



THE
SANGLI STATE RAYAT ASSEMBLY
ELECTORAL RULES, 1940



SANGLI
PRINTED AT THE STATE PRINTING PRESS
1940

(Obtainable from the Superintendent, State Press, Sangli.)

[Price - Rupee One]

Table of Contents.

<i>Rule No.</i>	<i>Contents.</i>
1	Short Title; Commencement.
2	Definitions.
Part I	
3	Composition of the Assembly.
4	Constituencies.
Part II	
5, 6 & 7	Disqualifications of Membership.
8	Penalty for sitting and voting when not qualified, or when disqualified.
9	Vacation of seats.
10	Qualifications for membership.
Part III	
11 & 12	An Electoral Roll for every Constituency, territorial & special.
13, 14 & 16	Disqualifications of an elector.
15	No elector to be included in more than one constituency.
15 A	If a person votes in more than one constituency his vote in each to be void.
17	Name of disqualified person to be struck off.
18	Person undergoing imprisonment not to vote.
19	Property or payment in fiduciary capacity to be left out of account.
20	Reference to Incometax-assessee to include partners also
21	General requirement as to residence.
22	Qualifications dependent on taxation or property.
23 & 24	Additional qualification for women.
25	In case of several wives, first married wife to be elector.
26	Special qualification for Scheduled castes.
27	Application necessary for enrolment on account of educational qualifications.
27 A	Provisions as to joint property etc.
28	Special Constituencies.

<i>Rule No.</i>	<i>Contents.</i>
29 & 30	Graduates' Constituency.
31 & 32	Qualifications for Membership in the constituency of Co-operative Societies and Grampanchayats.
33 & 34	Constituency of Inamdars, Tainadars & Saranjamidars.
35 to 37	Constituency of Handloom Weavers.
38 to 46	Constituency of Commerce & Industry.
47 to 52	Constituency of Sangli Chamber of Commerce.

General.

53	Reservation how to operate.
54	Commulative voting allowed.
55	Poll to be taken only if necessary.
56	In case of reserved seats qualified candidates with largest number of votes to be declared duly elected.
57	Vacancy in reserved seat to be filled up by nomination.

Part IV.

58	Registering Authority to cause electoral roll prepared
59 to 61	Form and Contents of electoral roll.
62 & 63	Electoral roll to be prepared for each separate area.
64	Officer to whom application to be made.
65	Application to be accompanied by a certificate from the Educational Inspector.
66	Proof of educational qualification.
67	Proof of literacy.
68	Proof of taxation qualification as partner in a firm.
69	Requisition of Records.
70	Place of publication.
71	Objections.
72	Revising Authority; powers and procedure.
73	Applications for enrolment by persons who fail to apply under rule 64.
74	Revising Authorities' orders final.
75	Amended electoral roll and list of additions: Publication.
76	Preliminary publication of the electoral roll.
77	Final electoral roll - Conclusive proof.
78	Duration of electoral roll.

(iii)

Rule No.

Contents.

Part V.

79	Commerce and Industry Constituency.
80	Inamdars, Saranjamdars & Tainatdars Constituency
81	Graduates' constituency.
82	Headloom weavers' constituency.
83	Co-operative Societies and Grampanchayats' constituency
84	Sangli Chamber of Commerce constituency.

Part VI.

85	Fixing of dates for nominations, etc.
86	Nominations.
87	Persons eligible for nominations.
88	Proposer or seconder.
89	Appointment of election agent.
90	Returning officer to enter serial number, etc. on nomination paper.
91	Deposit on nomination.
92	Scrutiny of nominations.
93	Disposal of objections and rejection of nomination.
94	Completion of scrutiny.
95	Withdrawal of candidature.
96	Preparation of lists of valid nominations.
97	Death of candidate before pole.
98	Pole to be taken if necessary; in cases of reserved seats qualified candidates with with largest number of votes to the declared; only elected vacancy in reserved seat to be filled up by nomination.
99	Procedure at election.

Part VII.

100	Hours of commencement and close of poll.
101	Polling stations and presiding officers.
102	Duties of presiding officer
103	Removal from polling station for misconduct.
104	Issue of ballot-paper.
105	Voting compartments.

<i>Rule No.</i>	<i>Contents.</i>
106	Supply of ballot boxes.
107	Notice showing name and symbol of each candidate to be affixed at each polling station.
108	Sealing of ballot box.
109	Procedure before polling begins.
110	Procedure before ballot paper is delivered to elector.
111 } 112 }	Voting.
113	Assistance to electors.
114	Identity of electors.
115	Form of ballot paper.
116	Tendered votes.
117	Challenged votes.
118	Spoilt ballot paper.
119	Voting by officers on duty at polling stations.
120	Despatch of ballot papers.
121	Statement to be sent to Returning officer with ballot papers.
122	Postponement of poll; adjournment of poll.

Part VIII.

123	Appointment of date, time and place for counting of votes.
124	Who may be present at the counting of votes.
125	Procedure to be followed at the counting of votes.
126	Ground for rejection of ballot paper.
127	Verification
128	Return.

Part IX

129	Custody of election papers.
130	Production and inspection of election papers.
131	Destruction of election papers.

Part X

132	Disqualification for employment as an agent in connection with an election.
133	Return of election expenses.
134	Election agent to keep a separate and regular account of expenses.

Part XI.

135	Definitions.
136	Election petition.
137	Presentation of election petition.
138	Contents of the petition.
139	Against whom it may be presented.
140	Deposit of security.
141	Dismissal for default : appointment of Commissioner.
142	Presence of State Pleader.
143	Inquiry by Commissioner.
144	Place of inquiry.
145	Withdrawal of petition.
146	Abatement or substitution on death of petitioner or respondent.
147	Ground for declaring election void.
148	Report of Commissioner & procedure thereon.
149	Finding as to corrupt practices and persons guilty thereof.

Part XII.

150	Elections in (1) Sangli Chamber of Commerce (2) Commerce and Industry Constituencies.
151	Elections in Tainatdars, Inamdars and Saran jamdars' Constituency.
152	Elections in (1) Graduates' and (2) Cooperative Societies' Constituencies. Despatch and form of ballot papers.
153	Voting.
154	Provisions for Territorial Constituencies applicable to (1) Graduates and (2) Cooperative Societies and Gram-panchayat Constituencies.
155	Elections in the Handloom Weavers' Constituency.
156	Provisions for Territorial Constituency applicable to Handloom Weavers' Constituency.

Part XIII.

157	General disqualifications for nominations.
158	Term of office of nominated members.

Part XIV.

159	Custody, preservation and inspection of election papers.
-----	--

<i>Rule No.</i>	<i>Contents.</i>
-----------------	------------------

Part XV.

160	Oath of members.
161	Person elected to more than one seat in the Assembly.
162	Casual Vacancies.
163	Reconstitution of Assembly.
164	Constitution of the first Assembly.
165	Publication of result of general election and by-election.
166	Power of Returning or presiding officer to overlook printing or clerical errors in electoral rolls.
167	Decision given by Returning Officers final.
168	Power of His Highness in case of difficulty.

Part XI.

169	Interpretation in case of doubt.
170	Repeal.

*Rules for the Election & Nomination of members to the Sangli State
Rayat Assembly. (made in supersession of the Rules of 1931.)*

—0—

1. (1) These rules may be called the Sangli State Rayat Assembly Electoral Rules.

(2) They shall come into force at once.

2 In these rules, unless there is anything repugnant in the subject or context,

(1) "The Act" means the Sangli State Regulation No. 1 of 1930.

(2) "Assembly" means the Sangli State Rayat Assembly.

(3) "Commerce" includes Banking, Insurance and Transport.

(4) "Corrupt practice" means any act deemed to be a corrupt-practice under the provisions of schedule "C".

(5) "Commissioner" means a Commissioner appointed for the purpose of holding an election inquiry under these rules.

(6) "Election Agent" means the person appointed under these rules by a candidate as his agent for an election.

(7) "Election" means an election for the purpose of filling a seat.

(8) "Elector" means any person whose name is, for the time being, on the electoral roll of a constituency.

(9) "Electoral roll" means a roll of electors prepared under these rules.

(10) "Factory" means (a) any premises wherein or within the precincts of which on any one day in the year not less than twenty persons are simultaneously employed and steam, water or other mechanical power or electrical power is used in aid of any process for, or incidental to, making, altering, repairing, ornamenting, finishing or otherwise adapting for use, for transport or for sale any article or part of an article or (b) any premises wherein, or within the precincts of which on any one day in the year not less than ten persons are simultaneously employed and any such process is carried on, whether any such power is used in aid thereof or not, which have been declared by the Sangli Government by a Notification in the local Official Gazette, to be a factory.

A declaration under clause (b) may be made in respect of any class of premises or in respect of any particular premises.

(11) " Gazette " means The Sangli State Gazette.

(12) ' Holder ' means a person lawfully in possession of land whether his possession is actual or not and ' hold ' shall be construed accordingly.

(13) " House and Building " include respectively a part of a house or building separately occupied as a dwelling or for the purposes of any trade, business or profession.

(14) " Literate " means, in relation to any person, able to read and write in some language or dialect selected by him, being a language or dialect in common use in this State or in some part of British India.

(15) " Person " does not include a body of persons.

(16) " Preparation " in relation to an electoral roll includes revision thereof and " prepare " shall be construed accordingly.

(17) " Prescribed " means prescribed by rules made under the Act.

(18) " Prescribed date " means the date by reference to which the electoral rolls for a territorial or general constituency is directed in each case by His Highness to be made up or revised in whole or in part.

(19) " Previous Financial Year " means the financial year (which until further orders corresponds with Fasli year) immediately preceding that in which the prescribed date falls.

(20) " Registering Authority " means a person appointed by the Sangli Government in relation to any constituency as the authority by whom the electoral roll of that constituency shall be prepared.

(21) " Returning Officer " means the person stated in Schedule ' A ' & ' B ' to these Rules in respect of the constituency or constituencies mentioned therein as the Returning Officer or any person whom the Sangli Government may, by Notification in this behalf, appoint as returning officer in respect of any election or part of an election in lieu of the person stated in the said Schedule and shall include any person deputed for the time being by the Returning Officer to perform any of his duties.

(22) " Rules " means the rules made under the said Regulation.

(23) " Scheduled Castes " means such castes, races or tribes or parts of or groups within castes, races or tribes being castes, races, tribes, parts or groups which appear to His Highness to correspond to the classes of persons formerly known as depressed classes.

(24) " Seat " means a seat in the Sangli State Rayat Assembly.

(25) "Special constituency" means a constituency not being a territorial constituency.

(26) "Tenant" means a lessee, whether holding under an instrument or under an oral agreement, and includes a mortgagee of a tenant's rights with possession and, in relation to a house not situate in Police Lines also includes any person occupying the house rent-free by virtue of any office, service or employment.

(27) "Territorial Constituency" means one of the territorial constituencies mentioned in Schedule 'A' to these Rules.

(28) 'Subject of the Sangli State' means:—

- (i) any person born, within the jurisdiction of the State, of legally married parents.
- (ii) any person who has taken up a habitation in any place in the State with the intention of settling there permanently.
- (iii) any person who has acquired the privileges and status of a subject of the State by naturalisation.
- (iv) any person who, having no permanent place of residence in any other jurisdiction, holds lands or other property within the jurisdiction of the State.
- (v) any person who, having no permanent residence or property in any other jurisdiction, has resided in the State for not less than three years for purposes of trade or for carrying on business or otherwise.

PART I.

COMPOSITION OF THE SANGLI STATE RAYAT ASSEMBLY.

3 The Sangli State Rayat Assembly shall consist of:—

- (i) Fifteen nominated members. Of these the members of the State Executive Council shall be *ex-officio* members, and the rest shall be nominated by His Highness the Rajasahib; of the members so nominated at least three shall be non-officials.
- (ii) Thirty elected members.

In addition, such members, if any, as may be nominated by His Highness under Section 3 sub-clause 3 of the Act. (Sangli State Regulation I of 1931).

4 The elected members shall be elected by the constituencies specified in Schedule 'A' and 'B'. The number of members to be elected by each constituency and the number of seats reserved shall be as stated therein against that constituency.

Provided that the Government of Sangli may divide into two or more constituencies any of the multimember constituencies and may distribute amongst the new constituencies so created, the seats entered in Schedules 'A' or 'B' against the constituency which has been so divided but not so however, as to reduce the number of total seats.

PART II.

QUALIFICATION OF ELECTED MEMBERS.

5 A person shall be disqualified for being chosen as, and for being, a member of the Assembly:—

- (a) if he holds any office of profit under the Sangli Government other than an office declared by His Highness not to disqualify its holder;
- (b) if he is of unsound mind and stands so declared by a competent court;
- (c) if he is an undischarged insolvent;
- (d) if having been elected or nominated he refuses to take oath or affirmation as prescribed;
- (e) if he is convicted of an offence under Chapter IX A of the Indian Penal Code, as applied to the Sangli State, punishable with imprisonment for a term exceeding six months or is, after an enquiry by a commissioner appointed under any rules for the time being in force regarding elections to the Sangli State Rayat Assembly, reported as guilty of a corrupt practice as specified in Part I or in paragraph 1, 2 or 3 of part II of Schedule 'C' to these rules, unless a period of 5 years has elapsed from the date of such conviction or of the finding of the commissioner, as the case may be; if he is a person reported by any such commissioner to be guilty of any other corrupt practice, unless a period of three years has elapsed from the date of the report of the commissioner;

provided that on application made by a person disqualified under the schedule, His Highness may remove the disqualification by order in this behalf.

- (f) if he has been convicted of any other offence by a court in the Sangli State or by a court in British India and sentenced to transportation or to imprisonment for not less than two years, unless a period of five years or such less period as His Highness may allow in any particular case has elapsed since his release;

provided that on application made by a person disqualified under this sub-rule, His Highness may remove the disqualification by order in this behalf;

- (g) if having been nominated as a candidate for the Assembly or having acted as an election agent of any person so nominated, he has failed to lodge a return of election expenses within the time and in the manner required by the provisions of any Act, or Regulation or of any Rules made thereunder unless such disqualification has been removed in any particular case by an order of His Highness;

provided that a disqualification under this paragraph shall not take effect until the expiration of one month from the date by which the return ought to have been lodged or of such longer period as His Highness may, in any particular case allow;

- (h) if having been a pleader, his Sanad is cancelled or if he is suspended from practising for any period by a competent court, unless in any case such disqualification has been removed by His Highness.

6 A person shall not be capable of being chosen as a member of the Assembly while he is serving a sentence of transportation or of imprisonment for a criminal offence.

7 Where a person who, by virtue of a conviction or a conviction and a sentence, becomes disqualified by virtue of any of the provisions mentioned above is, at the date of disqualification, a member of the Assembly, his seat shall not become vacant by reason of the disqualification until three

months have elapsed from the date thereof or, if within those three months an appeal or petition or revision is brought in respect of the conviction or sentence, until that appeal or petition is disposed of, but during any period during which his membership is so preserved, he shall not sit or vote.

8 If a person sits or votes as a member of the Assembly when he is not qualified or is disqualified for membership thereof, or when he is prohibited from so doing by the provisions of the above rules, he shall be liable in respect of each day on which he so sits or votes to a penalty not exceeding Rs. 50 to be recovered as an arrear of land revenue.

9 If a member of the Assembly

(a) becomes subject to any of the disqualifications mentioned above or

(b) by writing under his hand addressed to His Highness resigns his seat,

his seat shall thereupon become vacant.

10 A person shall not be qualified to be chosen to fill a seat in the Assembly unless he:-

(a) is a subject of the Sangli State or a British subject or if and so far as His Highness may direct a subject of any other Indian State and:

(b) is not less than thirty years of age; and

(c) is entitled to vote in the choice of a member to fill that seat;

Provided, firstly, that in the case of territorial constituencies, a person who is enrolled as a voter in a territorial constituency will be entitled to stand as a candidate in any territorial constituency in which he has ownership or occupation of land or house property of the assessable or rental value necessary for the qualification to vote and,

Provided, secondly, a person who is a member of the Scheduled castes, or is a Muhammadan or a woman and who is enrolled as a voter in a territorial constituency will be entitled to stand as a candidate in any constituency in which seats are reserved for members of scheduled castes, or Muhammadans or for women: and

(d) has passed at least the Fourth Vernacular Standard Examination or any other examination recognized by the Sangli Government as equivalent to it.

Provided that Government may in special cases exempt a person from this requirement to meet the exigencies of a case.

PART III.

THE ELECTORAL ROLL.

11 There shall be an electoral roll for every territorial and every special constituency and no person who is not, and except as expressly provided in these Rules, every person who is for the time being, included in the electoral roll for any territorial or special constituency shall be entitled to vote in that constituency.

12 The electoral rolls for the territorial and special constituencies shall be made up, and shall, from time to time, in whole or in part revised by reference to such date, in these Rules referred to as the prescribed date, as may be directed in each case by His Highness.

13 No person shall be included in the electoral roll for any constituency unless he has attained the age of 21 years and is either—

(a) a Sangli State subject or (b) a British Subject or (c) if and so far as His Highness may direct a subject of any other Indian State.

14 No person shall be included in the electoral roll for or vote at any election in any constituency if he is of unsound mind and stands so declared by a competent court.

15 No person shall be included in the electoral roll for more than one territorial constituency—

Provided that if any person is entitled to have his name included in the electoral roll of more than one territorial constituency, such person shall be included in the electoral roll of the constituency in which he ordinarily resides.

15A If a person votes in more than one constituency in contravention of this rule, his vote in each of the constituencies shall be void.

16 No person shall be included in the electoral roll for, or vote at any election in, a constituency if he is convicted of an offence under Chapter IX A of the Indian Penal Code as applied to the Sangli State, punishable with imprisonment for a term exceeding six months or is, after an enquiry by Commissioner appointed under any rules for the time being in force regarding elections to the Sangli State Rayat Assembly reported as

guilty of a corrupt practice as specified in Part I or in paragraph 1, 2 or 3 of Part II, of schedule 'C' to these rules, unless a period of 5 years has elapsed from the date of such conviction or of the finding of the Commissioner, as the case may be. No person shall likewise be included in the Electoral Roll for or vote at any Election in a constituency if he is reported by any such Commissioner to be guilty of any other corrupt practice, unless a period of three years has elapsed since the date of the report of the Commissioner.

Provided that on application made by a person disqualified under this sub-rule, His Highness may remove the dis-qualification by order in that behalf.

17 The name of any person who becomes so disqualified shall forthwith be struck off the electoral roll or rolls in which he may have been included.

18 No person shall vote at any election in any territorial or special constituency if he is for the time being undergoing a sentence of transportation, penal servitude or imprisonment.

19 For the purpose of these rules, any property owned, held or occupied or payment made by or assessment made on a person as a trustee, guardian, administrator or receiver or in any other fiduciary capacity shall, except as otherwise expressly provided in these rules, be left out of account.

20 Any reference in these rules to persons assessed to Income-tax in any financial year shall be deemed to include a reference to any partner in a firm assessed to income-tax in that year, if his share of the firm's income on which income-tax was so assessed is certified by the Income Tax Officer Sangli State to have been not less than the minimum on which the tax is levied.

21 No person shall be qualified to be included in the electoral roll for a territorial constituency unless he has a place of residence in the constituency. A person shall be deemed to have a place of residence in an area if and only if he either:—

(a) has actually dwelt in a house within the area for not less than 180 days in the aggregate during the previous financial year, or

(b) has maintained a house within the area for an aggregate period of not less than 180 days during that year as a dwelling for himself in charge of his dependents or servants, and has visited that house during that year.

22 Subject to the provisions of these rules, a person shall be qualified to be included in the electoral roll of any territorial constituency—

(a) if he was assessed during the previous financial year in the Sangli State to the Sangli State Income-tax; or

(b) if, on the last day of the previous financial year,

(i) he holds in his own right, or occupies for not less than six months as a tenant alienated or unalienated land, in the constituency, assessed at or of the assessable value of not less than Rs. 10 in the Kuchi Taluka or not less than Rs. 20 in the rest of the State; or

(ii) he is the alienee of the right of Government to the payment of rent or land revenue amounting to not less than Rs. 10 in the Kuchi Taluka or Rs. 20 in the rest of the State in respect of alienated land in the constituency; or

(iii) he occupies in the constituency as owner or tenant, for not less than six months, a house or building of which the annual rental value is, in Sangli Town, not less than Rs. 30, in Shahapur Town not less than Rs. 24, in other municipal areas not less than Rs. 12 and in places outside municipal areas having a population of not less than 2000 and possessing a statutory village body, for example a Panchayat or a village-committee, he is the owner of a house or building of the capital value of not less than Rs. 400; or

(c) if he is proved to have passed the fourth vernacular standard or any other equivalent examination recognized by the Education Department of the State; or

(d) if he is a retired, pensioned or discharged officer, non-commissioned officer or soldier of His Majesty's regular Military Forces.

Provided he had not been dismissed or discharged from that Force for disciplinary reasons.

23 A woman shall also be qualified to be included in the electoral roll for any territorial constituency if her husband possesses the requisite qualifications.

A husband shall not be deemed to possess the qualifications requisite for the purposes of this rule, unless he satisfies the requirements as to residence in relation to the constituency in question, but a husband shall be deemed to possess the said qualifications if—

(a) in the previous financial year, he was assessed to Sangli State Income tax or

(b) in the constituency he holds in his own right or occupies as tenant for not less than six months alienated or unalienated land assessed at or of the assessable value of not less than Rs. 20/- in Kuchi Taluka and not less than Rs. 40/- in the rest of State; or

(c) he is the alienee of the right of the Government to the payment of rent or land revenue in respect of alienated land in the constituency amounting to not less than Rs. 20/- in Kuchi Taluka and Rs. 40/- in the rest of the State; or

(d) if he occupies as owner or tenant, for not less than six months, in the constituency a house or building of which the annual rental value is, in the Sangli Town Rs. 60/- in Shahapur Rs. 48/- in Rabkavi Rs. 36/- and in other municipal places Rs. 24/-.

24 A woman who at the date of the death of her husband is included in the electoral roll for a territorial constituency by virtue of her husband's qualifications, will continue to be on the roll for that constituency, unless she remarries or otherwise becomes disqualified under the provisions of these rules.

25 Not more than one woman shall at any time appear in the electoral roll of any territorial constituency in respect of the qualifications of any particular man. In cases of several co-wives, the first married wife will exclude the others.

26 Subject to these rules, a person shall also be qualified to be included in the electoral roll if he is a person belonging to one of the Scheduled Castes and if he is shown, in the prescribed manner, to be literate or if he was on the last date of the previous financial year, in the permanent employ of a Government Department or local body in the State and

drawing wages at a rate not lower than Rs. 5 per month or if he on the last day of the previous financial year, for not less than six months, holds in his own right or occupies as a tenant, alienated or unalienated land in the constituency, assessed at or of the assessable value of Rs. 5 in Kuchi Taluka or Rs. 10 in the rest of the State; or

is the alinee of the right of Government to the payment of rent or land revenue amounting to not less than Rs. 5 in Kuchi Taluka or Rs. 10 in the rest of the State; or

occupies in the constituency as owner or tenant, for not less than six months, a house or building of which the annual rental value is in Sangli Town Rs. 15, in Shahapur Rs. 12 and in other Municipal areas Rs. 6 and in places outside Municipal area, having a population of not less than 2000 and possessing a statutory village body, for example, a Grampanchayat or a village committee, if he owns a house of the capital value of not less than Rs. 200/-.

27 No person shall be included in the electoral roll for any territorial constituency on account of his having passed the Vernacular Fourth Standard or any equivalent examination, unless application is made by or on his behalf that he should be so included.

27 A (1) Subject to the provisions of this rule, any reference, in these rules to land or other immoveable property, or to rent or land revenue in respect of alienated land, shall, in relation to any persons who are co-sharers in such land, property, rent or land revenue, be construed as a reference to the respective shares of those persons.

(2) Where two or more persons occupy any house, the rental value of the house shall, in relation to each of these persons, be deemed to be the rental value thereof divided by the number of those persons.

(3) Where property is owned, held or occupied or payments are made, jointly by, or assessments are made jointly on, the members of a joint family, and the property, payments or assessments, would qualify a person if they had been owned, held, occupied or made by or on him solely, then, subject to the provisions of these rules, one member of the family shall be qualified in respect of the property, payment or assessment, and that person shall be, in the case of a Hindu joint family, the manager thereof and in other cases, the member authorised in that behalf by the family themselves.

Save as aforesaid, any property owned, held or occupied, or payments made, jointly by, or assessments made jointly on, the members of a joint family shall be left out of account for the purposes of these rules.

(4) Nothing in this rule affects the provisions in these rules relating to partners in firms assessed to Income-tax.

Special Constituency.

28. There shall be the following special constituencies in the State:—

- (1) Graduates' constituency.
- (2) Constituency of Tainatdars, Inamdars and Saranjamdars.
- (3) Constituency of Commerce and Industry.
- (4) Constituency of Cooperative Societies and Grampanchayats.
- (5) Constituency of Hand-loom Weavers.
- (6) Constituency of the Sangli Chamber of Commeres.

GRADUATES' CONSTITUENCY.

29. Subject to the provisions of these rules, a person shall be qualified to be included in the electoral roll of the Graduates' constituency, if he has on the first of June next preceding the publication of the list of Electors a place of residence in the Sangli State and if he has taken a degree of any British or British Indian University, or the Indian Women's University, Poona, or any other University recognised for this purpose by His Highness, more than three years prior to such date.

30. A person shall not be qualified to stand as a candidate in this constituency unless he is entitled to vote in the choice of a person to fill it.

CONSTITUENCY OF COOPERATIVE SOCIETIES AND GRAMPANCHAYATS

31. Subject to the provisions of these Rules, a person shall be qualified to be included in the electoral roll of the constituency of Cooperative Societies and Grampanchayats, if he has, on the first of June next preceding the publication of the list of electors, a place of residence in the Sangli State and is a member of the Managing Committee of any of the Cooperative Societies or if he is a member of a Grampanchayat duly registered in the State before the said date.

32. A person shall not be qualified to be chosen to fill the said seat unless he is entitled to vote in the choice of a member to fill it.

CONSTITUENCY OF INAMDARS, TAINATDARS & SARANJAMDARS.

33 Subject to the provisions of these rules, a person shall be qualified to be included in the electoral roll for the constituency of Inamdars, Tainatdars and Saranjamdars, if he has a place of residence in the Sangli State and if his name is entered in the list of Inamdars, Tainatdars and Saranjamdars to be maintained by the Chief Revenue Officer, and

(i) if he, on the first day of June next preceding the date of publication of Electors' lists for this constituency, was the sole alienee of the right of Government to the payment of rent or land revenue in respect of an entire village or part of a village situate within the State to the extent of not less than Rs. 100/- or

(ii) is entitled to receive Tainat in cash or a cash allowance of not less than Rs. 100/- per annum.

34 A person shall not be qualified to be chosen to fill the seat allotted to the constituency, unless he is entitled to vote in the choice of a member to fill it.

CONSTITUENCY OF HAND-LOOM WEAVERS.

35 Subject to the provisions of these rules, a person shall not be qualified to be included in the electoral roll of the constituency of hand-loom weavers, unless he has a place of residence in the Sangli State.

36 A person shall be qualified to be included in the electoral roll for the said constituency, if he on the first of June next preceding the publication of the list of Electors, in his own individual right or as manager or head of a family, owns one or more looms and works them without the use of power and with the assistance of less than 10 hired labourers.

37 A person shall not be qualified to be chosen to fill the said seat unless he is entitled to vote in the choice of a member to fill it.

CONSTITUENCY OF COMMERCE AND INDUSTRY.

38 The constituency of Commerce and Industry shall consist of Associations of merchants, traders, industrialists and karkhandars and such other Associations as may be recognized by the Sangli Government for this constituency.

Provided, firstly, such Associations are registered under the Indian Companies Act, or the Societies Registration Act or any other appropriate Act in force in the State:

provided, secondly, such Associations do not put undue restrictions by their rules upon admission of members; and

provided, thirdly, such Associations have been in existence for a period of not less than 2 years on the 1st day of June next preceding the publication of the list of Electors.

39 The Government of Sangli will have the right to waive any or all of these conditions at any time.

40 The electoral roll of the constituency of Commerce & Industry shall be based on member-ship of the Associations (hereinafter referred to as Constituent bodies) of merchants, traders, industrialists and karkhandars and such other Associations as may be recognised by the Sangli Government.

41 Subject to the provisions of these rules, a person shall be qualified to be included in the electoral roll for the Commerce and Industry constituency, if he is himself a qualified member of one of the constituent bodies or is a nominee in that behalf of a firm, a Hindu joint family or a corporation which is a qualified member of one of those bodies.

42 For the purposes of the above rule, a member of a constituent body shall be deemed to be a qualified member thereof if he or it—

- (a) is a subscribing member and shown as such in the list of members and has paid all subscriptions accrued due before the end of the previous commercial year of the particular body, and
- (b) is engaged in trade, commerce or Industry and has a place of business within the Sangli State limits.

43 A firm, corporation or Hindu Joint Family shall be entitled to nominate not more than two persons for the purposes of these rules and the names of the persons so nominated shall be inserted in the electoral roll as being the nominees of the firm, corporation or family in question, but not more than one of those persons shall be entitled to vote at an election.

44 No person shall be nominated as aforesaid by a firm or Hindu Joint Family, unless he is a member thereof; and

no person shall be nominated as aforesaid by a corporation unless he is a Director, Managing Agent, Manager or Secretary thereof.

45 No person shall be included or be entitled to nominate persons to be included, in the electoral roll of more than one constituent body.

46 A person shall not be qualified to be chosen to fill the seat of the constituency of Commerce and Industry, unless he is included in the electoral roll for the constituency.

CONSTITUENCY OF THE SANGLI CHAMBER OF COMMERCE.

47 The electoral roll of the constituency of the Sangli Chamber of Commerce shall be based on membership of the Sangli Chamber of Commerce provided it is registered under the Indian Companies Act or the Societies Registration Act or any other appropriate Act in force in the State on or before a date mentioned by the Sangli Government in this behalf.

48 Subject to the provisions of these rules, a person shall be qualified to be included in the constituency of the Sangli Chamber of Commerce, if he is himself a qualified member of the said Chamber or is the nominee in that behalf of a firm, Hindu Joint Family or corporation which is a qualified member of the said Chamber.

49 For the purposes of this rule, a member of the Sangli Chamber of Commerce shall be deemed to be a qualified member thereof if he or it—

- (a) is a subscribing member and shown as such in the list of members and has paid all subscriptions accrued due before the end of the previous commercial year of the said Chamber and
- (b) is engaged in trade, commerce or industry and has a place of business in Sangli.

50 A firm, Corporation, or Hindu Joint Family shall be entitled to nominate not more than 2 persons for the purposes of this rule and the names of persons so nominated shall be inserted in the Electoral Roll as being the nominees of the firm, corporation, or family in question; but not more than one of those persons shall be entitled to vote at an election.

51 No person shall be nominated as aforesaid by a firm, or Joint Hindu Family unless he is a member thereof and no person shall be nominated as aforesaid by a corporation unless he is a Director, Managing Agent, Manager or Secretary thereof.

52 A person shall not be qualified to be chosen to fill a Sangli Chamber of Commerce seat, unless he is included in the Electoral Roll for the constituency.

GENERAL.

53 In constituencies where seats are reserved for particular classes, communities or interests, if a candidate belonging to these classes, communities or interests gets elected by the numerical strength [of the votes polled by him in comparison to votes polled by other candidates, the seat or seats reserved for the classes, communities or interests shall be regarded as duly filled up and no other candidate belonging to the classes or communities or interests shall claim to have a seat given to him on account of a reservation of seat for the classes, communities or interests. But if no candidate of the classes, communities or interests secures sufficient number of votes to be declared elected from amongst the candidates standing for election, the candidate belonging to the classes, communities or interests for whom a seat is reserved who secures the highest number of votes amongst the candidates of the classes, communities or interests shall be declared elected to the last seat in the constituency in preference to another candidate polling a larger number of votes.

54 Subject to the provisions of these rules, [where at an election a poll is taken for the purpose of filling more than one seat, an elector shall have as many votes as there are seats to be filled on the poll] and may give all those votes to one candidate or may distribute them between such candidates and in such manner as he thinks fit.

55 If the number of candidates qualified to be chosen to fill a seat or seats reserved for any class or interest, is equal to the number of seats so reserved all those candidates shall be declared to be elected to fill the reserved seat or reserved seats and a poll shall only be taken if necessary for filling any seat or seats not filled under this rule.

56 If the number of candidates qualified to be chosen to fill reserved seat or reserved seats is greater than the number of seats so reserved, then, when the counting of votes has been completed, the Returning Officer shall first declare that one, or those of the qualified candidates to whom the largest number of votes has been given to be elected to fill the reserved seat or the reserved seats.

57 If there be no candidate offering himself for a seat general or reserved and consequently a seat remains vacant it may be filled up by His Highness by nomination if he so pleases.

PART IV.

PREPARATION, REVISION AND PUBLICATION OF ELECTORAL ROLLS.

TERRITORIAL CONSTITUENCIES.

58 The Registering Authority shall cause to be prepared an electoral roll for each of the territorial constituencies or part of such constituency included within his jurisdiction and when a Registering Authority is not the Returning Officer for any such constituencies he shall submit electoral roll to the Returning Officer in time to allow the electoral roll being published on the appointed date.

59 The elector's name, his father's name and surname, if any, his residence and the nature of his qualification shall be entered in the electoral roll.

60 If an elector is a married woman her husband's name and surname, if any, shall be entered instead of her father's name.

61 If the surname of the elector belonging to a Christian Community is entered in the electoral roll the father's name of such elector may not be entered if the elector so desires.

Provided that if the elector belongs to the Indian Christian Community and has an Indian name, his or her father's or husband's name, as the case may be, shall be entered.

62 The electoral roll shall be prepared in a Municipal, village committee or Grampanchayat area alphabetically and separately for such sub-division of the said area as the Chief Revenue Officer may direct and alphabetically and separately for each village or part of a village not included in the said area.

63 An elector shall ordinarily be entered in the electoral roll for the area in which he resides.

64 An application for inclusion in the electoral roll for any territorial constituency on the ground of having passed the Vernacular Fourth Standard or an equivalent examination shall be made either in person or in writing to the Chief Revenue Officer or the Mamlatdar or the Mahalkari-

65 If the person on whose behalf such application is to be made is a woman, such application may be made by her husband on her behalf. The application contemplated by this rule shall be accompanied by a certificate from the Educational Inspector or other Officer appointed by the Sangli Government for this purpose.

66 No person belonging to the Scheduled castes and claiming to be an elector for a territorial constituency on the ground of holding the qualification of literacy shall be included in the electoral roll for such Constituency unless he is proved to be literate.

67 Literacy referred to in the foregoing rule shall be proved—

- (i) by the production, before the registering authority or an officer authorised by him of a certificate in the form prescribed, issued by a village officer or Aval Karkun and countersigned by a Mamlatdar or Mahalkari or issued by a Head master or Head Mistress or other Head of a School or other Educational Institution recognised by the Sangli State authorities or
- (ii) by the production, before the registering authority or an Officer authorised by him, of an application for enrolment written by the person in the presence of a Village Officer and bearing the said officer's attestation to that effect or
- (iii) by the person appearing before the registering authority or an officer authorised by him and satisfying that authority or officer that he is literate by reading and writing in the presence of that authority or officer.

68 A partner in a firm assessed to income-tax shall not be deemed for the purposes of these rules to have been assessed to income-tax unless he produces, regarding his assessment to income-tax during the previous financial year, a certificate from the income-tax authorities of the State, to the effect that the share of the applicant on the firm's income on which income-tax was assessed was not less than the minimum on which the tax was levied.

69 Any person in charge of any Municipal or Village Committee or Grampanchayat Record shall, on the requisition from the Chief Revenue Officer, furnish within such time as may be specified in such requisition

such extracts from the record in his charge as the Chief Revenue Officer may require; and shall allow the Chief Revenue Officer or any person acting under his authority, such access to any such record as the Chief Revenue Officer or the person acting under his authority may require.

70 (1) Every electoral roll for a territorial Constituency shall be published on or before such date as the Government of Sangli may appoint in that behalf at the head quarters office of the Returning Officer. Provided that in addition to the above place the electoral roll shall also be published,

- (a) If it relates to any municipal, village committee or grampanchayat area.
- (1) At the headquarters office of each municipal village committee or grampanchayat area, the part of the electoral roll relating to that area.
- (2) In addition to the places mentioned in para (1) above, in an Urban Constituency if the electoral roll is divided into parts by wards at such place or places as may be selected by the the Returning Officer in each of the wards, so much of the electoral roll as relates to the said ward.
- (b) If it relates to a village or part of village not included in the above area.
- At the village chawadi of such village or part of the village and at the headquarters of the Taluka or Mahal the part of the electoral roll relating to such village or part of a village.

(2) The electoral rolls or parts thereof so published shall remain open to inspection during the period allowed for lodging objections and shall be made available for sale to the public.

71 (1) At the time of publication of the electoral roll and the parts thereof, a notice shall be published in the manner and form prescribed by these rules, calling upon persons entered in the electoral roll to lodge in the manner hereinafter specified any objection they may have to make to the electoral roll as published, and upon persons claiming to be entered in the electoral rolls to lodge their claims in the manner herein specified. A claim or objection may be lodged in the specified manner on behalf of the registering authority in respect of any entry or omission in the electoral roll.

(2) Such claim or objection shall be made in writing and shall specify the constituency in question, the grounds on which the right of any person to be entered in the electoral roll is asserted or denied, the evidence

which the claimant or objector intends to lead, the address of the objector or claimant, his number, if any, in the electoral roll and the area on the electoral roll for which he is entered, and in the case of an objection, the number on the electoral roll of the person to whose entry objection is taken and the area on the electoral roll for which he is entered.

(3) Four copies of the claim or objection shall be delivered or sent by post so as to reach the office of the Judge authorised to receive the claim or objection, under these rules on or before the tenth day from the publication of the electoral roll excluding the day of such publication.

(4) A claim or objection which is not lodged in the manner herein prescribed or which is lodged by a person not entitled to lodge the same shall be rejected.

72 (1) Claims and objections relating to any electoral roll for any area shall be received by any subordinate judge within the local limits of whose jurisdiction the area is situate.

(2) The Judge on receipt of a claim or objection lodged in the manner herein prescribed and by a person entitled to lodge such claim or objection, shall fix a date and place for hearing the same and shall give notice of such date and place to the claimant or objector; the Registering Authority who prepared the electoral roll shall be made a party to such claim or objection, if not already a party thereto, and shall be supplied with a copy of the claim or objection and with notice of the date and place fixed for hearing. Where objection is taken to the entry of any person on the register, a copy of the objection with notice of the date and place fixed for hearing shall be sent to such person. A copy of the claim or objection with notice of the date and place fixed for hearing shall be placed on the Judge's Notice Board.

(3) Where any copy or notice is to be sent under sub-rule (2) such copy or notice shall be sent by post to a claimant or objector to the address given in the claim or objection and to a person to the entry of whose name objection is taken, to the address given in the electoral roll; a copy or notice so served shall be deemed to have been duly served.

(4) The parties shall produce before the Judge the evidence on which they rely.

(5) Where a claim or objection is based upon any right, title or interest in anything and such right, title or interest is disputed, if the

SCHEDULE A
Table showing constituencies and allocation of seats amongst them.

Serial No.	Name of the Constituency.	Extent.	Total number of seats.			Number of seats reserved of the total number of seats.			Remaining number of general seats.			Returning Officer.	Remarks.
			First election period.	Second election period.	Third election period.	First election period.	Second election period.	Third election period.	First election period.	Second election period.	Third election period.		
1	2	3	4 (a)	4 (b)	4 (c)	5 (a)	5 (b)	5 (c)	6 (a)	6 (b)	6 (c)	7	8
		Urban											
1	Sangli Town	Revenue villages of Sangli & Sangli-Wadi	5	4	5	1 (W) 1 (M) 1 (D)	1 (W) 1 (M) 1 (D)	1 (D)	2	2	2	The Ganpati Manager.	
2	Shahapur Town	Revenue villages of Shahapur	3	2	2	1 (W)	1 (W)	1 (D)	1	1	1	Mamlatdar Shahapur.	
		Rural.											
3	Miraj-Prant	Mirajprant Thika (exclusive of Sangli and Sangli-Wadi revenue villages)	3	4	3	1 (D)	...	1 (D)	3	3	3	Mamlatdar Mirajprant.	Additional one seat to the time when no member of the Scheduled caste is returned by either of the two Constituencies of Kuchi and Mangalwedha
4	Kuchi	Kuchi Taluka	3	3	3	1 (D)	...	1 (D)	2+1	2	2+1	Mamlatdar Kuchi.	
5	Mangalwedha	Mangalwedha Taluka	3	3	4	1 (M) 1 (D)	1 (M) 1 (D)	1 (D)	2	2+1	2	Mamlatdar Mangalwedha.	
6	Terdal	Terdal Mahal	2	2	2	...	...	...	2	2	2	Mahalkari Terdal.	
7	Shahapur Taluka	Shahapur Taluka including Dodwad (exclusive of Shahapur revenue village)	2	2	2	...	...	...	2	2	2	Mamlatdar Shahapur.	
8	Shirhatti	Shirhatti Taluka	3	4	3	...	...	...	3	3	3	Mamlatdar Shirhatti.	
		Total	24	24	24				6	18	18		

N. B.—The letters W, M & D in column 5 (a) (b) (c) denote respectively by a member of the following classes viz:
(1) Women
(2) Muhammadans
(3) Scheduled Caste.

Judge is of opinion that the dispute cannot be determined summarily but should be adjudicated upon by a civil court, he shall reject such claim or objection.

(6) The Judge after hearing the evidence, if any, adduced on behalf of the parties and after such further enquiry as he may deem necessary, shall pass order on the claim or objection.

(7) The Judge shall send forthwith a copy of his order to the Registering Authority.

(8) If the judge be unable to dispose of the claims and objections made under the preceding sub-rules within the period of four weeks from the last date fixed for lodging claims and objections, he may transfer any claim or objection for hearing to a joint or subordinate judge having jurisdiction within the local limits of the jurisdiction of the judge making such transfer; or may appoint, with the approval of the District Judge, such number of practising advocates, vakils or pleaders as he shall consider necessary for disposing of the said claims and objections within the said period. The provisions of this rule applicable to a judge having jurisdiction under the provisions of sub-rule (1) shall apply to a judge to whom a claim or objection has been transferred for hearing and to an advocate, vakil or pleader appointed as aforesaid.

73 (1) Any person claiming to be entitled to be an elector for a territorial constituency on the ground of his or her having passed the vernacular fourth standard examination or other equivalent examination, but who has not been included in the electoral roll for the said constituency in consequence of his or her failure to make an application to the Registering Authority in the manner prescribed (in rule 64) may on or before the tenth day from the publication of the electoral roll excluding the date of such publication, apply to the Revising Authority to have his name included in the electoral roll as an elector for the said constituency. Such application shall be in writing and shall be accompanied by the certificate or extract required under these rules. Such applications shall contain a statement that the applicant has not made any application in the manner prescribed in rule 64.

(2) On receipt of such application the Revising Authority (Sub-Judge) may, notwithstanding anything contained in Rule 72 (2), after calling for a report from the Registering Authority and the Registering Authority reporting that the applicant is qualified to be an elector for

the constituency, direct his name to be included in the electoral roll for the constituency.

74. The orders passed by the Revising Authority (Sub-Judge) shall be final and shall not be questioned in any court or otherwise.

75. (1) The Registering Authority shall make such cancellations in, and shall prepare a list of such additions to the electoral roll for each constituency as may be required in accordance with the orders passed by the Revising Authority and in cases where such authority is not the Returning Officer for the constituency, shall forward copies of the amended electoral roll and of the list of additions to the Returning Officer in time to allow of the amended electoral roll and list being published on the appointed date in the manner prescribed in this rule.

(2) The list shall be prepared in manner specified in Sub-rule 58.

(3) The amended electoral roll and the list of additions shall be published in the manner prescribed for publication of electoral rolls on or before such date as may be appointed by His Highness, in this behalf and such publication shall for the purposes of these rules be deemed to be the final publication of the electoral roll.

76. In order to facilitate the preparation of the electoral roll, the Sangli Government, may, by notification in the Sangli Gazette, direct that prior to the first publication of the electoral roll as prescribed above there shall be preliminary publication by the Chief Revenue Officer, of the electoral roll for each Constituency or part of a Constituency with notice that applications for enrolment submitted within a period to be specified in the notice will be heard and decided by the Chief Revenue Officer or other officer deputed by him in this behalf. The electoral roll shall then, on the expiry of the above period, be revised, before publication under rule 70.

77. The electoral roll of any Constituency as finally published, shall be conclusive evidence for the purpose of determining whether any person is an elector in such constituency.

78 (1) The electoral roll shall come into force from the date of final publication, and shall continue in force for a period of five years, after the expiration of which period a fresh electoral roll shall be prepared in accordance with these rules:

Provided that His Highness may, by notification in the Sangli State Gazette direct the preparation of the electoral roll at any time before the expiration of the said period.

(2) If any constituency is called upon to elect a member or members 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 Constituency.

PART V.

SPECIAL CONSTITUENCIES.

SECTION A — CONSTITUENCY OF COMMERCE & INDUSTRY.

79 (1) The Chairman of the Market Supervising Board, Sangli shall cause to be prepared an electoral roll for the Constituency of Commerce and Industry.

(2) On or before the date appointed in this behalf by the Sangli Government, the Chairman of the Market Supervising Board, Sangli shall within such period, as he thinks fit, call upon each of the constituent bodies forming the Constituency of Commerce and Industry to prepare and submit under the signature of some responsible officer of the constituent body a list of its members qualified to be electors for the Constituency. The list shall be in Marathi and shall show the name of the elector, his father's name and surname, if any, and his address and if the elector is a nominee of a firm, Hindu Joint Family or corporation, the trade name or other description and the address of the firm, family or corporation. The list shall also show the name of the constituent body of which the elector is a member or nominee. The list shall contain a verification at the bottom, under the signature of the Officer submitting the list, that it is a true or correct list of members qualified according to these rules for being electors.

(3) On receipt of such list, the Chairman of the Market Supervising Board, Sangli, shall prepare an electoral roll for the Commerce and Industry constituency from the said list. The electoral roll shall contain the elector's name, his father's name and surname, if any, and his address and in the case of the elector being the nominee of the firm, Hindu

joint family or corporation, also the trade name or other description of such firm family or corporation. No person shall be included in the electoral roll of more than one constituent body. If a person is qualified to be included as an elector, or a firm or a Hindu Joint Family or a corporation is qualified to appoint nominees for more than one constituent body such person, firm, family or corporation shall be qualified to be included as an elector or to appoint nominees as the case may be, for such one only of the said constituent bodies as he or it may elect. The election so made shall be final and shall not be revoked until the expiry of the period during which the electoral roll shall be in force.

(4) The Chairman of the Market Supervising Board may, for reasons recorded in writing, require any person in charge of the record of any constituent body to furnish, within such time as may be specified in such requisition, such extracts from the record in his charge as the Chairman, Market Supervising Board, may require. The Chairman, of the Market Supervising Board or any person acting under his authority shall also have access to any such record.

(5) The electoral roll of the Commerce and Industry constituency shall be published at the office of the Chairman of the Market Supervising Board and at such other places as the Sangli Government may direct.

(6) A notice shall be published in like manner in the prescribed form, calling upon the electors or persons claiming to be included in the electoral roll to lodge their claims or objections in the manner herein prescribed.

(7) Claims and objections in respect of the electoral roll shall be received by the Subordinate Judge in whose jurisdiction the Head Office of the constituent body is situated.

(8) Four copies of the claim or objection shall be delivered or sent by post so as to reach the office of the Sub-Ordinate Judge authorised to receive the claim or objection on or before the third day from the publication of the electoral roll, excluding the day of such publication.

(9) The Chairman of the Market Supervising Board by whom the electoral roll was prepared shall be made a party to any claim or objection.

(10) Claims or objections shall be disposed of within a period of seven days from the last date fixed for lodging claims or objection.

(11) The Subordinate Judge deciding the claim or objection shall send a copy of his order to the Chairman of the Market Supervising Board, Sangli.

(12) The amended electoral roll and list of additions shall be prepared by the Chairman of the Market Supervising Board.

(13) Save as herein provided, the provisions relating to territorial constituencies shall, so far as may be, apply to the preparation and duration of electoral roll for the Commerce and Industry constituency.

SECTION B—CONSTITUENCY OF INAMDARS, SARANJAMDARS
AND TAINATDARS.

80 (1) The electoral roll of the Constituency of Inamdars, Saranjamdars and Tainatdars shall be prepared by the Chief Revenue Officer.

(2) The provisions relating to territorial constituencies shall so far as may be, apply to the preparation, publication, and duration of the electoral rolls for the said constituency.

SECTION C—GRADUATES' CONSTITUENCY.

81 (1) The Educational Inspector, Sangli State, shall cause an electoral roll to be prepared of the Graduates' Constituency and shall send the electoral roll to the Returning Officer in time to allow the electoral roll being published on the appointed date.

(2) The electoral roll shall be published at the office of the Educational Inspector, Sangli State and at such other place as the Government of Sangli may direct.

(3) Claims and Objections in respect of the electoral roll shall be received by the senior Subordinate Judge C. D. at Sangli.

(4) Four copies of the claims or objections shall be delivered or sent by post so as to reach the office of the Subordinate Judge authorized to receive the claim or objection on or before the tenth day from the publication of the electoral roll excluding the day of such publication.

(5) The Educational Inspector, Sangli State shall be made a party to any claim or objection.

(6) Claims or objections, shall be disposed of within a period of seven days from the last date fixed for lodging claims or objections.

(7) The Subordinate Judge deciding a claim or objection shall send a copy of the order to the Educational Inspector.

(8) The amended electoral roll and the list of additions shall be prepared by the Educational Inspector, Sangli, and shall be published by him in the manner prescribed above.

(9) Save as herein provided, the provisions relating to the territorial constituencies shall, so far as may be, apply to the preparation, publication and duration of the electoral roll of the Graduates' Constituency.

SECTION D—CONSTITUENCY OF HANDLOOM WEAVERS.

82 (1) The electoral roll of the Constituency of Hand-loom weavers, shall be prepared by the Registrar Co-operative Societies and the Rural development officer.

(2) On or before the date appointed in this behalf by the Government of Sangli, the Registrar shall call upon the Mamlatdar and Mahalkari of each Taluka or Mahal as the case may be to prepare and submit a list of persons qualified to be electors for the Taluka or Mahal under his charge.

(3) On the receipt of such lists the Registrar and the Rural Development Officer shall prepare an electoral roll from the said list for the Handloom Industry constituency.

(4) The electoral roll shall be published at the office of the Chief Revenue Officer and the Registrar Co-operative Societies and also at the office of the Mamlatdars of the Talukas, and at the office of the Mahalkari of the Mahal.

(5) A notice shall be published in the prescribed manner calling upon the electors or persons claiming to be included in the electoral roll to lodge their claims or objections in the manner herein prescribed.

(6) Claims and objections in respect of the electoral roll shall be made to the Subordinate Judge within the local limits of whose ordinary Jurisdiction the area in the list of which the elector's name appears or shall have appeared; and in this connection procedure laid down in rule 72 shall be followed.

(7) Save as herein provided, the provisions relating to territorial constituencies shall, so far as may be, apply to the preparation, publication and duration of the electoral roll of the Constituency of Handloom weavers.

SECTION E—COOPERATIVE SOCIETIES & GRAMPANCHAYAT CONSTITUENCY.

83 The electoral roll of the Cooperative Societies and Gramapanchayat constituency shall be prepared by the Registrar Cooperative Societies Sangli. The provisions relating to territorial constituency shall, so far as may be, apply to the preparation, publication and duration of the electoral roll of the Cooperative Societies and Gramapanchayat constituency.

SECTION F—CONSTITUENCY OF THE SANGLI CHAMBER OF COMMERCE.

84 (1) The Chairman Market Supervising Board, Sangli shall cause to be prepared an electoral roll for the constituency of the Sangli Chamber of Commerce.

(2) On or before the date appointed in this behalf by the Sangli Government, the Chairman of the Market Supervising Board, Sangli shall, within such period as he thinks fit, call upon the Sangli Chamber of Commerce to prepare and submit under the signature of some responsible officer of the Chamber a list of its members qualified to be electors for the constituency.

(3) The list shall be in Marathi and shall show the names of the elector, his father's name and surname, if any, and his address and if the elector is a nominee of a firm, Hindu joint family or corporation the trade name or other description and the address of the firm, family or corporation. The list shall contain a verification at the bottom under the signature of the officer submitting the list that it is a true and correct list of members qualified according to these rules for being electors.

(4) On receipt of such list, the Chairman of the Market Supervising Board, Sangli shall prepare electoral roll for the Sangli Chamber of Commerce constituency from the said list. The electoral roll shall contain the elector's name, his father's name and surname, if any, and his address and in the case of the elector being the nominee of a firm, Hindu joint family or corporation, also the trade name or other description of such firm, family or corporation.

(5) The Chairman of the Market Supervising Board may, for reasons recorded in writing, require any person in charge of the record of the Sangli Chamber of Commerce to furnish, within such time as may be specified in such requisition, such extracts from the record in his charge as the Chairman Market Supervising Board may require. The Chairman Market Supervising Board or any person acting under his authority shall have access to any such record.

(6) The electoral roll of the Sangli Chamber of Commerce Constituency shall be published at the office of the Sangli Chamber of Commerce and at the office of the Chairman Market Supervising Board and at such other place or places as the Sangli Government may direct.

(7) A notice shall be published in like manner in the prescribed form calling upon the electors or persons claiming to be included in the

electoral roll to lodge their claims or objections in the manner herein prescribed.

(8) Claims and objections in respect of the electoral roll shall be received by the Sub-ordinate Judge C. D. Sangli.

(9) For copies of the claims or objections shall be delivered or sent by post so as to reach the office of the said Sub-ordinate Judge on or before the third day from the publication of the electoral roll, excluding the day of such publication.

(10) The Chairman of the Market Supervising Board by whom the electoral roll was prepared shall be made a party to any claim or objection.

(11) Claims or objections shall be disposed of within a period of seven days from the last date fixed for lodging claims or objections.

(12) The Sub-ordinate Judge deciding a claim or objection shall send a copy of his order to the Chairman, Market Supervising Board, Sangli.

(13) The amended electoral roll and list of additions shall be prepared by the Chairman, Market Supervising Board.

(14) Save as herein provided, the provisions relating to territorial constituencies shall, so far as may be, apply to the preparation, publication and duration of the electoral roll for the Sangli Chamber of Commerce constituency.

SCHEDULE B.**Special Constituencies.**

Serial No.	Name of the constituency	Extent of constituency.	Number of seats.	Returning Officer
1	2	3	4	5
1	Graduates	Non-territorial	1	Educational Inspector Sangli
2	Tajpatdars, Inamdars & Saranjamdars.	"	1	Chief Revenue Officer
3	Commerce & Industry.	"	1	Registrar Co-operative Societies. Sangli.
4	Cooperative Societies & Grampanchayats	"	1	
5	Hand-loom Industry	"	1	
6	Sangli Chamber of Commerce.	"	1	
			Total 6	

SCHEDULE C.

The following shall be deemed to be corrupt practices for the purposes of these rules:—

PART I.

(1) **Bribery:**— that is to say, any gift, offer or promise by a candidate or his agent, or any other person with the connivance of a candidate or his agent, of any gratifications to any person whomsoever, with the object, directly or indirectly, of inducing—

(a) a person to stand or not to stand, or 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 having so stood or not stood or for having withdrawn his candidature; or

(ii) an elector for having voted or refrained from voting.

For the purposes of this paragraph the term 'gratification' is not restricted to pecuniary gratification or gratifications 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 purposes of any election expenses prescribed by these rules.

(2) **Undue influence:**—That is to say any direct or indirect interference or attempt to interfere on the part of a candidate or his agent or of any other person with the connivance 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 paragraph, any such person as is referred to herein who—

- (i) threatens any candidate or voter or any person in whom a candidate or voter is interested, with injury of any kind; or
- (ii) induces or attempts to induce a candidate or voter 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 voter within the meaning of this clause.

(b) a declaration of public policy or a promise of public action, or the more 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 paragraph.

(3) **Personation**, that is to say, the procuring or abetting or attempting to procure by a candidate or his agent, or by any other person with the connivance of a candidate or his agent, the application by a person for a voting paper in the name of any other person, whether living or dead, or in a fictitious name, or by a person who has voted once at an election for a voting paper in his own name at the same election.

(4) The removal of a voting paper from the polling station during polling hours by any person with the connivance of a candidate or his agent.

(5) **Publication of false statements:**—The publication by a candidate or his agent or by any other person, with the connivance 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 of any candidate, being a statement reasonably calculated to prejudice the prospects of such candidate's election.

(6) **Authorization of expenditure:**—The incurring or authorising by a candidate or his agent of expenditure, or the employment of any person by a candidate or his agent, in contravention of the provisions of any notification issued by the Sangli Government.

PART II.

(1) **Acts under Part I:**—Any Act specified in Part I, when done by a person who is not a candidate or his agent or a person acting with the connivance of a candidate or his agent.

(2) **Personation:**—The application by a person at an election for a voting paper in the name of any other person, whether living or dead, or in a fictitious name, or for a voting paper in his own name after he has already voted at such election.

(3) **Bribery:**—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 from being a candidate; or

(b) by any person whomsoever for himself or any other person for voting or refraining from voting, or for inducing or attempting to induce any elector to vote or refrain from voting, or any candidate to withdraw his candidature.

(4) **Payment for conveyance:**—Any payment or promise of payment to any person whomsoever on account of the conveyance of any elector to or from any place for the purpose of recording his vote.

(5) **Hiring and use of public conveyance:**—The hiring, employment, borrowing or using for the purposes of the election of any boat, vehicle or animal usually kept for letting on hire or for the conveyance of passengers by hire:

Provided that any elector may hire any boat, vehicle or animal which is his own property, to convey himself to or from the place where the vote is recorded.

(6) **Incurring expense without authority:**—The incurring or authorisation by any person other than a candidate or his election agent of expenses on account of holding any public meeting, or upon any advertisement, circular or publication, or in any other way whatsoever, for the purpose of promoting or procuring the election of such candidate, unless he is authorized in writing so to do by the candidate.

(7) **Hiring of liquor shops:**—The hiring, using or letting, as a committee room or for the purpose of any meeting to which electors are admitted, of any building, room or other place where intoxicating liquor is sold to the public.

(8) **Issue of circulars, etc. without printer's & publisher's name printed thereon:**—The issuing any circular, placard or poster having a reference to the election which does not bear on its face the name and address of the printer and publisher thereof.

SCHEDULE D.

For the purposes of the Sangli State Rayat Assembly Electoral Rules the following castes, races or tribes, or parts of or groups within castes, races or tribes shall be deemed to be Scheduled Castes.

Asodi	Khalpa
Bakad	Kolcha, or Kolgha
Bhanbi	Koli Dhor
Bhangi	Lingader
Chakrawadya-Dasar	Madig or Mang
Chalvadi	Mahar
Chambhar or Mochigar or Samagar	Mang garudi
Chena-Dasaru	Meghval or Menghwar
Chubar or Chubra	Mini Madig
Dakaleru	Mukri
Dhed	Nadia
Dhegu-Megu	Shenava or Shindhaver
Dhor	Shingdav or Shingadya
Garode	Sochi
Halleer	Tamali
Halsar, or Haslar, or Hulsavar	Turi
Holaya	Vankar
	Vitholia

No Indian Christian shall be deemed to be a member of the Scheduled Castes.

SCHEDULE E.

Notice under Rule 71.

1 (a) The Electoral rolls of the following constituencies are hereby published in accordance with Rule 71 of the rules for the Election and Nomination of members of the Sangli State Rayat Assembly:—

- 1
- 2
- 3
- 4
- 5

(b) The Electoral rolls of the following constituencies are not published in this area because there are no persons qualified to vote in them in this area:—

- 1
- 2
- 3
- 4
- 5

2 Any elector who objects to any entry in the electoral roll or any person claiming to be entered as an elector in the electoral roll should lodge the claim or objection in the following manner:—

(a) Such claim or objection shall be in writing and shall specify the constituency in question, the grounds on which the right of any person to be entered in the electoral roll is asserted or denied, the evidence which the claimant or objector intends to lead, the address, of the claimant or objector, his number, if any, in the electoral roll and the area on the electoral roll for which he is entered, and in the case of any objection, the number in the electoral roll of the person to whose entry objection is taken and the area on the electoral roll for which he is entered.

(b) Four copies of the claim or objection shall be delivered or sent by post so as to reach the office of the judge authorised to receive the claim or objection, on or before the 10th day from the publication of the electoral roll, excluding the day of such publication.

(c) A claim or objection which is not lodged in the manner herein prescribed by a person not entitled to lodge the same shall be rejected.

3 Claims and objections relating to an electoral roll for any area of any constituency shall be made to the Sub-Judge within whose territorial jurisdiction such area is included.

PART VI.

Nominations, Scrutiny, Deposits & Withdrawals.

Territorial Constituencies.

85 1) The Sangli Government shall fix for each territorial constituency—

(a) a date, not later than the fourteenth day after the date of the notification, calling upon the constituency to elect member, for the nomination of the candidates and the scrutiny of nominations;

(b) a further date or dates on which a poll shall, if necessary, be taken.

(2) The dates so fixed shall be notified in the Sangli Gazette and, if it is deemed necessary by the Government of Sangli so to do, in such other manner as the Government thinks fit.

86 (1) Each candidate shall, on the date fixed under preceding rule for the nomination of the candidates and the scrutiny of nominations and between the hours of 12 noon and 1-30 p. m. on that date, either in person or by his proposer or seconder, deliver to the Returning Officer or to such other person as may be authorised in this behalf by the Sangli Government, a nomination paper completed in the Form A— appended to these rules—and subscribed by the candidate himself as assenting to the nomination and by two persons as proposer and seconder who are electors in the constituency. Any nomination paper which is not received on the date and between the hours above mentioned shall be rejected.

(2) Nomination papers in the prescribed form shall be supplied by the Registering Authority to any elector asking for the same.

87 Any person may be notified as a candidate for election to fill a seat in any territorial constituency, if he is qualified to be chosen to fill that seat.

88 Any person, who is an elector in the constituency and who is not subject to any disabilities for being entitled in the electoral roll of the constituency or for being entitled to vote, may subscribe, as proposer or seconder, as many nomination papers as there are seats to be filled in the constituency, but no more.

89 A nomination paper delivered under rule 86 above or, if more than one such nomination paper are delivered by or on behalf of a candidate, one of such nomination papers, shall be accompanied by a declaration in writing subscribed by the candidate that the candidate has appointed or does thereby appoint as his election agent for the election, either himself or some other person who is not disqualified under the provisions of the rules regarding corrupt practices from being a member of the Rayat Assembly or from voting at elections and who shall be named in the declaration; and no candidate shall be deemed to be duly nominated unless such declaration is delivered along with the nomination paper or one of the nomination papers, as the case may be.

90 The Returning Officer or the person authorised under rule 86 shall, on receiving a nomination paper under the said rule, enter in the nomination paper its serial number, and shall sign thereon a certificate stating the date on which and the hour at which the nomination paper has been delivered to him.

91 (1) At or before the time of the delivery of a nomination paper each candidate shall deposit or cause to be deposited with the Returning Officer or the person authorised under rule 86 one hundred rupees in cash:

Provided that in a constituency in which a seat is reserved for the scheduled castes, the sum to be deposited by or on behalf of a candidate who is a member of a scheduled caste shall be rupees twenty. No candidate shall be deemed to be duly nominated unless the deposit mentioned in this sub-rule has been made.

(2) If a candidate, by whom or on whose behalf the deposit referred to in sub-rule (1) has been made, withdraws his candidature in the manner and within the time specified in rule 95 or if the nomination of any such candidate is refused, the deposit shall be returned to the person by whom it was made; and, if any candidate dies before the commencement of the poll, any such deposit, if made by him, shall be returned to his legal representative or, if not made by the candidate, shall be returned to the person by whom it was made.

(3) if a candidate by whom or on whose behalf the deposit referred to in sub-rule (1) has been made, is not elected and the number of votes polled by him does not exceed, in the case of a constituency returning one or two members, one-eighth of the total number of votes-polled or, in the case of a constituency returning more than two members, one-eighth of the total

number of votes polled divided by the number of members to be elected, the deposit shall be forfeited to the State.

Provided that in a constituency in which a seat is reserved for the scheduled castes, the deposit made by or on behalf of a candidate who is a member of a scheduled caste shall not be forfeited unless the number of votes polled by such candidate does not exceed one-half of the fraction prescribed in this sub-rule of the total number of votes polled.

(4) For the purposes of sub-rule (3) the total number of votes polled shall be deemed to be the total number of ballot papers, other than rejected ballot papers, counted.

(5) The deposit made in respect of a candidate shall, if it is not forfeited under sub-rule (3), be returned to the candidate or to the person who has made the deposit on his behalf, as the case may be, as soon as may be after the publication of the result of the election in the Sangli Gazette.

92 At the time of the scrutiny of nominations the candidates, their election agents, proposers and seconders, and one other person duly authorised in writing by each candidate, but no other person, may attend at the headquarters office of the returning officer or at such other place as he may appoint and the Returning Officer or other person authorised under rule 86 shall give them all reasonable facilities for examining the nomination papers of all candidates which have been delivered within the time and in the manner prescribed in rule 86.

93 (1) On the date appointed by the Sangli Government under clause (a) of sub-rule (1) of rule 85 for the nomination of the candidates and the scrutiny of nominations and directly after the expiry of the time within which nomination papers may be delivered, under rule 86, the Returning Officer shall examine the nomination papers and shall decide all objections which may be made to any nomination, and may either on such objection or on his own motion, after such summary enquiry, if any, as he thinks necessary, refuse any nomination on any of the following grounds:-

(i) that the candidate is not qualified or is disqualified for election;

(ii) that a proposer or seconder is not qualified for subscribing a nomination paper under rule 88.

(iii) that there has been any failure to comply with any of the provisions of rules 86, 89, 91.

(iv) that the candidate or his proposer or seconder, as the case may be, is not identical with the person whose number or name on the electoral roll is given in the nomination paper as the number or name of such candidate, proposer or seconder, as the case may be; and

(v) that the signature of the candidate or of the proposer or seconder is not genuine or has been obtained by fraud.

(2) For the purposes of this rule— (a) the production of any certified copy of any constituency shall be conclusive evidence of the right of any elector named in that entry to stand for election or to subscribe a nomination paper as a proposer or seconder, as the case may be, unless it is proved that the candidate is disqualified under the provisions of the Act (Regulation 1 of 1930) or any rule made thereunder. (b) where a person has subscribed, whether as proposer or seconder, a larger number of nomination papers than there are seats to be filled, those of the papers so subscribed which have been first received upto the number of seats to be filled, shall be deemed to be valid.

(3) Noting contained in clauses (ii), (iii), (iv), or (v) of sub-rule (1) shall be deemed to authorise the refusal of a 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.

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

(2) The scrutiny shall be completed on the same day and no adjournment of the proceedings shall be allowed.

95 (1) Any candidate may withdraw his candidature by notice in writing subscribed by him and delivered to the Returning Officer or the person authorised under rule 86 before three O'clock in the afternoon on the date succeeding that fixed for nomination of the candidates and the scrutiny of nominations. Such notice shall be delivered by the candidate either in person or by his proposer or seconder. A candidate who has withdrawn his candidature shall not be allowed to cancel his withdrawal or to be renominated as a candidate for the same election. The Returning Officer or the person authorised under rule 86 shall, on receiving a notice of

withdrawal under this rule, as soon as may be, cause a notice of the withdrawal to be affixed in some conspicuous place in his office.

When the day, succeeding that fixed for nomination of candidates and the scrutiny of nominations, is a public holiday, a notice of withdrawal shall be considered as having been received in due time if it is delivered before three O'Clock in the afternoon on the next succeeding day which is not a public holiday.

96 On completion of the scrutiny of nominations and after the expiry of the period within which candidature may be withdrawn under rule 95 the Returning Officer shall forthwith prepare a list of valid nominations and cause it to be affixed in some conspicuous place in his office.

97 If a candidate who has been duly nominated dies after the scrutiny of nominations and before the commencement of the poll, the returning officer or the person authorised under rule 86 shall, upon being satisfied of the fact of the death of the candidate, countermand the poll and report the fact to the Government of Sangli and all proceedings with reference to elections shall be commenced anew in all respects as if for a new election:

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

98 (1) In relation to any election in a constituency where the seats to be filled include a seat reserved for members of the scheduled castes or a seat reserved for women, if there is only one candidate qualified to be chosen to fill a seat so reserved, such candidate shall be declared to be elected to fill the reserved seat and a poll shall only be taken if necessary for filling the remaining reserved or general seats.

(2) If there are more than one candidate qualified to be chosen to fill a seat so reserved, then, when the counting of the votes has been completed, the Returning Officer shall first declare that one of the qualified candidates to whom the largest number of votes has been given amongst such qualified candidates to be elected to fill the reserved seat.

(3) If there be no candidate qualified to be chosen to fill a seat so reserved His Highness may, in his discretion, fill the reserved seats by

nomination as if it was a general seat or may allow the seat to remain vacant.

99 Subject to the provisions of the above rule—

(1) If the number of candidates who are duly nominated and who have not withdrawn their candidature in the manner and within the time specified in these rules, is equal to the number of seats to be filled, the Returning Officer shall declare all such candidates to be duly elected.

(2) If the number of such candidates is less than the number of seats to be filled, the Returning Officer shall declare all such candidates, if any, to be elected to fill as many of those seats as possible and the Government of Sangli shall, by notification in the Sangli Gazette, call upon the constituency to elect a person or persons, as the case may be, to fill the remaining seat or seats, within such time as may be specified in the notification.

Provided that where a constituency having already been called upon under this sub-rule has failed to elect a person or the requisite number of persons, as the case may be, to fill the seat or seats, it will not be necessary again to call upon the constituency to elect a person or persons, and the vacant seats shall be at the disposal of His Highness to be filled by His Highness by nominations according to his pleasure.

(3) If the number of such candidates exceeds that of the seats to be filled, the Returning Officer shall forthwith publish in the Sangli Gazette, and in such other manner as the Government of Sangli may direct and in such places in the constituency as the returning officer may consider necessary, the names of the candidates as given in the nomination papers in alphabetical order together with the symbol, if any, assigned to each candidate, and a poll shall be taken. In such case the Chief Revenue Officer shall forthwith arrange for the printing and supply to the returning officers, of a sufficient number of ballot papers in the prescribed form.

(4) Vote shall be given by ballot in the manner provided therefor in these rules and, save as otherwise provided in these rules, in person; provided that no votes shall be received by proxy.

(5) Votes shall be counted by or under the supervision of the Returning Officer and each candidate, the election agent and one representative of each candidate authorised in writing by the candidate shall have the right to be present at the time of the counting.

PART VII.

Voting in Territorial Constituencies.

100 The Government of Sangli shall fix the hour at which the poll shall commence and the hour at which it shall close on the date or dates fixed for the poll under rule 85. The hours so fixed shall be published by notification in the Sangli Gazettee and in such other manner as the Government of Sangli may direct.

101 (1) The Chief Revenue Officer shall select for each constituency as many polling stations as he thinks necessary, and shall publish, in such manner as the Government of Sangli may direct, a list showing the polling stations so selected and the polling area for which they have respectively been selected.

(2) The Chief Revenue Officer shall appoint a presiding officer for each polling station and such other persons (hereinafter referred to as polling officer) to assist the presiding officers as he thinks necessary.

Provided that if a polling officer is absent from a polling station, the presiding officer may appoint any person who is present at the polling station to be a polling officer during the absence of the former officer, and inform the Chief Revenue Officer accordingly.

(3) Each polling officer may, if so directed by the presiding officer perform all or any of the duties assigned to a presiding officer under these rules.

(4) If the presiding officer, owing to illness or other unavoidable cause, is obliged to absent himself from a polling station, his duties shall be performed by one of the polling officer, who shall be duly authorised in this behalf by the Chief Revenue Officer.

102 (1) The presiding Officer shall keep order at the polling station, shall see that the election is fairly conducted, shall regulate the number of electors to be admitted at one time, and shall exclude all other persons except—

(a) the polling officers, the candidates, and one agent of each candidate (hereinafter referred to as the polling agents) appointed in writing by the candidate, and authorised in this behalf by the Returning Officer,

(b) The police officers or other public servants on duty, and

(c) such other persons as the presiding officer may from time to time admit for the purpose of identifying electors.

(2) The presiding officer shall close the polling station at the hour fixed in that behalf so as to prevent the admission thereto of any elector after that hour.

103 If any person misconducts himself at a polling station or fails to obey the lawful orders of the presiding officers or the polling officer performing the duties of the presiding officer, he may immediately, by order of the presiding officer or such polling officer, be removed from the polling station by any police officer or by any other person authorised in writing by the presiding officer or such polling officer to remove him; and the person so removed shall not, unless with the permission of the presiding officer or such polling officer, be allowed again to enter the polling station during the day.

Provided that this power shall not be exercised so as to prevent any elector who is otherwise entitled to vote at any polling station from having an opportunity of voting at such polling station.

104 No ballot paper shall be issued after the closing of the hour fixed under rule 10J but any elector who has received his ballot paper before that hour shall be allowed a reasonable opportunity to record his vote.

The ballot paper shall consist of as many parts as there are seats to be filled at the particular election, such parts being separated by perforation at requisite place.

The elector can separate the part by cutting at the perforation and turn them into separate ballot papers one for each seat to be filled. The elector can put one or as many ballot paper's parts into the ballot box assigned to the particular candidate or candidates as he may desire to do. If it is his desire not to use any ballot paper he shall return it to the presiding officer, who should immediately mark it as unused over his signature and keep such unused ballot paper in a separate box.

105 Each polling station shall be furnished with such number of compartments, in which electors can record their votes screened from observation, as the Chief Revenue Officer thinks necessary.

106 The Returning Officer shall provide at each polling station one ballot box for each of the candidate and shall cause to be affixed to each

ballot box the name and symbol of the candidate. Such ballot boxes shall be kept within the screened compartments which shall be furnished at each polling station in which electors can record their votes screened from observation.

107 Before the commencement of the poll there shall be affixed in a conspicuous place outside and inside each polling station, a notice showing the name and symbol of each candidate.

108 Every ballot box shall be so constructed that the ballot papers can be introduced therein, but cannot be withdrawn therefrom, without the box being unlocked. The presiding officer immediately before the commencement of the poll shall show the ballot box or boxes empty to such persons as may be present at the polling station, so that they may see that it or they are empty & shall then lock it or them up, and place his seal upon it or them in such manner as to prevent its or their being opened without breaking such a seal, and shall place the ballot box or boxes in his view for the receipt of ballot papers and keep it or them so locked and sealed.

109 Before the polling station is open for the recording of votes, the presiding officer shall read to such persons as may be present, the provisions of section 14 of the Indian Election Offences and Enquiries Act, 1920, as applied to the Sangli State, and shall explain the substance thereof in the vernacular.

110 Immediately before a ballot paper is delivered to an elector, the number, name and description of the elector, as stated in the electoral roll, shall be called out and the number of the elector shall be entered on the counterfoil, and a mark shall be placed in a copy of the electoral roll against the number of the elector, to denote that he has received the ballot paper, but without showing the particular ballot paper which he has received. On the counterfoil shall be entered the name of the constituency and the name or distinctive number of the polling station and the signature or thumb-impression of the elector.

111 The elector shall, on receiving a ballot paper, forthwith proceed to one of the compartments in the polling station, and there separate the parts and shall put one or more of them into the ballot box allotted to the candidate for whom he desires to give one or more votes. Every elector shall vote without undue delay and quit the polling station as soon as he has put his ballot paper or papers into one or more ballot boxes as he pleased.

112 If an elector is incapacitated, from blindness or other physical cause from voting in the manner prescribed, it shall be competent for him to make his declaration and to record his vote by the hand of the presiding or any polling officer. Such officer shall certify on the counterfoil of the ballot paper the elector's incapacity and the fact that he was requested by the elector to sign the declaration and to dispose of the ballot paper according to instructions given by the elector and that the declaration was so signed and the ballot paper was so dealt with by him in the presence of the elector.

113 The presiding officer shall give such assistance as may be required to any elector who is by reason of infirmity or illiteracy unable to vote in the manner prescribed.

114 At any time before a ballot paper is delivered to an elector the presiding officer or polling officer may, of his own accord, if he has reason to doubt the identity of the elector or his right to vote at such polling station, and shall, if so required by candidate or a polling agent put to the elector the following question:—

(1) Are you the person enroled as follows (reading the whole entry from the roll) ? and

(2) Have you already voted at the present election in this constituency ? and

(3) Have you already voted at this election in any other territorial constituency ?

and the elector shall not be supplied with a ballot paper if he refuses to answer any one of the questions and unless he answers the first question in the affirmative, and the second and third question in the negative.

115 The Ballot paper shall be in Form B-1. The names and symbols of the candidates shall not be on the ballot paper. The ballot paper shall be serially numbered, the serial numbers being printed on the counterfoil and on the back of each part of the ballot paper.

116 If the person representing himself to be a particular elector named on the electoral roll applies for a ballot paper after another person has voted as such elector, the applicant shall, after duly answering such questions as the presiding officer may ask, be entitled to vote with a ballot

paper in the same manner as any other elector. Such Ballot paper (hereinafter referred to as a tendered ballot paper) shall, instead of being placed in the ballot box, be given to the presiding officer, the separated parts being put in one or more covers marked with the name of the candidate or candidates to whom he desires to give his vote or votes and such covers being placed in a larger cover bearing the name of the elector and his number on the electoral roll and the name of the electoral area to which the electoral roll relates, and shall be set aside in a separate packet and shall not be counted by the Returning Officer. The name of the elector and his number on the electoral roll and the name or distinctive number of the polling station to which the electoral roll relates shall be entered in a list in Form C, which shall bear the heading "Tendered Votes Lists". The person tendering such ballot paper shall sign his name and address thereon or if he is unable to write, affix his thumb-impression against the entry in that list.

117 If any polling 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 enter in a separate list called "Challenged Votes Lists"—Form D—his name and address or, if he is unable to write, to affix his thumb impression thereto and may further require such person to produce evidence of identification. If such a person, on being questioned in the manner provided in rule 114 answers the first question in the affirmative and the other questions in the negative, he shall be allowed to vote after he has been informed of the penalty for personation. The presiding officer shall make a note of the circumstances and of his decision on the list of challenged votes.

Provided that a deposit of Rs. 5 may be demanded for each such challenge which shall be forfeited if, on enquiry, the challenge is found to be frivolous and not made in good faith.

118 An elector who has inadvertently dealt with his ballot paper in such a manner that it cannot conveniently be used as a ballot paper, may, on delivering it to the presiding officer, and satisfying him of the inadvertence obtain another ballot paper in place of the spoilt ballot paper, and the latter shall, together with its counterfoil, be marked as cancelled by the presiding Officer.

119 (1) A presiding officer, polling Officer or polling agent who is on duty at the polling station at which he is not entitled to vote, shall, if he is

certified by the Chief Revenue Officer or by any Officer authorised by the Chief Revenue Officer in this behalf to be entitled to vote at the election for the constituency in connection with which he is employed or for any other constituency, be allowed to record his vote at that polling station. The name of the polling station at which he would otherwise have been entitled to vote shall be entered in the counterfoil of the ballot paper together with his number in the electoral roll for that constituency in which that polling station is situate. A certificate issued under this rule shall be in the form E.

(2) Such ballot paper shall be placed in an envelope and sealed by the presiding officer and returned with the certificate referred to in sub-rule (1) to the Chief Revenue Officer or other officer who has granted the same. The Chief Revenue Officer or the other officer through the Chief Revenue Officer shall cause such ballot paper to be delivered to the Returning Officer for inclusion among the valid ballot papers.

120 The presiding officer of each polling station, as soon as practicable after the close of the poll shall, in the presence of any candidates or polling agents who may be present, make up into separate parcels and seal with his own seal and the seal of such candidate or agent as may desire to affix their seal:—

(1) each ballot box in use at each polling station unopened but with the key attached;

(2) the unused ballot papers to be shown separately as under

(a) ballot papers not issued; and

(b) ballot papers issued but not used and therefore returned by the Elector to the presiding officer;

(3) the tendered ballot papers;

(4) The spoilt ballot papers;

(5) the marked copy of the electoral roll;

(6) the counterfoils of the ballot papers;

(7) the tendered votes list; and

(8) the list of challenged votes;

and shall after endorsing on each packet a description of its contents deliver such packets to the Returning Officer.

121 The packets shall be accompanied by a statement in Form F made by the presiding officer, showing the number of ballot papers entrusted to

him, and accounting for them under the heads of papers in the ballot box or boxes unused, spoilt and tendered ballot papers, and ballot papers dealt with under rule 119.

122 Notwithstanding anything contained in these rules, the Returning Officer may for sufficient cause and with the previous sanction of the Government of Sangli, postpone the date or extend the period fixed for polling. In emergencies such as disturbance of the public peace or the intervention of flood, the presiding officer may, with the previous approval of the Returning Officer close the poll and announce an adjournment of the poll to a subsequent date. The Returning Officer shall immediately report the circumstances to the Government of Sangli.

The subsequent date to which polling is postponed or adjourned shall be notified in the constituency in such manner as the Returning Officer thinks fit.

PART VIII.

Scrutiny and Counting of Votes and declaration of results.

123 The Returning Officer shall, as soon as may be practicable after the close of the poll, give notice in writing to all candidates and election agents of the date, time and place fixed by the Government of Sangli for the counting of votes.

124 (1) No person shall be allowed to be present at the counting of votes except the Returning Officer and such persons as he may appoint to assist him in counting the votes, the candidates, the election agents of the candidates and one representative of each candidate authorised in writing by the candidate in this behalf.

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

125 On the day and at the time appointed the Returning Officer shall, before he commences to count the votes, read the provisions of section 14 of the Indian Election Offences and Enquiries Act, 1920, as applied to the Sangli State, to such persons as may be present, and shall then proceed as follows:—

(a) the ballot box or boxes relating to each polling station or the envelopes containing the ballot papers, as the case may be, shall be opened one after another and the Returning Officer shall take out the ballot paper-parts therefrom, count them or cause them to be counted for each box separately, and record the number thereof in a statement giving the number of ballot paper-parts in each box separately; such statements shall not be shown to any candidate or agent;

(b) the Returning Officer shall take utmost care to see that the papers in the box or boxes for each candidate are kept separately and are not allowed to be mixed up.

(c) when the ballot papers from the box of each candidate have been counted, the Returning Officer shall inspect them and take out those which must be rejected, endorsing thereon "Rejected" over his signature.

(d) the Returning Officer shall again count or cause to be counted the ballot papers taken out from the box or boxes of each candidate separately excluding those that he has rejected.

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

(f) when the counting of the votes has been completed, the Returning Officer shall, forthwith declare the candidate or candidates, as the case may be, to whom the largest number of votes has been given, to be elected;

(g) the Returning Officer shall without delay report the result of the election to the Government of Sangli and the name or names of the candidate or candidates elected shall be published in the Sangli Gazette under the orders of the Government of Sangli.

126 A ballot paper shall be rejected if it bears any mark by which the elector can be indentified.

The decision of the Returning Officer as to the validity of a ballot paper shall be final, subject only to reversal on an election petition claiming the seat.

127 The Returning Officer shall not open the sealed packets of the tendered votes or the marked copy of the electoral roll or the counterfoils of

the ballot papers: He shall verify the statement submitted by the presiding officer under rule 121 by comparing it with the number of counted ballot papers, the spoiled ballot papers and the ballot papers dealt with under rule 119, the unused ballot papers in his possession and the tendered votes list, and the counterfoils of the ballot papers and then reclose and reseal each packet which has been opened by him, and shall record on each packet a description of its contents and the date of the election to which it refers.

128 The Returning Officer shall then prepare and certify a return setting forth:—

- (1) the result of the verification referred to in the last previous rule,
- (2) the names of the candidates for whom valid votes have been given,
- (3) the number of valid votes given for each candidate,
- (4) the name of the candidate elected,
- (5) the number of votes declared invalid, and
- (6) the number of tendered votes given,

and shall permit any candidate or his election agent or a representative duly authorised under rule 124 to take a copy or an extract from such return.

PART IX.

Disposal of Ballot Paper.

129 The Returning Officer shall, after reporting the result, retain in his custody the packets and returns referred to in the rules 127 and 128 and all other documents relating to the election.

130 While in the custody of the Returning Officer the packets of ballot papers whether counted, rejected or tendered, of the counterfoils thereof, and of the marked copy of the electoral roll, shall not be opened and their contents shall not be inspected or produced except under the order of a competent court or of the Commissioner appointed to hold an inquiry in respect of an election, but all other documents relating to the election shall be open to public inspection, subject to such conditions as the Government of Sangli may prescribe and to the payment of the fee specified in

Schedule III; and any person, on compliance with such conditions and on payment of the fee specified in the said schedule, shall be entitled to obtain a copy or copies thereof or of any part thereof.

131 The packets referred to in rule 130 shall be retained for a period of one year, and shall thereafter be destroyed, subject to any directions to the contrary made by the Government of Sangli, or by a competent court or by the Commissioner, appointed to hold an inquiry in respect of an election.

PART X.

Agents and Election expenses.

132 No person who is for the time being disqualified under the provisions of clause (e) of rule 5 from being a member of the Sangli State Rayat Assembly or from voting at elections under rule 16 of these rules shall, so long as the disqualification exists, be employed by or on behalf of a candidate as an agent in connection with any election held under these rules.

133 (1) Within thirty-five days from the date of the publication of the result of an election under clause (g) of rule 125 there shall be lodged with the Returning Officer in respect of each person who has been nominated as a candidate for the election a return of election expenses of such person containing the particulars specified in Schedule II and signed both by the candidate and by his election agent. The return shall be in Form G.

(2) Every such return shall contain a statement of all payments made by the candidate or by his election agent or by any person on behalf of the candidate or in his interests for expenses incurred on account of, or in respect of, the conduct and management of the election, and further, a statement of all unpaid claims in respect of such expenses of which he or his election agent is aware.

(3) The return shall be accompanied by declarations by the candidate and his election agent which shall be as set out in Form G.

(4) When any return and the declarations made in respect thereof have been lodged with the Returning Officer, the Returning Officer shall, as soon as may be, cause a notice of the date on which the return and declarations in question have been lodged, and of the time and place at which they can be inspected, to be affixed in some conspicuous place in his

office and to be published in the Sangli Gazette, and any person shall, on payment of the fee specified in Schedule III, be entitled to inspect any such return or declaration and on payment of the fee specified in the said Schedule III to obtain a copy or copies thereof or of any part thereof.

(5) (i) A record showing—

- (a) the names of the candidates,
- (b) the name of the election agent of each candidate,
- (c) the date of each election,
- (d) the name of each constituency in which an election has been held,
- (e) the date on which the return of election expenses of each candidate was lodged with the Returning Officer, and
- (f) the amount of election expenses of each candidate,

shall be prepared and maintained in the office of the Sangli State Rayat Assembly, as soon as possible, after the completion of every election.

(ii) The Returning Officer of every constituency in which an election to the Assembly is held shall supply a return containing the necessary materials for the preparation of the record.

(iii) The record shall be open to inspection by the public, subject to such conditions as the Government of Sangli may prescribe and to the payment of the fee specified in Schedule III; and any person, on compliance with such conditions and on payment of the fee specified in the said Schedule shall be entitled to obtain a copy or copies thereof or of any part thereof.

(iv) The record in respect of each election shall be maintained for ten years from the date of the election.

(v) Separate records shall be maintained for general elections and bye-elections.

134 Every election agent shall enter in the books of account to be kept by him the particulars of all expenditure of the nature referred to in rule 133, whether such expenditure is incurred by the candidate or by the election agent or by any person under the direction of the candidate or the election agent.

PART XL

Decisions of doubts and disputes as to the validity of an election.

135 In this part except where it is otherwise expressly provided or the context otherwise requires-

(a) 'agent' includes an election agent and any person who, on the trial of an election petition, is held by the Commissioner to have acted as an agent in connection with the election with the knowledge or consent of the candidate;

(b) 'candidate' means a person who has been or claims to have been duly nominated as a candidate at any election, and a candidate who, with the election in prospect, has held himself out as a prospective candidate, shall be deemed to have been a candidate as from the time when he began to hold himself out;

(c) 'electoral right' means the right of a person to stand or not to stand as, or to withdraw from being, a candidate or to vote or refrain from voting at an election;

(d) 'returned candidate' means a candidate whose name has been published in the prescribed manner as duly elected.

136 No election shall be called in question except by an election petition presented in accordance with the provisions in these rules.

137 (1) An election petition against any returned candidate may be presented to His Highness-

(a) by any candidate or elector on any ground, within fourteen days from the date on which the return of the election expenses of the returned candidate and the declarations made in respect thereof are received by the Returning Officer; or

(b) within thirty days from the date mentioned in clause (a), by an officer, empowered in that behalf by His Highness, on the ground that the election has not been a free election by reason of the large number of cases in which undue influence or bribery has been exercised or committed; or

(c) on the ground that the returned candidate or his agent or any other person acting with the connivance of the candidate or of his

agent has been guilty of the offence of bribery, undue influence or personation as defined in Chapter IX-A of the Indian Penal Code in respect of the election, by any candidate, or elector within fourteen days from the date on which such returned candidate or his agent or other person is convicted of such offence.

In this rule "elector" in relation to the Commerce and Industry and the Sangli Chamber of Commerce constituencies, includes all the persons included in the electoral roll as the nominees of any body, notwithstanding that only one of them is entitled to vote.

(2) An election petition shall be deemed to have been presented to His Highness when it is delivered to His Highness or to any officer appointed by His Highness in this behalf—

(a) by the person making the petition; or

(b) by a person authorised in writing in this behalf by the person making the petition; or

(c) by registered post.

(3) When the last day of the period for the presentation of an election petition under this rule is a public holiday, notified by the Sangli Government, the petition shall be considered as having been received in due time, if it is presented on the next succeeding day which is not such a public holiday.

For the purposes of clause (a) of the sub-rule (1) of this rule, the date on which the return of election expenses and the declarations made in respect thereof are received by the Returning Officer shall, in the case of a candidate who has made such return and declarations, be deemed to be the date on which the declaration of the candidate is received.

138 (1) The petition shall contain a statement in concise form of the material facts on which the petitioner relies and shall, where necessary, be divided into paragraphs numbered consecutively. It shall be signed by the petitioner and verified in the manner prescribed for the verification of pleading in the Code of Civil Procedure 1908, as applied to the Sangli State.

(2) The petition shall be accompanied by a list signed and verified in like manner stating forth full particulars of any corrupt practice which the petitioner alleges, including as full a statement as possible as to the

names of the parties alleged to have committed any corrupt practice and the date and place of the Commissioner of each such practice.

(3) The Commissioner may, upon such terms as to costs and other wise as he may direct at any time, allow the particulars included in the said list to be amended or order such further particulars in regard to any matter referred to them to be furnished as may in their opinion be necessary for the purpose of ensuring a fair and effectual trial of the petition.

139 A petitioner may, if he so desires, in addition to calling in question the election of the returned candidate, claim a declaration that he himself has been duly elected, but such a declaration shall only be claimed on one or other of the following grounds:—

(a) that in fact the petitioner received a majority of the valid votes; or

(b) that but for votes obtained for the returned candidate by corrupt practices, the petitioner would have obtained a majority of the valid votes.

In such case the petitioner shall join as respondents to his petition all other candidates who were nominated at the election.

140 At the time of the presentation of the petition, the petitioner shall, except where the petition is presented by an officer empowered in that behalf by His Highness, deposit with it the sum of two hundred rupees as security for the costs of the same.

141 (1) Unless His Highness dismisses a petition for non-compliance with the prescribed requirements, he shall appoint a Commissioner for the trial of the petition, and when one is appointed, all applications and proceedings in connection with the petition shall be dealt with by, and carried on by or before the Commissioner.

(2) Where in respect of any election in a constituency more petitions than one are presented, His Highness shall refer all those petitions to the same Commissioner who may at his discretion inquire into the petitions either separately or in one or more groups as he thinks fit.

(3) If the services of the Commissioner appointed are not available for the purposes of the inquiry or, if, during the course of the inquiry, the Commissioner is unable to continue to attend thereat, His Highness

shall appoint another Commissioner and the inquiry shall recommence before the Commissioner so appointed:

Provided that the Commissioner may direct that any evidence already recorded shall remain upon record, and in that case, it shall not be necessary to re-examine those witnesses who have already been examined and discharged.

142 When at an inquiry into an election petition the Commissioner so orders, the State pleader shall attend and shall take such part therein as the Commissioner may direct.

143 Subject to the other provisions of these rules, every election petition shall be inquired into by the Commissioner, as nearly as may be, in accordance with the procedure applicable under the Code of Civil Procedure, 1908, as applied to the Sangli State, to the trial of suits:

Provided that it shall only be necessary for the Commissioner to make a memorandum of the substance of the evidence of any witness examined by him.

144 The inquiry shall be held at such place as His Highness may appoint:

Provided that the Commissioner may in his discretion sit at any other place within the State for any part of the inquiry.

145 (1) An election petition may be withdrawn only by leave of the Commissioner, or, if an application for withdrawal is made before the Commissioner has been appointed, of His Highness.

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

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

(4) No application for withdrawal shall be granted if, in the opinion of His Highness or of the Commissioner, as the case may be, such application has been induced by any bargain or consideration which ought not to be allowed.

(5) If the application is granted—

(a) the petitioner shall, where the application has been made to the Commissioner, be ordered to pay the costs of the respondents theretofore incurred or such portion thereof as the Commissioner may think fit;

(b) notice of the withdrawal shall be published in the Sangli Gazette by His Highness or by the Commissioner, as the case may be.

(c) any person who might himself have been a petitioner may, within fourteen days of such publication, apply to be substituted as petitioner in place of the party withdrawing, and, upon compliance with the conditions of rule 140 as to security, shall be entitled to be so substituted and to continue the proceedings upon such terms as the Commissioner may think fit.

(6) When an application for withdrawal is granted by the Commissioner and no person has been substituted as petitioner in place of the party withdrawing under clause (c) of sub-rule (5), the Commissioner shall report the fact to His Highness.

146 An election petition shall abate only on the death of a sole petitioner or of the survivor of several petitioners:

Provided that where such sole petitioner was an officer empowered under clause (b) of sub-rule (1) of rule 137 the proceedings may be continued by any other officer empowered in this behalf by His Highness under the said clause.

(2) Notice of the abatement of an election petition shall be published in the Sangli Gazette by the Commissioner or if the petition abates before any Commissioner has been appointed, by His Highness.

(3) Any person who might himself have been a petitioner may, within fourteen days of such publication, apply to be substituted as petitioner, in place of the party deceased, and upon compliance with the condition of rule 140 as to security, shall be entitled to be so substituted and to continue the proceedings upon such terms as the Commissioner may think fit.

(4) If before the conclusion of the trial of an election, the respondent dies or gives notice that he does not intend to oppose the petition, the Commissioner shall cause notice of such event to be published in the Sangli Gazette, and thereupon any person who might have been a petitioner may, within fourteen days of such publication, apply to be substituted

for such respondent to oppose the petition and shall be entitled to continue the proceedings upon such terms as the Commissioner may think fit.

147 (1) Subject to the provisions of this rule, if in the opinion of the Commissioner—

(a) the election of the returned candidate has been procured or induced, or the result of the election has been materially affected, by any corrupt practice; or

(b) any corrupt practice specified in Part I of Schedule 'C' to these rules has been committed in the interests of a returned candidate; or

(c) the result of the election has been materially affected by the improper acceptance or rejection of any nomination, or by reason of the fact that any person nominated was not qualified or was disqualified for election, or by the improper reception or refusal of a vote, or by the reception of any vote which is void, or by any non-compliance with the provisions of the Act (Sangli State Regulation I of 1930) or of any Rules relating to the election, or by any mistake in the use of any prescribed form; or

(d) the election has not been a free election by reason of the large number of cases in which bribery of undue influence has been committed or exercised,

the election of the returned candidate shall be void.

(2) If the Commissioner reports that a returned candidate has been guilty by an agent, other than his election agent, of any corrupt practice specified in Part I of Schedule C, but further reports that the candidate has satisfied him that—

(a) no corrupt practice was committed at the election by the candidate or his election agent, and the corrupt practices mentioned in the report were committed contrary to the orders, and without the sanction or connivance, of the candidate or his election agent;

(b) the candidate and his election agent took all reasonable means for preventing the commission of corrupt practices at the election;

(c) the corrupt practices mentioned in the report were of a trivial and limited character or took the form of customary hospitality which did not affect the result of the election: and

(d) in all other respects the election was free from any corrupt practice on the part of the candidate or any of his agents, then the Commissioner may find that the election of the candidates is not void.

(3) If a person (not being entitled so to do) votes more than once at the same election, all his votes shall be deemed for the purposes of this rule, to be void.

148 (1) At the conclusion of the inquiry the Commissioner shall report whether the returned candidate, or any person who has lodged the petition and claimed a seat, has been duly elected and in so reporting shall have regard to the provisions of the last preceding rule.

(2) The report shall further include a recommendation by the Commissioner as to the total amount of costs which are payable and the persons by and to whom costs shall be paid.

Any such recommendation may include a recommendation for the payment to the State Pleader, attending the trial in pursuance of an order of the Commissioner, of costs in respect of that attendance, but shall not include a recommendation for the payment of costs in respect of any other Government expenditure in connection with the inquiry.

(8) the report shall be signed by the Commissioner and Commissioner shall forthwith forward his report to His Highness, who, on receipt thereof, shall issue orders in accordance with the report and publish the report in the State Gazette. The orders of His Highness shall be final.

149 Where any charge is made in an election petition of any corrupt practice, the Commissioner shall report in his report—

(a) a finding whether a corrupt practice has or has not been proved to have been committed by any candidate or his agent, or with the connivance of any candidate or his agent, and the nature of that corrupt practice; and

(b) the names of all persons, if any, who have been proved at the inquiry to have been guilty of any corrupt practice and the nature of that practice with any such recommendations as the Commissioner may think proper to make for the exemption of any persons from any disqualifications which they may have incurred in this connection under paragraphs 2, 3, and 4 of Part I of schedule C to these rules:

Provided that no person shall be so named in the report unless he has been given a reasonable opportunity of showing cause why his name should not be so recorded.

PART XII.

Special Constituencies.

(1) Sangli Chamber of Commerce, & (2) Commerce and Industry Constituencies.

150 In the (i) Sangli Chamber of Commerce and (2) Commerce and Industry Constituencies.—

(a) (i) where a nominee of a firm, corporation or Hindu joint family is a candidate for the election, any other nominee of the same firm, corporation, or Hindu joint family shall not be entitled to subscribe, either as proposer or seconder, the nomination paper of such candidate ;

(ii) where a nominee of a firm, corporation or Hindu joint family has subscribed as proposer or seconder a nomination paper, any other nominee of the said firm, corporation or Hindu joint family shall not subscribe as proposer or seconder the same nomination paper or any other nomination paper;

(b) no symbols shall be assigned to the candidates;

(c) the presiding officer shall be supplied with one ballot box;

(d) the ballot box shall be kept beside the presiding officer, the elector shall mark his ballot paper in the voting partition and shall then place his ballot paper in the ballot box in the presence of the presiding officer;

(e) the ballot paper shall be in Form B - (3); the number of the ballot paper shall be printed on the counterfoil and on the back of the ballot paper;

(f) the elector shall record his vote by making a cross against the name of the candidate for whom he desires to vote and shall then place the ballot paper in the ballot box;

(g) an elector voting on a tendered ballot paper shall record his vote in the manner above described and shall deliver the ballot paper to the presiding officer;

(h) save as herein provided, the provisions prescribed for elections in Territorial constituencies shall, so far as may be, be applicable to nominations, scrutiny of nominations, deposits, withdrawals, voting, scrutiny and counting of votes, declaration of results, disposal of ballot papers, agents and election expenses and all other matters in connection with an election in the Sangli Chamber of Commerce and Commerce and Industry Constituencies.

Tainatdars, Inamdars & Saranjamdars Constituency.

151 In the Tainatdars, Inamdars and Saranjamdars constituency -

(a) no symbols shall be assigned to the candidates;

(b) the presiding officer at each polling station shall be supplied with one ballot box;

(c) the ballot box shall be kept beside the presiding officer, the elector shall mark his ballot paper in the voting partition, and shall then place his ballot paper in the ballot box in the presence of the presiding officer;

(d) the ballot paper shall be in the Form B-(3); the number of the ballot paper shall be printed in the counterfoil and on the back of the ballot paper;

(e) the elector shall record his vote by making a cross against the name of the candidate for whom he desires to vote and shall then place the ballot paper in the ballot box;

(f) an elector voting on a tendered ballot paper shall record his vote in the manner described above and shall deliver the ballot paper to the presiding officer;

(g) save as herein provided, the provisions prescribed for elections in Territorial constituencies shall, so far as may be, be applicable to nominations, scrutiny of nominations, deposits, withdrawals, voting, scrutiny and counting of votes, declaration of results and disposal of ballot papers, agents and election expenses and all other matters in connection with an election of the Tainatdars, Inamdars and Saranjamdars constituency.

Graduates & Cooperative Societies Constituencies.

152 In the (1) Graduates and (2) Co-operative Societies Constituencies:-

(1) The Returning Officer shall despatch a ballot paper with counter-foil attached, to each elector by registered post to the address shown in the electoral roll not later than fourteen clear days before the date fixed

for the counting of votes. The portion of the counter-foil of the ballot paper to be filled up by the Returning Officer shall be filled up by him before it is despatched to an elector.

(2) The ballot paper shall be in Form B - 4.

(3) No election shall be invalidated by reason that an elector has not received his ballot paper provided that a ballot paper has been issued to him in accordance with these rules.

153 (1) The elector shall sign the counter-foil of the ballot paper in the presence of a Revenue or Judicial officer, not lower in rank than the Head Karkoon or Nazir of a Magistrate who shall sign the certificate on the counter-foil.

(2) The elector shall place a cross against the name of the candidate for whom he wishes to vote.

(3) The elector shall then tear off the counter-foil of the ballot paper and shall, after putting the ballot paper in an envelope, close the same and attach the counterfoil thereto. He shall then put the said envelope with the counterfoil attached to it in another envelope and shall after closing it send it by registered post so as to reach the head-quarters office of the Returning Officer before the day appointed for the counting of votes. If the ballot paper is not received by the Returning Officer before the day appointed for the counting of votes, it shall be rejected.

(4) The Returning Officer shall on receipt of the envelope sent under sub-rule (3), open the same and examine the counter-foil of the ballot paper. If the counterfoil has not been duly filled in by the elector or has not been properly attested, the Returning Officer may reject the ballot paper. In that case he shall endorse the word "rejected" both on the counterfoil and on the envelope containing the ballot paper and shall put the said envelope and the counterfoil in separate packets. If the counterfoil of the ballot paper has been duly filled in and attested, the Returning Officer shall detach the counterfoil and shall place the counterfoil and the envelope containing the ballot paper in separate packets.

(5) The envelope containing the ballot paper shall not be opened until the commencement of the counting of votes.

(6) Should an original ballot paper be lost, mislaid, spoiled, destroyed or otherwise rendered useless, the elector to whom it was issued

shall, on application in writing addressed to the Returning officer stating the circumstances, be supplied with a second ballot paper signed and numbered by the Returning Officer and marked "duplicate" which, in the absence of the original ballot paper bearing the same number, shall be treated as if it were the original.

154 Save as herein provided, the provisions prescribed for Territorial constituencies, shall, so far as may be, be applicable to nominations, scrutiny of nominations, deposits, withdrawals, scrutiny and counting of votes, declaration of results, disposal of ballot papers, agents and election expenses and all other matters in connection with an election in the (1) Graduates and (2) Cooperative Societies Constituencies.

Handloom Weavers Constituency.

155 In the Handloom Weavers constituency—

(a) there shall be polling station at least at one place in each of the Talukas or Mahal either at the handquarter-station of the Taluka or Mahal or at any other suitable place. Each polling station shall be furnished with one or more compartments in which electors can record their votes screened from observation;

(b) the Returning Officer shall provide at such polling station one ballot box for each of the candidates and shall cause to be affixed to such ballot box the name and symbol of the candidate. Such ballot boxes shall be kept within the screened compartments;

(c) before the commencement of the poll there shall be affixed in a conspicuous place outside & inside each polling station a notice showing the name and symbol of each candidate;

(d) the ballot paper shall be in Form B-(2). The names and symbols of the candidates shall not be printed on the ballot paper;

(e) the elector shall, on receiving the ballot paper, forthwith proceed to the compartment for voting and shall put the ballot paper in the ballot box allotted to the candidate for whom he wishes to vote;

(f) not more than one elector shall be allowed to be in the compartment at a time;

(g) an elector voting on a tendered ballot paper shall record his vote by writing the name of the candidate for whom he wishes to vote and shall then deliver the ballot paper to the presiding officer.

156 Save as herein provided, the provisions prescribed for election in Territorial constituencies shall, so far as may be, be applicable to nominations, scrutiny of nominations, deposits, withdrawals, voting, scrutiny and counting of votes, declaration of results, disposal of ballot papers, agent and election expenses and all other matters in connection with an election in the Handloom Weavers constituency.

PART XIII.

Nominated Members.

157 (1) No person shall be nominated to the Sangli State Rayat Assembly who—

(a) is not a Sangli State subject, or is not a British subject or a subject of any other Indian State mentioned in this behalf by His Highness;

(b) having been a legal practitioner, has been dismissed or is under suspension from practising as such by order of any competent court;

(c) is of unsound mind and stands so declared by a competent court;

(d) is an undischarged insolvent;

(e) is under thirty years of age;

(f) having been elected or nominated, refuses to take oath or or affirmation as prescribed:

Provided that the disqualification mentioned in clause (b) may be removed by an order of His Highness in this behalf.

(2) A person, against whom a conviction by criminal court involving a sentence of transportation or imprisonment for a period of not less than one year is subsisting, shall, unless the offence of which he was convicted has been pardoned, not be eligible for nomination for five years from the date of the expiration of the sentence:

Provided that on application made by a person disqualified under sub-rule (2), His Highness may remove the disqualification by an order made in this behalf.

(3) if any person is convicted of an offence under Chapter IX A of the Indian Penal Code, as applied to the Sangli State, punishable with imprisonment for a term exceeding six months or is, after an inquiry by a

Commissioner appointed under any rules for the time being in force regarding elections to the Sangli State Rayat Assembly, reported as guilty of a corrupt practise as specified in part 1 or in paras 1, 2, 3, of part II of schedule 'C', such person shall not be eligible for nomination for five years from the date of such conviction or of the finding of the Commissioner as the case may be; and a person reported by any such Commissioner to be guilty of any other corrupt practise shall be similarly disqualified for three years from such date.

(4) If, in respect of an election to the Sangli State Rayat Assembly, a return of election expenses of any person who has been nominated as a candidate at the election, is not lodged within the time and in the manner prescribed by or under the rules made in that behalf, or if any such return is lodged which is found either by the Commissioner holding an enquiry into the election or by a Magistrate, in a judicial proceeding, to be false in any material particular, neither the candidate nor his agent shall be eligible for nomination for five years from the date of the election;

Provided that any disqualification mentioned in sub-rule (3) or (4) of this rule may be removed by an order of His Highness made in that behalf.

158 (1) A nominated non-official member shall hold office for the duration of the Sangli State Rayat Assembly to which he is nominated.

(2) Official members shall hold office for the duration of the Sangli State Rayat Assembly to which they are nominated or for such shorter period as His Highness may at the time of nomination determine.

PART XIV.

Safe custody, preservation, inspection and production of election papers.

159 (1) Save as otherwise provided in these rules, the papers mentioned in the first column of the statement hereto annexed shall be kept by the Officers mentioned in the second column for the period specified in the third column thereof.

(2) the said papers shall be open to inspection by the public, subject to such conditions as the Government of Sangli may prescribe and

to the payment of the fee specified in Schedule III and any person on compliance with such conditions and on payment of the fee specified in the said schedule shall be entitled to obtain a copy or copies thereof or of any part thereof.

STATEMENT.

Description of document or record. 1	By whom kept. 2	Period for which kept. 3
1 Nomination papers	The Returning Officer of the Constituency concerned.	One year.
2 Declarations of appointment of agents and cancellations thereof.	Do.	Do.
3 Withdrawals of candidates	Do.	Do.
4 Papers mentioned in rules 127, 128.	Do.	Do.
5 Returns of election ex- penses lodged by candi- dates	The returning officer with whom they are lodged	Do.
6 Election petitions, the finding thereon of the Commissioner and the evidence recorded.	The Secretary to the Rayat Assembly	Five years.

PART XV.

General Provisions.

160 Every member of the Rayat Assembly shall, before taking his seat, make and subscribe, before His Highness or some person appointed by him, an oath according to the following form:—

“I, A, B, having been ^{selected}/_{nominated} a member of the Sangli State Rayat Assembly do solemnly swear (or affirm) that I will be faithful and bear true allegiance to His Highness the Raja Saheb of Sangli,

His Highness' heirs and successors and that I will faithfully discharge the duties upon which I am about to enter ”.

161 Any person who is elected to more than one seat in the Assembly shall, by notice in writing signed by him and delivered to the Secretary of the Assembly within seven days from the date of the publication in the Sangli Gazette of the declaration that he has been so elected, or if such publications have been made on different dates, within seven days from the latest of such dates, as the case may be, resign all but one of the seats. In default of such resignation all the seats of such person in the Assembly shall become vacant.

162 (1) When the seat of an elected member becomes vacant by reason of his death or of his election being declared void or by virtue of the provisions of clauses (a) and (b) of rule 9 above, His Highness shall, by notification in the Sangli Gazette, call upon the constituency concerned to elect a member for the purpose of filling the seat within such time as may be specified in that notification.

(2) When the seat of a nominated member becomes vacant, His Highness shall nominate to the vacancy a person having the necessary qualifications under these rules.

163 (1) On the expiration of the duration of an Assembly or on its dissolution a general election shall be held in order that a new Assembly may be constituted.

(2) On such expiration or dissolution, His Highness shall, by notification in the Sangli Gazette, call upon all constituencies to elect members in accordance with these rules within such time as may be specified in that notification;

Provided that, if His Highness thinks fit, such notification referred to in sub-rule (2) above, may be issued at any time not more than three months prior to the date on which the duration of the Assembly would expire in the ordinary course of events.

(3) before the date fixed for the first meeting of the Assembly, His Highness shall make such nominations as may be necessary to complete the Assembly.

164 For the first general election, to be held after these rules come into force, for the purpose of the constitution of the Assembly, His Highness may

issue the notification referred to in sub-rule (2) of rule 163 at such time as he thinks fit.

165 As soon as may be, after the expiration of the time fixed for the election of members at any general election or at a by-election, the name or names of the members elected at such election, shall be notified in the Sangli Gazette.

166 If a question arises for the decision of a Returning or presiding officer under these rules, whether an entry in an electoral roll relates to a particular person, the Returning Officer or presiding officer, as the case may be, may, for reasons to be recorded in writing, decide that the entry does or does not relate to the said person, notwithstanding any clerical or printing errors therein.

167 Subject to the provisions of the rules relating to the decision of doubts and disputes as to the validity of an election, all decisions given by Returning Officers under the powers conferred on them by these rules, shall be final.

168 If any difficulty arises as to the holding of any election under these rules, His Highness may do anything not inconsistent with these rules which appears to him to be necessary for the proper holding of the election

PART XVI.

Special Provisions.

169 If any question arises as to the interpretation of these Rules, the question shall be referred to His Highness, exercising his individual judgment, and his decision shall be final.

170 The Sangli State Rayat Assembly Electoral Rules and Subsidiary Rules of 1931 are hereby repealed.

(69)

Schedule I—Forms.

FORM 'A'.

Nomination Paper.

Name of the Constituency.

Name of candidate.

Father's
Husband's Name

Age

Address

Denomination (in case of a constituency in which a seat is reserved for Muhammadans, Scheduled castes, or women, state the caste)

Constituency in the electoral roll of which the name of the candidate is included.

No. of the candidate in the electoral roll of the Constituency in which his name is included.

Name of the proposer.

No. of the proposer in the electoral roll of the Constituency.

Signature of the proposer.

Name of the seconder.

No. of the seconder in the electoral roll of the Constituency.

Signature of the seconder.

Declaration by Candidate.

I hereby declare that I agree to this nomination.

Date,

Signature of candidate

* Not to be entered in case of a Special Constituency.

FORM A.—*contd.*

* I hereby declare that I have appointed _____
to be my election Agent.

Date,

Signature of candidate

Certificate of Delivery.

(To be filled in by the Returning Officer or other authorised person

Serial No.

This nomination paper was delivered to me at my Office, at (date & hour)

*Returning Officer or other
authorised person.*

Certificate of Scrutiny.

I have scrutinised the eligibility of the candidate, the proposer & seconder, and find that they are respectively qualified to stand for election, to propose & to second the nomination.

Returning Officer or other authorised person.

• A Candidate may appoint himself as his Election Agent.

(71)

FORM B-(1).

Ballot Paper to be used at elections in Territorial constituencies.

Form of front of Ballot Paper.

<p>Counterfoil Serial No. Name or No. of polling Station Name & No. of elector on electoral roll _____ Signature or thumb impression of elector</p>	<p>Outerfoil.</p> <p>Front.</p> <p>Name of constituency _____</p> <p>_____</p> <p>Official mark.</p>
---	--

Back of outerfoil
Instructions.

You have _____ votes.
Separate the parts by cutting at the perforations and place one or more of these parts in the ballot-box of the candidate or candidates for whom you wish to give one or more of your votes.

Serial No.

(72)

FORM-B (2).

Form of Ballot-Paper to be used at elections in the Handloom Weavers Constituency.

Form of front of Ballot Paper.

Counterfoil.	Outer foil. Front
Name or No. of polling Station ...	Constituency of Handloom Weavers
Name and No. of elector on electoral roll ...	
Signature or thumb impression of elector.	Official mark.

Back of outerfoil
Instructions.

You have only one vote. Place the ballot paper in the Ballot box of the candidate for whom you wish to vote.

Serial No.

FORM-B (3).

Form of Ballot-Paper to be used at elections in Special Constituencies other than (1) the Handloom Weavers' Constituency (2) the Graduates' Constituency & (3) the Cooperative Societies' & Grampanchayats' Constituency.

Form of Ballot Paper.

Counterfoil. Serial No. Constituency _____	Outer foil.	
	Front.	
Name or No. of Polling Station.	Name & symbol of candidate.	Cross.
No. of elector on electoral roll.		
Signature or thumb impression of elector.		

Back of outerfoil
Instructions.

- (1) You have one vote only.
- (2) The vote is to be shown by a X mark.
- (3) The mark should be placed against only one candidate.

Serial No.

FORM B—(4).

Form of Ballot paper to be used at elections in the (1) Graduates' Constituency & (2) Cooperative Societies' & Gram-Panchayats' Constituency.

FORM OF FRONT OF BALLOT PAPER.

Counterfoil	Outertail	
	Name of Candidate	Cross
Constituency _____		
* No. of elector on electoral roll _____		
* Name of elector as on electoral roll _____		
Signature of elector _____		
Certificate:—		
Signed in my presence by the elector _____ is personally known to me		
who _____ has been identified to my satisfaction.		
Date _____		
Signature & designation of attesting officer.		
** I hereby declare that I am the person whose name appears as elector No. on the electoral role for the constituency & that I am incapacitated from (here state cause of incapacity) from voting in the prescribed manner.		
Date _____ Signed by ....on behalf of the above named elector.		
** I hereby certify that the above named elector is incapacated from .. from voting in the prescribed manner, that I was requested by the said elector to sign the above declaration and to mark the ballot paper for him and that the above declaration was so signed and the ballot paper was so marked by me in the presence of the elector.		
Dated _____		
Signature and designation of Attesting Officer.		

* To be filled in by the Returning Officer.

** To be filled in only if the elector is unable to record his vote owing to physical incapacity.

(75)

FORM B-(4)—*contd.*—

Back of the outerfoil.

Instructions.

- (1) You have one vote;
- (2) The vote is to be shown by a X mark;
- (3) The mark should be placed against only one candidate;
- (4) The counterfoil must be filled up before you vote;

Serial No.

(To be printed both on the reverse of the counterfoil & outerfoil).

(76)

FORM 'C'.

Tendered Votes List.

Polling Station.

Name of Constituency.	Name of elector.	No. on electoral roll.	No. of votes recorded	Signature or thumb impression of elector.

FORM 'D'.

List of Challenged Votes.

No. on electoral roll.	Name.	Signature of elector if literate or thumb impression of elector if illiterate	Name of identifier, if any.

Order of Presiding Officer (in each case).

(77)

FORM-E.

*Certificate entitling a presiding officer, polling officer or polling agent
to vote at the polling station where he is appointed for duty.*

A B being duly registered as elector No. on the electoral roll
of the Constituency of the Sangli State Rayat Assembly &
being duly appointed for duty as $\frac{\text{presiding officer}}{\text{polling officer}}$ at polling station
 $\frac{\text{polling officer}}{\text{polling agent}}$
is entitled to record his vote at polling station.

Dated.

Chief Revenue Officer, Sangli.

FORM F.

Form of statement to accompany returns of presiding Officer.

Name of constituency.

Name of Polling Station.

Total Number of electors for the polling station as shown on electoral roll.	Total Number of Ballot papers entrusted to presiding officer.	Total Number of ballot papers used i.e. issued to electors	Account of used ballot papers					Balance that should be in ballot box.	No. of unused ballot papers		No. of ballot boxes used.
			Used for the votes of polling and presiding officers and polling agents entitled to vote at another polling station.	Tendered ballot papers	Spoilt ballot papers	Ballot papers returned by electors without using any parts thereof	Ballot papers of which one or more parts were used and the rest were returned		Not issued.	Issued but returned unused	
1	2	3	4	5	6	7	8	9	10	11	12

- Column. 1 Give total of the names on the electoral roll for your polling station.
- Column. 2 Give total number of names of ballot papers received by you.
- Column. 3 Count the counterfoils of the issued ballot papers and enter that number.
- Column. 4 Total of the counterfoils of ballot papers used by the presiding and polling officers and polling agents entitled to vote at another polling station.
- Column. 5 Total of the counterfoils of tendered votes; these counterfoils will be blank; the total in form C must tally with this total
- Column. 6 Total of the counterfoils marked cancelled, checked with the total number of spoilt ballot papers with the presiding officer.
- Column. 7 Total of ballot papers issued but returned entirely unused.
- Column. 8 Total of ballot papers issued but only partially used and the unused parts returned.
- Column. 9 Deduct from total in column 3, the sum of the totals in columns 4, 5, 6, & 7.

FORM-G.

Form of Return of election expenses.

1 *Receipts*.—Including all monies, securities and equivalents of money received from any person (including the candidate himself), club, society, or association in respect of any expenses, whether paid or in remaining unpaid, incurred on account of, or in connection with, or incidental to, the election. The name of each such person, etc., and the amount received shall be shown separately:—

Date of receipt.	Name and description of payer.	Amount or value.
Total...		

2 *Expenses*.—Including all payments made by the candidate or by his election agent or by any person on behalf of, or in the interests of the candidate, in respect of any expenses incurred on account of, or in connection with, or incidental to, the election, and all unpaid claims in respect of any such expenses of which the candidate or his election agent is aware:—

N. B.—(1) Vouchers shall be attached to the return for all items of expenditure amounting to Rs. 5 and over, unless from the nature of the case a receipt cannot be obtained; the vouchers shall be numbered and arranged in serial order and the number of the voucher entered in the return against the item of expenditure.

(2) Each payment made shall be entered separately, except payments on account of postage and telegrams for which lump sums may be shown. The name and description of each person paid and the work done or the nature of the goods supplied shall be shown in respect of each payment.

PART A.—In this Part shall be shown the personal expenditure of the candidate, incurred or paid by him or by his election agent on his behalf, including all payments for personal services rendered, for hotel bills, for travelling expenses and for the purchase of books or election literature.—

Name & description of payee	On what account	Date of payment	Voucher No.	Amount paid	Amount unpaid
Total...					

PART B.—In this Part shall be shown expenditure incurred by the candidate or his election agent for the remuneration of agents (including the election agent), clerks or messengers. The name & description of each agent, clerk or messenger employed and the rate of remuneration and the amount paid to each shall be shown separately.

Name & description of payee	On what account	Rate of payment	Date of payment	Voucher No.	Amount paid	Amount remaining unpaid
Total...						

PART C.—In this Part shall be shown all other expenditure (including travelling expenses and cost of refreshments provided) incurred by the candidate or his election agent on account of agents (including the election

agent), clerks or messengers The name & description of each agent, clerk or messenger and the amount paid to each shall be shown.

Name & description of payee	On what account	Date of payment	Voucher No.	Amount paid	Amount remaining unpaid.
Total...					

PART D—In this Part shall be shown the travelling expenses of persons (not being agents, clerks or messengers) whether in receipt of salary or not, incurred or paid by the candidate, his election agent or the person so travelling.

Name and description of payee	On what account	Date of payment	Voucher No.	Amount paid	Amount remaining unpaid.
Total...					

PART E—In this Part the cost of printing shall be shown.

Name and description of payee.	On what account	Date of payment, if any	Voucher No.	Amount paid	Amount unpaid.
Total...					

PART F—In this Part the cost of advertising shall be shown.

Name and description of payee	On what account	Date of payment, if any	Voucher No.	Amount paid	Amount unpaid.
Total...					

PART G—In this Part the cost of stationary shall be shown.

Name and description of payee	On what account	Date of payment if any	Voucher No.	Amount paid	Amount unpaid.
Total...					

PART H.—In this Part the cost of postage and telegrams may be shown in lump sums.

Expenditure incurred	Date of payment, if separate payments are shown	Amount paid.

PART I.—In this Part the cost of rooms hired for public meetings or as Committee rooms or as an office shall be shown.

Name & description of payee	Locality & description of rooms	Date of payment	Voucher No.	Amount paid.	Amount unpaid.
Total...					

PART J.—In this Part the cost of conveyances hired shall be shown.

Name & description of payee	Name & description of conveyance	Date of payment	Voucher No.	Amount paid	Amount unpaid.
Total...					

PART K.—In this Part shall be included every disputed claim remaining unpaid.

Name & description of claimant.	Nature & alleged ground of claim.	Amount of claim.
Total...		

PART L.—In this Part all expenditure incurred and payments made by the candidate or by his election agent or by any person on behalf of or

In the interests of the candidate in connection with the election and not included in any of the foregoing parts shall be shown.

Name & description of payee	on what account.	Date of payment, if any.	Voucher No.	Amount paid.	Amount unpaid.
Total.....					

Part M—In this part the total expenditure incurred under each of the previous parts shall be shown.

Part.	Paid.	Unpaid.	Total.
A			
B			
C			
D			
E			
F			
G			
H			
I			
J			
K			
L			
Total... :			

Declaration by Election Agent.

I, _____, being the appointed election agent for _____, a candidate for election in the _____ constituency, do hereby solemnly affirm that the above return of election expenses is true to the best of my knowledge and belief, and that, except the

expenses herein set forth, no expenses of any nature whatsoever have, to my knowledge, or belief been incurred in or for the purposes of _____'s candidature.

Election Agent.

Solemnly affirmed before me.

(Magistrate)

Declaration by Candidate

I _____, being a candidate for election in the _____ Constituency, do hereby solemnly affirm that the above return of election expenses is true to the best of my knowledge and belief, and that, except the expenses herein set forth, no expenses of any nature whatsoever have to my knowledge or belief been incurred in, or for the purposes of, my candidature.

Candidate.

Solemnly affirmed before me.

(Magistrate)

SCHEDULE II.

Particulars of election expenses.

(1) Under the head of receipts there shall be shown the name and description of every person (including the candidate), club, society or association from whom any money, security or equivalent of money was received in respect of expenses incurred on account of, or in connection with, or incidental to, the election, and the amount received from each person, club, society or association separately.

(2) Under the head of expenditure, there shall be shown:—

(a) the personal expenditure of the candidate incurred or paid by him or his election agent, including travelling and all other persons expenses incurred in connection with his candidature;

(b) the name, and the rate and total amount of the pay, of each person employed as an agent (including the election agent), clerk or messenger;

(c) the travelling expenses and other expenses incurred by the candidate or his election agent on account of agents (including the election agent), clerks or messengers;

(d) the travelling expenses of persons whether in receipt of salary or not, incurred in connection with the candidature, and whether paid or incurred by the candidate, his election agent or the person so travelling:—

(e) the costs whether paid or incurred of:—

(i) printing,

(ii) advertising,

(iii) stationery,

(iv) postage,

(v) telegrams,

(vi) rooms hired either for public meetings or as committee rooms, and

(vii) conveyances hired;

(f) any other miscellaneous expenses whether paid or incurred.

SCHEDULE III.

The following fees shall be levied by the Returning Officer or by the Officer who has the custody of the documents for the inspection and grant of copies of documents which are open to inspection under these rules:—

(1) The fees for the inspection of a return of the election expenses or the declaration in respect thereof shall be rupee one and for the inspection of any other document relating to an election, the inspection of which is allowed by the aforesaid Rules, rupee one for every hour or part thereof taken for inspection.

(2) The fees for the inspection of a document shall be payable in advance.

(3) The fees for granting a copy of a document shall be as follows:—

(a) *Copying fees*:—two annas for every hundred words of fraction thereof and double this rate if the original is in a tabular form.

(b) *Comparing fees*:—Half the copying fees charged under clause (a), subject to the maximum fee of rupee one; and

(c) *Paper cost*:—If a copy is supplied on a printed form or forms, 3 pies for every sheet and in other cases 6 pies for every sheet.

(4) A sum of not less than Rs. 2 shall be deposited with every application for a copy of a document. Any balance thereof shall be returned when the copies are furnished, and any further sum due must be paid before they are furnished.