalf by the Returning Officer.

62. Immediately after the formalities referred to in sub-rules (1) and (2) of rule 55 are completed, the presiding officer shall proceed with the counting of votes as follows:-

Counting of votes.

- (a) he shall allow the candidates and their agents, who may be present, to inspect all seals on the ballot-box or ballot-boxes used at the polling station and satisfy them that they are in order;
- (b) He shall satisfy himself that none of the ballot-boxes has been tampered with;
- (c) If the Presiding Officer is satisfied that any ballot-box has been tampered with, he shall not count the ballot-papers contained in any ballot-box used at the polling station and shall follow the procedure laid down in rule 56;
- (d) If the Presiding Officer is satisfied that all the ballot-boxes used at the polling station are intact and have not been tampered with, he shall open them and take out the ballot-papers contained therein and allow the candidates and their agents, who may be present, to inspect the boxes and satisfy them that they are empty.

63. (1) The ballot-papers so taken out shall be arranged in convenient bundles and scrutinised. In case where in an election two kinds of ballot-papers have been issued as prescribed in sub-rule (2) of rule 47, they shall be dealt with under this sub-rule separately and procedure laid down in the following sub-rules followed in each case.

Scrutiny and rejection of ballot-papers.

(2) The Presiding Officer shall reject a ballot-paper:-

- (a) if it bears any mark or writing by which the elector can be identified; or
- (b) if it is a spurious ballot-paper; or
- (c) if it has been so damaged or mutilated that its identity as a genuine ballot-paper cannot be established; or
- (d) if it bears a serial number, or is of a design, different from the serial numbers or the design, as the case may be, of the ballot-papers authorised for use at the particular polling station; or
- (e) if it does not bear any mark which it should have borne under the provisions of rule 34; or

-
- (f) if votes are given on it in favour of more than one candidate ; or
 - (g) if no vote is recorded thereon; or
 - (h) if the mark indicating the vote is placed on the ballot-paper in such a manner as to make it doubtful to which candidate the vote has been given.

(3) Before rejecting any ballot-paper under sub-rule (2), the Presiding Officer shall allow each candidate, his election agent and one of the other agents, who may be present, reasonable opportunity to inspect the ballot- paper, but shall not allow them to handle it or any other ballot-paper.

(4) The Presiding Officer shall endorse the letter 'R' on every ballot- paper which he rejects and shall keep a brief record in Form 17 of every case of rejection.

(5) All ballot-papers used at the polling station which are rejected under this rule shall be kept in a separate packet.

Counting of
valid votes.

64. (1) Every ballot-paper which is not rejected under rule 63 shall be deemed to be valid and the votes recorded thereon shall be counted.

(2) The Returning Officer shall prepare a result sheet in Form 18 in respect of all ballot-papers taken out of the ballot-boxes.

(3) After the counting of votes recorded on the ballot-papers contained in the ballot-boxes used at the polling station has been completed and the entry in respect thereof made in Form 18, the Returning Officer shall announce the particulars in such entry.

(4) After such announcement has been made, a candidate or, in his absence, his election or counting agent may apply in writing to the Returning Officer for a recount of all or any of the ballot-papers already counted stating the grounds on which he demands such recount.

(5) On such an 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.

(6) Every decision of the Returning Officer under sub-rule (5) shall be in writing and contain the reasons thereof.

(7) If the Returning Officer decides under sub-rule (5) to allow an application either in whole or in part, he shall—

- (a) count the ballot-papers again in accordance with his decision;
- (b) amend the result sheet to the extent necessary after such recount; and
- (c) announce the amendments so made by him.

(8) After the particulars of entry have been announced under sub- rule (3) or, in case of recount, under sub-rule (7), the Returning Officer shall sign the result sheet and no application for a recount shall be entertained thereafter.

(9) After the result sheet has been signed by the Returning Officer, the ballot-papers shall be kept in a separate packet which shall be sealed and on which shall be recorded the following particulars, namely:-

- (a) the name of the Ward;
- (b) the particulars of the polling station where the ballot-box(es) was/ were used;
- (c) the names of the candidates; and
- (d) the date of the poll.

(10) Each packet of rejected ballot-papers referred to in sub-rule (5) of rule 63 shall be sealed and the particulars specified in sub-rule (9) shall be recorded thereon.

Declaration of
elected
candidates and
Procedure in
case of equality
of votes.

65. (1) The Presiding Officer shall forward the packets containing the valid and rejected ballot-papers and the account of votes cast in favour of each candidate in Form 18 referred to in rule 64 to the Returning Officer immediately.

(2) On the date fixed for the declaration of result, the Returning Officer shall open the covers containing the ballot-papers returned to him under rule 53, take out the ballot paper(s) from each such cover and shall scrutinize the same in the manner laid down in rule 63, the ballot-papers rejected by the Returning Officer shall be kept by him in a separate packet.

(3) the Returning Officer shall then count the votes recorded on the ballot-papers not rejected by him under sub-rule (2) and prepare a result sheet in Form 18.

(4) After the counting of votes recorded on the ballot-papers have been completed and the entry in respect thereof made in Form 18, the Returning Officer shall announce the particulars in such entry.

(5) After all the valid votes recorded on the ballot-papers have been counted, they shall be kept in a separate packet which shall be sealed and on which shall be recorded the following particulars, namely :-

- (a) the name of the Ward;
- (b) the names of the candidates; and
- (c) the date of counting.

(6) The packet of rejected ballot-papers referred to in sub-rule (2) shall be sealed and the particulars specified in sub-rule (5) shall be recorded thereon.

(7) The Returning Officer shall then consolidate the result in Form 19 from the result sheets received by him from all the counting staff in the Ward and the result sheet prepared by him under sub-rule (3) and shall declare it in the following manner :---

- (a) The candidate who is found to have obtained the largest number of valid votes shall be declared to have been elected,
- (b) If, after the counting of votes, tie is found to exist between candidates, and the addition of one vote will entitle any of those candidates to be declared elected, that shall forthwith be decided between those candidates by lot, and the candidate on whom the lot falls shall be considered to have received an additional vote and shall be declared to be duly elected.

66. (1) When the counting of votes has been concluded and the result has been declared by the Returning Officer, he shall prepare and forward to the Commissioner, Gurdwara Elections, a return showing the names of the candidates, the number of valid votes recorded for each and the name and address of the elected candidate, and shall post a copy of the return in a conspicuous place at his office.

Return of result of election and publication of names of elected persons in Gazette.

(2) After such returns have been received from all the Returning Officers, the Commissioner, Gurdwara Elections shall publish the names of the persons so elected in the Official Gazette of the state

67. (1) If any person is elected by more than one Ward, he shall, by notice in writing signed by him and delivered to the Commissioner, Gurdwara Elections, within seven days from the date of the publication of the results of such election in the Official Gazette, choose for which of these Wards he shall serve.

Procedure when a candidate is elected by more than one Ward.

(2) If the candidate does not make the choice referred to in sub-rule (1) of this rule within the prescribed time, the Commissioner, Gurdwara Elections shall, within ten days from the date of the publication of the result of such election, declare for which Ward he shall serve. The choice under sub-rule (1) or declaration, as the case may be, shall be conclusive.

(3) When any such choice of declaration has been made, the Commissioner, Gurdwara Elections, shall call upon the Ward or Wards for which such person has not chosen or been declared to serve, to elect another person or persons.

68. (1) The Returning Officer shall seal up the parcels of issued and unissued ballot-papers, and such parcels together with all other parcels received from the polling stations shall remain in his custody until the expiry of one year from the date of the election when they shall be destroyed subject to any direction to the contrary made by the Commissioner, Gurdwara Elections.

Custody, production and inspection of election papers.

(2) While in the custody of the Returning Officer, the packet of ballot-papers, whether valid, rejected and of the marked copy of the electoral roll shall not be opened and their contents shall not be inspected by or produced before, any person or authority except under the order of a competent court or of a Tribunal. All other papers relating to the election shall be open to public inspection subject to such conditions and to the payment of such fee, if any as the Commissioner, Gurdwara Elections, may direct.

(3) Copies of returns forwarded by the Returning Officers under rule 56 shall be furnished by the Commissioner, Gurdwara Elections, on payment of a fee of two hundred rupees for each such copy.

| | |
|--|--|
| Procedure for filling vacancies. | <p>69. When a vacancy occurs among the elected members of the Committee by the death, resignation or removal of any member and a new member has to be elected in his place for unexpired term, such election shall be conducted in the manner prescribed in these rules for a general election and the programme of the election shall be framed as soon as may be convenient after the occurrence of the vacancy not beyond six months and the electoral roll in force under the provisions of rule 15 shall be deemed to be the electoral roll for the purpose of holding the election.</p> |
| Final authority for interpretation of these rules. | <p>70. If any question arises regarding the interpretation of these rules otherwise than in connection with an election petition which has actually been presented, the question shall be referred to the Commissioner, Gurdwara Elections, who may decide it himself, or, if he thinks fit, may refer it to the State Government. The decision of the Commissioner, Gurdwara Elections, or the State Government, as the case may be, shall be final.</p> |
| Election petition. | <p>71. (1) No election of an office-bearer or a member of the Committee shall be called in question except by an election petition presented to the Commissioner, Gurdwara Elections within fifteen days from the date of declaration of the result of the election.</p> <p>(2) An election petition calling in question any such election may be presented on one or more of the grounds specified in rule 79 by –</p> <ul style="list-style-type: none"> (a) any candidate at such election; or (b) any elected member or co-opted member. <p>(3) An election petition-</p> <ul style="list-style-type: none"> (a) shall contain a concise statement of the material facts on which the petitioner relies; (b) shall, with sufficient particulars, set forth the grounds on which the election is called in question; and (c) shall be signed by the petitioner and verified in the manner laid down in the Code of Civil Procedure, 1908 (Central Act 5 of 1908) for the verification of pleadings. |
| Additional contents of petition. | <p>72. (1) where the petitioner alleges any corrupt practice, an election petition shall, in addition to complying with the provisions of rule 71 also set forth full particulars of that corrupt practice including as full statements as possible of the names of the parties alleged to have committed such corrupt practice and the date and place of the commission of each corrupt practice and shall also be accompanied by an affidavit in support of such corrupt practice and the particulars thereof.</p> <p>(2) Any schedule or annexure to the petition shall also be signed by the petitioner and verified in the same manner as the petition.</p> |
| Relief that may be claimed by the petitioner. | <p>73. A petitioner may claim-</p> <ul style="list-style-type: none"> (a) a declaration that the election of an elected candidate is void; and (b) in addition thereto a further declaration that he himself or any other candidate has been duly elected. |
| Petition to be dismissed. | <p>74. If the provisions of rule 71 or rule 72 or rule 85 are not complied with, the Commissioner, Gurdwara Elections shall dismiss the petition:</p> <p>Provided that the petition shall not be dismissed without giving the petitioner an opportunity of being heard.</p> |
| Procedure before the Commissioner, Gurdwara Elections. | <p>75. (1) As soon as the Commissioner, Gurdwara Elections receives the petition, it shall serve on each respondent a notice in such form as it thinks fit directing the respondent(s) to appear before the Commissioner, Gurdwara Elections and answer the claim made in the petition on a day to be specified therein.</p> <p>(2) Any candidate not already a respondent shall, upon an application made by him to the Commissioner, Gurdwara Elections within fourteen days from the date fixed for the respondent(s) to appear and subject to the provisions of rule 85 be entitled to be joined as a respondent .</p> |

| | |
|--|---|
| <p>76. Any appearance, application or act before the Commissioner, Gurdwara Elections may be made or done by the party in person or by a pleader duly appointed to act on his behalf:</p> | <p>Appearance before the Commissioner, Gurdwara Elections.</p> |
| <p>Provided that it shall be open to the Commissioner, Gurdwara Elections to direct any party to appear in person whenever the Commissioner, Gurdwara Elections considers it necessary.</p> | |
| <p>77. The Commissioner, Gurdwara Elections shall have the powers which are vested in a civil court when trying a suit in respect of the following matters: -</p> | <p>Powers of the Commissioner, Gurdwara Elections.</p> |
| <p>(a) discovery and inspection; (b) enforcing the attendance of witnesses and requiring the deposit of their expenses; (c) compelling the production of documents; (d) examining of witnesses on oath; (e) granting adjournments; (f) reception of evidence taken on affidavit; and (g) issuing of commissions for the examination of witnesses.</p> | |
| <p>78. Notwithstanding any thing contained in any other law 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</p> | <p>Documentary evidence.</p> |
| <p>79. (1) Subject to the provisions of sub-rule (2), if the Commissioner, Gurdwara Elections is of opinion-</p> | <p>Grounds for declaring elections to be void.</p> |
| <p>(a) that any corrupt practice has been committed by an elected candidate or by any other person with the consent of an elected candidate; or (b) that any nomination has been improperly rejected; or (c) that the result of the election, in so far as it concerns an elected candidate, has been materially affected- (i) by the improper acceptance or refusal of any nomination; or (ii) by any corrupt practice committed in the interest of an elected candidate by a person other than that candidate, or a person acting with the consent of such candidate; or (iii) by the improper acceptance or refusal of any vote or reception of any vote which is void; or (iv) by the non-compliance with the provisions of these rules or any orders made thereunder;</p> | |
| <p>the Commissioner, Gurdwara Elections shall declare the election of an elected candidate to be void.</p> | |
| <p>(2) If in the opinion of the Commissioner, Gurdwara Elections, an elected candidate has been guilty by an agent of any corrupt practice, but the Commissioner, Gurdwara Elections is satisfied-</p> | |
| <p>(a) that no such corrupt practice was committed at the election by the candidate and every such corrupt practice was committed contrary to the orders, and without the consent of the candidate; (b) that the candidate took all reasonable means for preventing the commission of corrupt practices at election; and (c) that in all other respects the election was free from any corrupt practice on the part of the candidate;</p> | |
| <p>then the Commissioner, Gurdwara Elections may decide that the election of an elected candidate is not void.</p> | |
| <p>80. The procedure provided in the Code of Civil Procedure, 1908 (Central Act 5 of 1908) in regard to suits shall be followed by the Commissioner, Gurdwara Elections as far as it can be made applicable, in the trial and disposal of an election petition under these rules.</p> | <p>Procedure to the followed by the Commissioner, Gurdwara Elections.</p> |
| <p>81. No witness or other person shall be required to state for whom he has voted at an election.</p> | <p>Secrecy of voting not to be infringed.</p> |

Decisions of the Commissioner, Gurdwara Elections.

82. (1) At the conclusion of the trial of an election petition the Commissioner, Gurdwara Elections shall make an order-

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

(2) If any person who has filed an election petition has in addition to calling in question the election of an elected candidate, claimed declaration that he himself or any other candidate has been duly elected and the Commissioner, Gurdwara Elections is of the opinion-

- (a) that in fact the petitioner or such other candidate received a majority of the valid votes; or
- (b) that but for the votes obtained by an elected candidate by corrupt practice, the petitioner or such other candidate would have obtained a majority of the valid votes;

The Commissioner, Gurdwara Elections shall, after declaring the election of an elected candidate to be void, declare the petitioner or such other candidate, as the case may be, to have been duly elected.

Orders as to costs.

83. The Commissioner, Gurdwara Elections may, while making an order under rule 82 also fix thereby total amount of costs payable:

Provided that where a petition is dismissed under clause (a) of sub-rule (1) of rule 82, an elected candidate shall be entitled to the costs incurred by him in contesting the petition and accordingly the Commissioner, Gurdwara Elections shall make an order for costs in favour of an elected candidate.

Communication of order to the State Government and transmission of the record of the case.

84. The Commissioner, Gurdwara Elections shall, after announcing the order made by it under rule 82, send a copy of the order and records of the case to the State Government.

Deposit of security.

85. (1) The petitioner shall enclose with the petition a receipt showing that a deposit of five thousand rupees has been made by him with the State Government or any officer designated by it for the purpose, as security for the costs of the petition.

(2) No person shall be entitled to be joined as a respondent unless he has given such security for costs, as the Commissioner, Gurdwara Elections may direct.

Costs.

86. Costs, including pleader's fee, shall be in the discretion of the Commissioner, Gurdwara Elections and shall be paid out of the security deposit provided for in rule 85.

Payment of costs out of security deposit and return of such deposits.

87. (1) If in any order as to costs under provision of these rules, there is a direction for payment of costs by any party to any person, such costs shall, if they have not been already paid, be paid in full, or so far as possible, out of security deposit made by such party under these rules on an application made in writing in that behalf within a period of six months from the date of the order of the Commissioner, Gurdwara Elections to the State Government by the person in whose favour the costs have been awarded.

(2) If there is any balance left of the said security deposit after payment under sub-rule (1) of the costs referred to in that sub-rule, such balance, or where no costs have been awarded or no application as aforesaid has been made within the said period of six months, the whole of the said security deposit may, on an application made in that behalf in writing to the State Government by the person by whom the deposit has been made, or if such person dies after making such deposit, by the legal representative of such persons, be returned to the said person or to his legal representative, as the case may be.

Corrupt practices.

88. the following shall also be deemed to be the corrupt practices: -

- (1) 'Bribery' that is to say—

-
- (A) any gift, offer or promise by a candidate or his agent or by any other person with the consent of a candidate or his agent or any gratification, to any person whomsoever with the object, directly or indirectly of inducing-
 - (a) a person to stand or not to stand as, or to withdraw or not to withdraw from being a candidate at an election; or
 - (b) an elector to vote or refrain from voting at an election or as a reward to-
 - (i) a person for having so stood or not stood, or for having or not having withdrawn his candidature; or
 - (ii) an elector for having voted or refrained from voting;
 - (B) the receipt of or agreement to receive any gratification, whether as a motive or a reward-
 - (a) by a person for standing or not standing, as or for withdrawing or not withdrawing from being a candidate; or
 - (b) by any person whomsoever for himself or for any other person for voting or refraining from voting, or inducing or attempting to induce any elector to vote or refrain from voting, or any candidate to withdraw or not to withdraw his candidature.

Explanation- For the purpose of this clause, the term 'gratification' is not restricted to a pecuniary gratification or gratification estimable in money and it includes all forms of entertainment and all forms of employment for reward but it does not include the payment of any expenses bona fide incurred at, or for the purpose of any election.

(2) Undue influence, that is to say, any direct or indirect interference or attempt to interfere on the part of the candidate or his agent or of any other person with the consent of the candidate or his agent with the free exercise of any electoral right:

Provided that—

- (a) without prejudice to the generality of the provisions of this clause, any such person as is referred to therein who-
 - (i) threatens any candidate or any elector, or any person in whom a candidate of an elector is interested, with injury of any kind including social ostracism and excommunication or expulsion from any caste, creed, sect;
 - (ii) induces or attempts to induce a candidate or any elector to believe that he, or any person in whom he is interested, will become or will be rendered an object of divine displeasure or spiritual censure;

shall be deemed to interfere with the free exercise of the electoral right of such candidate or elector within the meaning of this clause;

- (b) a declaration of public policy, or a promise of public action, or the mere exercise of a legal right without intent to interfere with an electoral right, shall not be deemed to be interference within the meaning of this clause.

(3) The appeal by a candidate or his agent or by any other person with the consent of a candidate or his agent to vote or refrain from voting for any person on the ground of caste, creed, sect or, the use of or appeal to, national symbols such as the national flag or the national emblem for the furtherance of the prospects of that candidate's election.

(4) The publication by a candidate or by any other person with the consent of the candidate or his agent of any statement of fact which is false, and which he either believes to be false or does not believe to be true in relation to the personal character or conduct of any candidate, or in relation to the candidature or withdrawal from contest of any candidate being a statement reasonably calculated to prejudice the prospects of that candidate's election.

(5) The issuing of any circular, placard or poster having a reference to the election which does not bear the name and address of the printer and publisher thereof

89. Any party aggrieved by the order of the Commissioner, Gurdwara Elections passed under these rules would be at liberty to challenge the same in the competent court of law having jurisdiction within thirty days from the date of the passing of the order by the Commissioner, Gurdwara Elections.

Remedy for person aggrieved by the order of the Commissioner, Gurdwara Elections.

90. Any act already done under the provisions of section 6 of the Haryana Sikh Gurdwaras (Management) Act, 2014 (22 of 2014) shall not be invalidated in any manner on account of the framing of these rules.

Saving.

FORM 1 (FOR KESHADHARI SIKH)

[see rule 7(1)]

I, _____ Son/wife/Daughter of _____
age _____ Residence hereby declare that I --

- (a) am a Keshadhari Sikh ;
- (b) do not trim or shave my beard or keshas:
- (c) do not smoke or use kutha (Halal) meat, in any form;
- (d) do not take alcoholic drinks; and
- (e) am not a *patit.

Signature/Thumb Mark**

*Patit means a person, who being Keshadhari Sikh trims or shaves his beard or Keshas or who after taking Amrit commits any one or more of the four Kurahits.

[Section 2 (1) of the Act.]

**In case of an illiterate, he should repeat the declaration, as read out from the Form, and then thumb-mark the Form '[Proviso to rule 7 sub-rule (1)].

Signature/Thumb Mark**

FORM 4
[see rule 19]
Nomination Paper
Election to the Gurdwara Committee

(To be filled by the proposer)

I hereby nominate _____ as a candidate for election from the Committee
Ward _____.

1. Full name of proposer
2. Serial number of proposer in the electoral roll of the Ward in which the candidate is being nominated for election _____ and name of Thana or Patwar Circle _____ Town _____
3. Name of the candidate's Father/Husband _____
4. Full postal address of candidate _____
5. Ward on electoral roll of which the candidate is registered as an elector _____
6. Number of the candidate on the electoral roll of the Ward in which he is registered as elector _____ and name of Thana or Patwar Circle _____ Town _____

*Signature of proposer

Date _____

*Signature includes thumb-impression.

Note.-This nomination paper will not be valid unless it is delivered by the candidate either in person or by his proposer or by an agent appointed by authority in writing signed by the candidate and verified by a Magistrate, sub- registrar, sarpanch, lambardar or member of Legislature or local body to the Returning Officer or other person authorised to receive it at his office within the prescribed time.

(To be filled by the candidate)
[DECLARATION]

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

- (a) That I have completed _____ years of age;
- [(b) that I do not suffer from any of the ineligibilities enumerated in Section 10 of the Haryana Sikh Gurdwara (Management) Act, 2014; (22 of 2014)]
- (c) that the symbols I have chosen are in order of preference:-
 - (i)
 - (ii)
 - (iii)

Date _____

Signature of Candidate

(To be filled by the Returning Officer)
Serial number of nomination paper _____

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

Date _____

Returning Officer

Decision of Returning Officer accepting or rejecting the nomination paper.

I have scrutinised the eligibility of the candidate and proposer and find that they are respectively qualified to stand for election and to propose the nomination and, therefore accept the nomination;

or

I have scrutinised this nomination and reject it for the following reasons:-

Date _____

Signature of Officer
Scrutinising the nomination

The symbol assigned to the candidate is _____

Signature of Returning Officer

Receipt for *nomination paper* and *notice of scrutiny*

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

Serial number of nomination paper _____ nomination paper of _____ a candidate for election from the _____ Committee Ward, was delivered to me at my office at _____ (hour) on _____ (date) by the candidate/proposer/duly authorised agent. All nomination papers will be taken up for scrutiny at _____ (hour) on _____ (date) at _____ (place).

Date _____

Returning Officer

FORM 5

[see rule 24(1)]

Notice of Withdrawal of Candidature to be given by the candidate
(Election to the Gurdwara Committee)

The Returning Officer

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

Place: _____

Date _____

Signature of validly
nominated candidate

This notice was delivered to me at my office at _____ (hour) on _____ (date) by
_____ (name)
the _____.

Date _____

Returning Officer _____

Receipt of Notice of Withdrawal

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

The notice of withdrawal of candidature by _____ a (validly nominated candidate) at the election to the Gurdwara Committee was delivered to me by the _____ at my office at _____ (hour) on _____ (date).

Returning Officer

FORM 6

[see rule 24(1)]

Notice of Withdrawal of Candidature to be given by the Returning Officer
Election to the Gurdwara Committee

Notice is hereby given that the following validly nominated candidate/ candidates at the above election withdraw his candidature/their candidatures today:-

| Name of (validly nominated candidate) | Address of (validly nominated candidate) | Remarks |
|---|--|---------|
| 1. | | |
| 2. | | |
| 3. | | |
| etc. | | |

Dated _____

Returning Officer.

FORM 7

[see rule 30(1)]

Appointment of Election Agent

To

The Returning Officer.

I, _____ son of _____ a candidate at the election of the membership
of the Committee do hereby appoint _____ son of _____ of
_____ as my election agent from this day at the above election.

Place _____

Date _____

Signature of the Candidate.

FORM 8

[see rule 30(2)]

Revocation of appointment of Election Agent

To

The Returning Officer.

I, _____ son of _____ a candidate at the election of membership of the Committee do hereby revoke the appointment of Shri _____ son of my election agent.

Place _____

Date _____

Signature of the Candidate.

FORM 9

(see Rule 31(1))

Appointment of Polling Agent

I, _____ son of _____ of _____
candidate at the election of membership of the Committee do hereby appoint _____
(Name and address). _____ as a Polling Agent to attend Polling
Station No. _____ at _____ Place fixed for the Poll
at _____

Place _____

Date _____

Signature of the candidate.

I, _____ son of _____ of _____ agree
to act as such Polling Agent.

Declaration of the Polling Agent to be signed before the Presiding officer.

I hereby declare that at the above election, I will not do anything forbidden by Haryana Sikh Gurdwara (Management) Act, 2014 (22 of 2014) and The Haryana Sikh Gurdwara Management Committee (Delimitation of Wards and Election), Rules, 2023, which I have read/has been read over to me.

Date _____

Signature of the Polling Agent.

Signed before me.

Date _____

Presiding Officer.

FORM 10
[see rule 31(3)]
Revocation of appointment of Polling Agent

To

The Presiding Officer,

I, _____ son of _____ a candidate at the election of the
membership of the Committee hereby revoke the appointment of _____
my polling agent.

Place _____

Date _____

Signature of the Candidate.

FORM 11
[see rule 49(1)]
Tendered Ballot Paper

Serial No. _____

Election for _____ Ward _____
20 _____ Polling Station _____

Name of voter _____

No. in electoral roll _____

Name of candidate or candidates for whom this is tendered:

- (a) for non-reserved seat _____
- (b) for reserved seat _____

Date _____

Signature of the Presiding Officer.

FORM 12

[see rule 49(2)]
Tendered Votes List

Polling Station _____

| Name of Ward | Name of voter No. in electoral | Signature of voter, if literate. or thumb- impression, if illiterate with his address |
|-----------------|-----------------------------------|--|
|-----------------|-----------------------------------|--|

Signature of the Presiding Officer.

FORM 13
[see rule 50(1)]
List of Challenged Votes

Polling Station _____

Signature Sheet No. _____

| Name of Ward | Number on electoral roll | Name | Signature of voter, if literate, or thumb impression of voter, if illiterate. | Name of identifier, if any | Order of Presiding Officer (in each case, |
|--------------|--------------------------|------|---|----------------------------|---|
| | | | | | |

Date _____

Signature of the Presiding Officer.

FORM 14
[see rule 55(1)]
 Account of Ballot Papers

Ward _____
 Polling Station _____
 District _____

BALLOT PAPERS

| | | | Serial No. | | Total |
|----------|----|------|------------|----|-------|
| | | | From | to | |
| Received | .. | seat | .. | | |
| Issued | .. | seat | .. | | |
| Unissued | .. | seat | .. | | |

ACCOUNT OF TOTAL BALLOT PAPERS ISSUED

| | Total issued | Total returned spoilt | Balance total in ballot box(es) |
|------|--------------|--------------------------|------------------------------------|
| seat | | | |

TENDERED BALLOT PAPERS

| | | Serial No. | | Total |
|----------|----|------------|----|-------|
| | | From | To | |
| Received | .. | | | |
| Issued | .. | | | |
| Unissued | .. | | | |

ACCOUNT OF TOTAL TENDERED BALLOT PAPERS ISSUED

| | Total issued | Total returned spoilt | Balance total in parcel |
|--|--------------|--------------------------|----------------------------|
| | | | |

Date _____

 Signature of the Presiding Officer.

FORM 15
[see rule 60(2)]
Appointment of Counting Agent
Election to the Gurdwara Committee

To
The Returning Officer,

I, _____ son of _____
a candidate at the election of membership of the Committee, do hereby appoint the following persons as my counting agents to attend the counting of votes at _____.

Name of the Counting Agents Address of the Counting Agent

-
- 1.
 - 2.
 - 3.
 - etc.
-

We agree to act as such
counting agents

Signature of candidate

-
- 1.
 - 2.
 - 3.
 - etc.
-

Place _____

Date _____

Signature(s) of Counting Agents.

I, _____ son of _____ of _____ accept my above appointment.

Place _____

Date _____

Signature of the Election Agent.

Approved

Signature and seal of the
Returning Officer

DECLARATION OF COUNTING AGENTS

(To be signed before the Returning Officer)

I/We hereby declare that at the above election we will not do anything forbidden by Haryana Sikh Gurdwara (Management) Act, 2014 (22 of 2014) and The Haryana Sikh Gurdwara Management Committee (Delimitation of Wards and Election), Rules, 2023, which I/We have read/has been read over to us.

-
- 1.
 - 2.
 - 3.
 - etc.

Date_____

Signature of Counting Agent(s).

Signed before me

Date_____

Assistant Returning Officer/ Returning Officer.

FORM 16

[see Rule 60(4)]

Revocation of Appointment of Counting Agent
Election to the Gurdwara Committee

To

The Returning Officer,

I, _____ son of _____ a candidate at the election of membership of the Committee hereby revoke the appointment of _____ my counting agent.

Place _____

Date _____

Signature of Candidate.

FORM 17

[see rule 63(4)]

Record of Rejected Ballot-Papers

Election to the Gurdwara Committee from _____

_____Ward

Serial Number and Name of Polling Station _____

| Serial No. of entry | Serial No. of Ballot-Paper | Brief ground of rejection | Serial No. of entry | Serial No. of Ballot-Paper | Brief ground of rejection |
|---------------------|----------------------------|---------------------------|---------------------|----------------------------|---------------------------|
| | | | | | |

Place _____

Date _____

Signature of Presiding Officer.

FORM 18

[see rule 64(2) and 65(3)]

Result Sheet

Election to the Gurdwara Committee from _____

Ward _____ Serial Number and Name of Polling Station

| Serial No. | Name of Candidate | Number of Valid votes | Number of rejected votes | Total Number of Votes |
|------------|-------------------|-----------------------|--------------------------|-----------------------|
| | | | | |

Place _____

Date _____

Signature of Presiding Officer/Returning Officer

FORM 19

[see rule 65(7)]
Final Result Sheet

Election to the Gurdwara Committee from _____ Ward

| Polling Station | | Number of valid votes cast in favour | Number of votes polled | | | Remarks |
|-----------------------|------|--------------------------------------|------------------------|-------|----------|---------|
| Serial No. | Name | | A B C D | Valid | Rejected | |
| Voters polled by post | | | | | | |

Total number of votes polled in the constituency _____

Place _____
Date _____

Signature of Returning Officer.