

**ANDHRA PRADESH MUNICIPAL CORPORATIONS
(REGISTRATION OF ELECTORS) RULES, 1994**

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**ANDHRA PRADESH MUNICIPAL CORPORATIONS
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In exercise of the powers conferred by Sub-section (i) of Section

585 read with Sections 9, 11, 12 and 70 of the Hyderabad Municipal Corporations Act, 1955 (Act II of 1956) and Section 18 of the Andhra Pradesh Municipal Corporations Act, 1994 (Act No. 25 of 1994) and in supersession of the Municipal Corporation of Hyderabad (registration of electors) rules, 1978 issued in G.O. Ms. No. 892, HMA and UD dated the 29th October, 1978 the Governor of Andhra Pradesh hereby makes the following rules for the registration of electors in Municipal Corporations in the State.

1. Short Title :-

- (i) These rules may be called the Andhra Pradesh Municipal Corporations (Registration of Electors) Rules, 1994.
- (ii) These rules shall apply to all the Municipal Corporations in the State including Hyderabad Municipal Corporation.

2. Definitions :-

In these rules, unless the context otherwise requires.

- (a) "Declared Office" means an office declared by the President to be an office to which the provisions of sub-section (4) of Section 20 of the Representation of People Act, 1950 apply;
- (b) "Election Commission" means the State Election Commission constituted under Article 243-K of the Constitution of India.
- (c) "Electoral Authority" means such authority now under as may be appointed by the Election Commission (Section 9 of the H.M.C. Act, 1955).
- (d) "Form" means a form appended to these rules and in respect of any ward, includes a translation thereof in the language or any of the languages in which the electoral roll for that ward is prepared;
- (e) "Qualifying Date" means such date as may be prescribed by the Election Commission;
- (f) "Electoral Registration Officer" means the Electoral Registration Officer of a ward or wards and includes an Assistant Electoral Registration Officer thereof;
- (g) "Roll" means the electoral roll for the Corporation;
- (h) "Section" means a section of the Act;
- (i) "Ward" also means a division;

(j) Words and expressions used but not defined in these rules shall have the

meanings respectively assigned to them in the Hyderabad Municipal Corporations Act, 1955 (Act No.II of 1956).

3. Disqualification for registration in an Electoral roll :-

(1)A person shall

(1)disqualified for registration in an Electoral roll, if he;

(a) is not a citizen of India; or

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

(c) is for the time being disqualified from voting under the provisions of Section 20 of the HMC Act, 1955.

(2) The name of any person who becomes so disqualified, after registration shall forthwith be struck off the Electoral roll in which it is included;

Provided that the name of any person struck off the Electoral roll by reason of disqualification under clause (c) of sub-rule (i) shall forthwith be re-instated in that roll if such disqualification is during the period such roll is in force, removed subsequently.

4. Conditions of registration :-

(1) Subject to the other provisions of the Hyderabad Municipal Corporation Act, 1955, any person who-

(a) is not less than eighteen years of age on the qualifying date, and

(b) is ordinarily resident in the Corporation shall be entitled to be registered in the Electoral roll for the Corporation.

(2) No person shall be entitled to be registered in the electoral roll of the Corporation more than once;

(3) If in any case a question arises as to whether a person is ordinarily resident in the city at any relevant time, the question shall be determined with reference to all facts of the case by such authority and in such manner as the Election Commission prescribes.

ExplanationThe term "ordinarily resident" shall have same meaning

as defined in section 20 of the Representation of People Act, 1950 (Central Act 43 of 1950).

5. Form and Language of Roll :-

The roll shall be prepared in such form and in such language or languages as the Election Commission may direct.

6. Preparation of Roll :-

(1) The roll shall be prepared and revised by the Electoral Registration Officer who shall be such officer of the Government or of the Municipal Corporation as the Electoral Authority may designate or nominate in this behalf.

(2) The Electoral Registration Officer may subject to such restrictions as may be imposed by the Election Commission employ such persons as he thinks fit for the preparation and revision of the roll.

(3) The Electoral Authority may appoint one or more persons as Assistant Electoral Registration Officers to assist any electoral Registration Officer in the performance of his functions;

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

(5) The roll shall be divided into as many lists as directed by the Election Commission;

(6) The last list of the roll shall contain the names of every person having a service qualification and of his wife, if any, who are entitled to be included in that roll by virtue of a statement made in form 2 or 3 or 4 as may be applicable.

(7) The names of any person holding a declared office and of his wife, if any, who are entitled to be included in the roll by virtue of a statement made in form shall be included in the list of the roll pertaining to the locality in which they would, according to that statement have been ordinarily resident.

7. Order of names :-

(1) The name of electors in each list of the roll shall be arranged according to house number, unless the Electoral Authority, subject to any general or special instructions issued by the Election Commission determines that the alphabetical order is more

convenient or that the names shall be arranged partly in one way and partly in the other.

(2) The names of electors in each list of roll shall be numbered, so far as practicable consecutively with a separate series or numbers beginning with the number one.

8. Statement by persons who hold declared office or service qualifications :-

(1) Every person who holds a declared office or has a service qualification and who but for holding such office or having such qualification, he would have been ordinarily resident, in the Corporation and who desires to be registered in the roll shall submit to the Electoral Registration Officer a statement in such one of the forms 1, 2, 3 and 4 as may be appropriate.

(2) Every statement submitted under sub-rule (1) shall be verified in the manner specified in the Form.

(3) Every such statement shall cease to be valid when the person making it ceases to hold a declared office or, as the case may be, have a service qualification.

9. Information to be supplied by occupant of dwelling houses :-

The Electoral Registration Officer may, for the purpose of preparing the roll, send letters of request in form 5 to the occupants of dwelling houses in the ward or any part thereof and every person receiving any such letter shall furnish the information called for therein to the best of his ability.

10. Access to certain Registers :-

For the purpose of preparing any roll or deciding any claim or objection to a roll, any Registration Officer and any person employed by him shall have access to any Register of Births and Deaths and to the Admission Register of any Educational Institution and it shall be the duty of every person in charge of any such Register to give to the said officer or person such information and such extracts from the said Register as he may require.

11. Publication of roll in draft :-

As soon as the list as directed by the Election Commission is prepared, the electoral Registration Officer shall publish it in draft by making a copy thereof, available for inspection and displaying a

notice in Form 6 at his office.

12. Further publicity to the roll and notice :-

The Electoral Registration officer shall also

(a) make a copy of each separate list of the roll, together with a copy of the notice in Form 6 available for inspection of a specified place accessible to the public and in or near the area to which that list relates;

(b) give such further publicity to the notice in Form 6 as he may consider necessary; and

(c) supply free of cost one copy of each separate list of the roll to every political party for which a symbol has been exclusively reserved by the Election Commission.

13. Period for lodging claims and objections :-

Every claim for the inclusion of a name in the roll and every objection to an entry therein shall be lodged within a period of 15 days from the date of publication of the roll in draft under rule 11:

Provided that the Electoral Authority may, by notification in Andhra Pradesh Gazette/Concerned District Gazette and published in the notice board, extend or reduce the said period upto such date as may be specified therein;

14. Form for claims and objections :-

(1) Every claim shall be

(a) in Form 7;

(b) signed by the person desiring his/her name to be included in the roll; and

(c) Countersigned by another person whose name is already included in that list of the roll in which a claimant desires his/her name to be included;

(2) Every objection to the inclusion of name in the roll shall be

(a) in Form 8;

(b) preferred only by a person whose name is already included in that roll; and

(c) Countersigned by another person whose name is already included in that list of the roll in which the name objected to

appear.

(3) Every objection to a particular or particulars in an entry in the roll shall be

(a) in Form 9; and

(b) preferred only by the person to whom that entry relates.

15. Manner of lodging claims and objections :-

Every claim or objection shall (a) either be presented to the Electoral Registration Officer or to such other officer as may be designated by him/her in this behalf; or (b) be sent by post to the Electoral Registration Officer.

16. Procedure to be followed by Designated officer :-

(1) Every officer designated under rule 15 shall

(a) maintain in duplicate a list of claims in Form 12, a list of objections to the inclusions of names in Form 13 and a list of objections to particulars in Form 14; and

(b) keep exhibited one copy of each such list on the notice board in his/her office.

(2) Where a claim or objection is presented to him/her, he/she shall, after complying with the requirements of Sub-rule (1), forward it with such remarks if any, as he/she considers proper to the Electoral Registration Officer.

17. Procedure to be followed by Electoral Registration Officer :-

The Electoral Registration Officer also shall

(a) maintain in duplicate the three lists in Form 12, 13 and 14 entering thereon the particulars of every claim or objection as and when it is received by him/her whether directly under rule 13 or on being forwarded under rule 14 and

(b) keep exhibited one copy of each such list on a notice board in his/her office.

18. Rejection of certain claims and objections :-

Any claim or objection which is not lodged within the period, or in the form and manner, herein specified, shall be rejected by the Electoral Registration Officer.

19. Acceptance of claims and objections without enquiry :-

If the Electoral Registration Officer is satisfied as to the validity of any claim or objection he/she may allow, it without further enquiry after the expiry of one week from the date on which it is entered in the list exhibited by him/her under Clause (b) of Rule 17:

Provided that where before any such claims or objection has been allowed a demand for enquiry has been made in writing to the Electoral Registration Officer by any person, it shall not be allowed without further enquiry.

Provided that the Electoral Authority may by notification in the Andhra Pradesh District Gazette extend or reduce the said period upto such date as may be specified therein.

20. Notice of hearing claims and objections :-

(1) Where a claim or objection is not disposed off under Rule 18 or the Rule 19 of the Electoral Registration Officer, shall

(a) specify in the list exhibited by him under Clause (b) of the Rule 15 the date, time and place of the hearing of the claim or objection; and

(b) give notice of the hearing

(i) in the case of a claim to the claimant in Form 15;

(ii) in the case of an objection to the inclusion of a name, to the objector in Form 16 and to the person objection to in Form 17, and

(iii) in the case of an objection to a particular or particulars in an entry, to the object in or Form 18.

(2) A notice under this rule may be given either personally or by a registered post or by affixing it to the person's residence or last known residence.

21. Enquiry into claims and objections :-

(1) The Electoral Registration Officer shall hold a summary enquiry into every claim or objection in respect of which notice has been given under Rule 20 and shall record his decision thereon.

(2) At the hearing the claimant or as the case may be, the objector and the person objected to and any other person, who in the opinion of the Electoral Registration Officer, is likely to be of assistance to him/her, shall be entitled to appear and be heard.

(3) The Electoral Registration Officer may at his/her discretion-

(a) require any claimant, objector or person objected to appear in person before him/her, and

(b) require that the evidence tendered by any person shall be given an oath and administer an oath for the purpose.

22. Inclusion of names inadvertently omitted :-

(1) If it appears to the Electoral Registration Officer that owing to inadvertence or error during preparation, the names of any electors have been left out of the roll and that remedial-action should be taken under this rule the Electoral Registration Officer shall-

(a) prepare a list of the names and other details of such electors;

(b) exhibit on the notice of his/her office a copy of the list together with a notice as to the time and place at which the inclusion of these names in the roll will be considered, and also publish the list and the notice in such other manner as he/she may think fit; and

(c) after considering any verbal or written objections that may be preferred, besides whether all or any of the names should be included in the roll.

(2) If any statements under rule 16 are received after the publication of the roll in draft under * [Rule 11], the Electoral Registration Officer shall direct the inclusion of the names of the electors covered by the statements in the appropriate lists of the roll.

23. Final Publication of the roll :-

(1) The electoral Registration Officer shall thereafter;

(a) prepare a list of amendments to carry out his/her decisions under Rules 19, 21 and 22 and to correct any clerical or printing errors or other inaccuracies subsequently discovered in the roll; and

(b) publish the roll, together with the list of amendments by making a complete copy thereof available for inspection and displaying a notice in Form 19 at his/her office.

(2) On such publication, the roll together with the list of amendments shall be the electoral roll.

24. Appeals, from orders deciding claims and objections :-

(1) An appeal shall lie from any decision of the Electoral Registration Officer under Rules 21 and 22 to the Electoral Authority (herein after referred to as the Appellate Officer.)

Provided that an appeal shall not lie where the person desiring to appeal has not availed himself/herself of his/her right to be heard by, or to make representation to the Electoral Registration Officer on the matter which is the subject of the appeal.

(2) Every appeal under Sub-rule (1) shall be

(a) in the form of a memorandum signed by the appellant, and

(b) presented to the Appellate Officer within a period of seven (7) days from the date of announcement of the decision or sent to that officer by registered post so as to reach him/her within that period.

Provided that the Electoral Authority may by notification in A.P. Gazette/Concerned District Gazette extend or reduce the period upto such date as may be specified therein.

(3) The presentation of an appeal under this rule shall not have the effect of staying or postponing any action to be taken by the * [Electoral] Registration Officer under Rule 23.

(4) Every decision of the Appellate Officer shall be final, but in so far as it reverses or modifies a decision of the Electoral Registration Officer, shall take affect only from the date of the decision in appeal.

(5) The decision of the Appellate Officer shall be given within three (3) days from the date of receipt of the appeal.

(6) The Electoral Registration Officer shall cause such amendments to be made in the roll as may be necessary to give effect to the decision of the Appellate Officer under this rule.

25. Revision of rolls :-

(1) The roll shall be revised under Sub-section (2) of Section 12 of the Hyderabad Municipal Corporation Act, 1955 either intensively or summarily or partly intensively and partly summarily as the Election Commission may direct;

(2) Where the roll or any list thereof is to be revised intensively in any year, it shall be prepared afresh and Rules 6 to 29 shall apply in relation to such revision as they apply in relation to the first

preparation of a roll.

(3) When the roll or any list thereof is to be revised summarily in any year, the Electoral Registration Officer shall cause to be prepared a list of amendments to the relevant parts of the roll on the basis of such information as may be readily available and publish together with the list of amendments in draft, and the provisions of Rules 6 to 29 shall apply in relation to such revision as they apply in relation to the first preparation of a roll.

(4) Where at any time between the publication in draft of the revised roll under Sub-rule (2) of the roll and list of amendments under Sub-rule (3) and the final publication of the same under Rule 23 any names have been directed to be included in the roll for the time being in force under Rule 27, the Electoral Registration Officer, shall cause the names to be included also in the revised roll unless there is in his opinion, any valid objection to such inclusion.

26. Correction of entries in electoral rolls :-

If the Electoral Registration Officer, on application made to him/her or on his/her own motion, is satisfied after such enquiry as he/she thinks fit, that any entry in the electoral roll;

(a) is erroneous or defective in any particular;

(b) should be transposed to another place in the roll on the ground that the person concerned has changed his/her place of ordinary residence within the Corporation;

(c) should be deleted on the ground that the person concerned is dead or has ceased to be ordinarily resident or is otherwise not entitled to be registered in that roll, the Electoral Registration Officer shall subject to such general or special directions, if any, as may be given by the Election Commission in this behalf, amend, transpose or delete the entry;

provided that before taking any action on any ground under Clause (a) or Clause (b) or any action under Clause (c) on the ground that the person concerned has ceased to ordinarily reside in the corporation or that he/she is otherwise not entitled to be registered in the roll, the Electoral Registration Officer shall give the person concerned a reasonable opportunity of being heard in respect of the action proposed to be taken in relation to him/her.

27. Inclusion of names in electoral rolls :-

(1) Any person whose name is not included in the roll may apply to the Electoral Registration Officer for inclusion of his/her name in that roll;

(2) The Electoral Registration Officer shall, if satisfied that the applicant is entitled to be registered in the electoral roll, direct his/her name to be included therein.

Provided that if the applicant is registered in the Electoral roll of any other ward the Electoral Registration Officer shall inform the Electoral Registration Officer of that other ward and that officer shall, on receipt of information strike off the applicant's name from that roll;

(3) *[.....]

28. Appeals :-

(1) An appeal shall lie from any order of the Electoral Registration Officer under Rule 26 or Rule 27 to the Electoral Authority;

(2) Every appeal shall be :-

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

(b) accompanied by a copy of the order appealed from and a fee of ten rupees to be paid into the treasury of the Corporation.

(c) presented to the Electoral Authority within a period of seven (7) days from the date of the order appealed from or sent by registered post so as to reach/him/her within that period.

Provided that the Electoral Authority may by notification in Andhra Pradesh Gazette/ Concerned District Gazette extend or reduce the said period upto such date as may be specified therein;

Provided that the Electoral Authority may condone the delay in the presentation of appeal to him/her if he/she is satisfied that the applicant had sufficient cause for not presenting it within the time prescribed.

(3) Where the fee is deposited under Clause (b) of Sub-rule (2), the appellant shall enclose with memorandum of appeal, Challan in proof of the fee having been deposited.

(4) For purposes of Sub-rule (1), on appeal shall be deemed to have been presented to the Electoral Authority, when the memorandum of appeal is delivered by, or on behalf of, the

appellant to the Electoral Authority himself/herself or to any other officer appointed by him/her in his behalf.

29. Application for correction of entries and inclusion of names in electoral rolls :-

(1) Every application under Rule 23 of Sub-rule (1) of Rule 27 shall be made to the Registration Officer in duplicate in such one of the forms 7, 9, 10 and 11 as may be appropriate and shall be accompanied by a fee of five rupee.

(2) The fee specified in Sub-rule (1) shall be paid by a Challan into the treasury of the Corporation and the applicant shall enclose the Challan with the application in proof of the fee having been deposited.

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

(4) The Electoral Registration Officer, shall, as soon as may be after the expiry of the period specified in Sub-rule (3), consider the objections, if any, received by him/her and shall, if satisfied that the applicant is entitled to be registered in the roll, direct his/her name to be included therein;

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

30. Custody and preservation of rolls and connected papers :-

After the roll has been finally published the following papers shall be kept in the office of the Electoral Registration Officer or at such other place as the Electoral Authority may by order specify until the expiration of one year after the completion of the next intensive revision of that roll;

(a) One copy of the roll;

(b) Statements submitted to the Electoral Authority (under rule 8).

(c) Statement submitted to the Electoral Registration Officer (under Rule 9);

- (d) Register of enumeration forms;
 - (e) Applications in regard to the preparation of the roll;
 - (f) Manuscript cards prepared by enumerating agencies and used for compiling the roll;
 - (g) Papers relating to claims and objections;
 - (h) Papers relating to appeals under Rule 26 and 28 and
- (1) Application under Rule 24 and 25.
 - (2) One complete copy of the roll for Corporation duly authenticated by the Electoral Authority shall also be kept as a Permanent * [Record].

31. Inspection of Electoral Rolls and connected papers :-

Every person shall have right to inspect the papers referred to in Rule 29 and get attested copies thereof on payment of such fee as may be fixed by the Electoral Authority.

32. Disposal of Electoral rolls and connected papers :-

(1) The papers referred to in [Rule 30] shall, on expiry of the period specified therein and subject to such general or special directions if any, as may be given by the Election Commission in this behalf, be disposed off in such manner as the Electoral Authority may direct.

(2) Copies of Electoral roll for the Corporation in excess of the number required for deposit and for any other Public purpose shall be disposed off at such time and in such manner as the Election Commission may direct and until such disposal, shall be made available for sale to the public.

33. Use of Old forms :-

If, at any time, during a period of six months from the date on which any amendment to a Form for making any claim, objection or other application to the Electoral Registration Officer under these rules takes effect, a person makes, such claim, objection or, as the case may be other application in the Form as it stood before such amendment, the Electoral Registration Officer shall deal with such claim, objection or other application and he may, for this purpose, require such person, by notice in writing, to furnish such additional information (being the information which would have been furnished if the amended Forms had been used) within such

reasonable time as may be specified in the notice.