

## **TRIPURA PANCHAYATS (PREPARATION OF ELECTORAL ROLLS) RULES, 1993**

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## **TRIPURA PANCHAYATS (PREPARATION OF ELECTORAL ROLLS) RULES, 1993**

TRIPURA PANCHAYATS (PREPARATION OF ELECTORAL ROLLS) RULES, 1993

### CHAPTER 1

Preliminary

#### **1. Short title and commencement :-**

(1) These rules may be called the Tripura Panchayats (Preparation of Electoral Rolls) Rules, 1993.

(2) They shall come into force on and from the date of their publication in the official Gazette.

#### **2. Definitions :-**

(2) The expression used in these rules and not otherwise defined shall have the same meaning as respectively assigned to them in the Act.

#### **3. . :-**

The Tripura General Clauses Act, 1966 shall apply for the interpretation of these rules as it applies for the interpretation of Acts of the Legislature of the State of Tripura.

### CHAPTER 2

CHAPTER

#### **4. Officers :-**

For the purpose of the Act and rules made thereunder, the superintendence, direction and control for the preparation, revision and correction of electoral rolls in the State shall vest with the State Panchayat Election Commission.

#### **5. The District Election Officer in each district in the State :-**

(2) Subject to the superintendence, direction and control of the State Election Commissioner, the District Election Officer shall co-ordinate and supervise all works in the district in the area within

the jurisdiction in connection with preparation and revision of the electoral rolls for all Gram Panchayat, Panchayat Samiti or Zila Parishad constituencies within the district.

(3) The District Election Officer shall also perform such other functions as may be entrusted to him by the State Election Commissioner.

#### **6. Electoral Registration Officer :-**

The electoral roll for the Gram Panchayat constituency shall be prepared and revised by an Electoral Registration Officer who shall be such officer of the Government or of a local authority as the State Election Commissioner may, in consultation with the State Government, designate or nominate in this behalf.

#### **7. Assistant Electoral Registration Officer :-**

(1) The State Election Commissioner may appoint one or more persons as Assistant Electoral Registration Officer to assist any Electoral Registration Officer in the performance of his functions.

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

#### **8. Electoral roll for every constituency :-**

(1) There shall be an electoral roll which shall be prepared in accordance with the provisions of the Tripura Panchayats Act under the superintendence, direction and control of the State Panchayat Election Commission.

(2) The State Election Commissioner shall, in consultation with the State Government, draw up the programme for publication of electoral roll in draft, before its final publication and other matters relating to the preparation of electoral roll.

#### **8A. Electoral rolls for first general election :-**

(1) For the purpose of first general election to the Panchayats, the State Panchayat Election Commission shall, in consultation with the State Government, draw up the programme for publication of electoral rolls in draft and for final publication and other matters relating to the preparation of electoral rolls.

(3) So much of the electoral rolls of the Assembly constituency or,

as the case may be, Assembly constituencies for the time being in force, as relates to the area comprised within the Panchayats, shall be the electoral rolls for the election of members of Gram Panchayat,' Panchayat Samiti and Zilla Parishad.

(4) So much of the electoral rolls of any Assembly constituency, or, as the case may be, Assembly constituencies, for the time being in force as it relates to the areas comprised within a constituency or constituencies of Gram Panchayat, Panchayat Samiti and Zilla Parishad shall be the electoral rolls for the first general election of the members of Gram Panchayat, Panchayat Samiti or Zilla Parishad from that constituency.

(5) The electoral rolls for the first general election for each constituency of the Panchayat shall be prepared by the Electoral Registration Officer.

(6) For the purpose of preparing the electoral rolls of each constituency for the first general election to Gram Panchayat, Panchayat Samiti or Zilla Parishad the electoral rolls of any Assembly constituency, or as the case may be, Assembly constituencies shall be split up in such manner as the Electoral Registration Officer may consider fit, proper and necessary.

(9) While preparing the electoral rolls for First General Election to Panchayats the provisions of Rr. 10, 11, 12, 13, 14, 15, 16, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27 and 28 shall apply mutatis mutandis subject to such modification or otherwise as the State Election Commissioner may direct.

## **9. Manner of preparation of electoral roils :-**

(1) The Electoral Registration Officer shall collect or cause to be collected information by house to house enumeration in Form 1 and shall prepare or cause to be prepared electoral roll of each constituency in Form 2 in Bengali or if so directed by the Government, in any other language. The electoral roll shall contain the names of all persons who are qualified voters under the provision of the Act

.

(2) The Electoral Registration Officer may sub-divide the electoral roll of a constituency in such manner or into such parts as it may deem expedient for the purpose of expediting or facilitating the publication of the electoral roll.

(3) When the electoral roll of a constituency are so sub-divided, the parts shall be serially numbered.

(4) The names of electors in each part of the electoral roll shall be numbered, as far as practicable, consecutively with a separate series of numbers beginning with number one.

**10. Disqualification for registration in the electoral roll :-**

**11. No person to be registered in more than one constituency :-**

No person shall be entitled to be registered in the electoral roll for more than one constituency in Gram Panchayat, Panchayat Samiti or Zilla Parishad.

**12. No person to be registered more than once in any constituency :-**

No person shall be entitled to be registered in the electoral roll for any constituency more than once.

**13. Condition of registration :-**

Subject to the foregoing provision of this rule every person who

(a) is not less than 18 years of age on the qualifying date ; and

(b) is ordinarily resident in a constituency of the Gram Panchayat, Panchayat Samiti or Zilla Parishad shall be entitled to be registered in the electoral roll for that constituency.

**14. Appointment of person for preparation of electoral roll :-**

The State Government when so requested by the State Election Commissioner shall make available the services of such staff of the State Government as may be necessary for preparing the electoral rolls in respect of any constituency or constituencies of Gram Panchayat, Panchayat Samiti or Zilla Parishad.

**14A. Removal of difficulties :-**

(1) If any difficulty arises in giving effect to the provision of these rules or in preparation, revision and correction of electoral rolls, the State Government as occasion may require, may, by an order, do anything not inconsistent with the provision of the Act and these rules, which appear to it to be necessary for the purpose of removing the difficulties.

(2) The State Election Commissioner in consultation with the State

Government may issue such general or special direction as may, in its opinion, be necessary for the purpose of giving effect to these rules, or preparation, revision or correction of electoral rolls or any other matter relating to preparation of electoral rolls of Panchayat under these rules.

**15. Information to be supplied by occupants dwelling house and access to certain register :-**

The Electoral Registration Officer may, if he considers necessary for the purpose of preparing electoral rolls, send letter of request in Form 3 to the occupants of dwelling houses in the Gram or any part and every person receiving any such letter shall furnish the information called for these into the best of his ability.

**16. Access to certain register :-**

For the purpose of deciding any claim or objection to entry in an electoral roll, the Electoral Registration Officer or any person employed by him shall have access to any admission register of any educational institution, ordinarily resident register maintained by Panchayat 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.

**17. Publication of electoral roll in draft :-**

(2) As soon as the electoral roll has been published in draft, the Electoral Registration Officer shall give publicity within the Gram Panchayat, Panchayat Samiti or Zilla Parishad, as the case may be, in Form 4 as widely as possible that the electoral roll has been published in draft and may be inspected at the office of the Electoral Registration Officer or at the offices of the Gram Panchayat, Panchayat Samiti, Zilla Parishad, Block Development Officers, Sub-divisional Officers and District Magistrate and Collectors concerned during working days and hours and shall specify in the notice the place at which, the period within which and the manner in which a claim for being included in the electoral roll or any objection to the inclusion of any name or any objection to particulars in any entry in the electoral roll shall be preferred.

(3) The electoral roll as required to be published in draft under sub-R. (1) may be printed or cyclostyled or in manuscript form.

**18. Period for lodging claim 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

seven days from the date of publication of the roll in draft :

Provided that the State Panchayat Election Commission may, by notification in the official Gazette, extend the period in respect of the constituency as a whole or in respect of any part thereof.

**19. Forms for claims and objections :-**

**20. Manner of lodging claims and objections :-**

Every claim or objection shall

(a) either be presented to the Electoral Registration Officer concerned ; or

**21. Procedure of designated officers :-**

(2) Where a claim or objection is preferred to him he shall, after complying with the requirements of sub-R. (1), forward it with such remarks, if any, as he considers proper to the Electoral Registration Officer.

**22. Procedure for Electoral Registration Officer :-**

The Electoral Registration Officer shall also

(a) maintain in duplicate the three lists in Form 8, 9, 10 entering thereon the particulars of every claim or objection as and when it is received by him whether directly under R. 20 or under R. 21 ; and

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

**23. 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.

**24. Acceptance of claims and objections without inquiry :-**

If the Electoral Registration Officer is satisfied as to the validity of any claim or objection, he may allow it without further inquiry after the expiry of three days from the date on which it is entered in the list exhibited by him under Cl. (b) of R. 22 :

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

**25. Notice of hearing claims and objections :-**

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

## **26. Inquiry into claims and objections :-**

(1) The Electoral Registration Officer shall hold a summary inquiry into every claim or objection in respect of which notice has been given under R. 25 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, shall be entitled to appear and be heard.

## **27. Inclusion of names inadvertently omitted :-**

If it appears to the Electoral Registration Officer that owing to inadvertence or error during preparation, the name of any electors have been left out of the roll and the 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 board of his 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 manner as he may think fit ; and

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

## **28. Deletion of names :-**

If it appears to the Electoral Registration Officer at any time before final publication of the roll that owing to inadvertence or error or otherwise, the names of dead persons or of persons who cease to be, or are not, ordinarily residents in the constituency or all persons who are otherwise not entitled to be registered in that roll, have been included in 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 board of his office a copy of the list together with a notice as to the time and place at which the



question of deletion of these names from the roll will be considered, and also publish the list and the notice in such other manner as he may think fit ; and

**29. Final publication of roll :-**

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

**30. Special provision for preparation of roll on re-delimitation of constituencies :-**

(2) The rolls so prepared shall be published in the manner specified in R. 29 and shall, on such publication, be the electoral roll for the new constituency.

**31. Revision of rolls :-**

(1) The rolls of every constituency shall be revised under sub-S. (2) of S. 183 either intensively or summarily or partly intensively or partly summarily, as the State Panchayat Election Commission may direct after consulting the State Government.

(2) When the rolls or any part thereof is to be revised intensively in any year it shall be prepared afresh and all the rules from 4 to 29 shall apply in relation to such revision as they apply in relation to the first preparation of roll. When the roll or any part 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 rolls on the basis of such information as may be readily available and publish the roll together with the list of amendments of the draft and provisions of Rr. 16 to 30 shall apply in relation to such revision as they apply in relation to the first preparation of a roll.

(3) Where at any time between the publication in draft of the revised roll under sub-R. (2) and the final publication of the same under R. 29 any names have been directed to be included in the roll for the time being in force under S. 185, the Electoral Registration Officer shall cause the names to be included also in the revised rolls unless there is, in his opinion, any valid objection to such inclusion.

**32. Correction of entries and inclusion of names in electoral roll :-**

(1) Every application under S. 184 or under S. 185 shall be made in duplicate in such one of the Forms 5, 6 or 7 as may be appropriate.

(2) Every such application as is referred in sub-R. (1) shall have to be presented to the Electoral Registration Officer in such manner as the State Panchayat Election Commission may direct.

(3) Every application for inclusion presented in pursuance of the sub-R. (2) shall be countersigned where necessary by any other person whose name has already been included in the roll in which the claimant desires his name to be included.

(4) The Electoral Registration Officer shall, immediately after receipt of such application, direct that one copy thereof be posted in some conspicuous places in his office together with a notice inviting objections to such applications within a period of 7 days from the date of such posting.

### **33. Appeal :-**

(2) Where the fee is deposited under Cl. (b) (ii) of sub-R. (1) an appellant shall enclose with the memorandum of appeal a Government treasury receipt of the fee being deposited.

(3) For the purpose of sub-R. (1) an appeal shall be deemed to have been presented to the District Election Officer, when the memorandum of appeal is delivered by or on behalf of the appellant to the District Election Officer, or any other officer appointed by him in this behalf.

### **34. Preservation, custody and disposal of electoral rolls and connected papers :-**

(2) One complete copy of the roll for each constituency duly authenticated by the Electoral Registration Officer shall be kept in such place as the State Election Commissioner may specify as bearing in Form 2.

### **35. Inspection of electoral rolls and other connected papers :-**

Every person shall have the right to inspect the election papers referred to in R. 34 and to get attested copies thereof on payment of such fee as may be fixed by the State Election Commissioner.

### **36. Disposal of electoral rolls and connected papers :-**

(1) The papers referred to in R. 34 shall be disposed of in such manner on expiry of the period specified therein and subject to such general or special direction, if any, as may be given by the State Panchayat Election Commission in this behalf.

(2) Copies of the electoral roll for any constituency in excess of the number required for deposit under R. 34 and for any other public purposes shall be disposed of at such time and in such manner as the State Panchayat Election Commission may direct and until such disposal attested copies shall be made available for sale to the public.