

Gujarat Municipalities (Registration of Voters) Rules, 1994

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Gujarat Municipalities (Registration of Voters) Rules, 1994

Whereas the draft of the Gujarat Municipalities (Registration of Voters) Rules, 1994 was published as required by sub-section (3) of Section 277 of the Gujarat Municipalities Act, 1963 (Guj. 34 of 1964) at pages 202-1 to 202-6 of Gujarat Government Gazette, Extraordinary, Part I-A, Central Section, dated the 16th May, 1994, under Government Notification, Urban Development and Urban Housing Department No. KV-291-of 1994-NPL-4594-1755-M, dated the 16th May, 1994, inviting objections and suggestions from all persons likely to be affected thereby within ten days from the date of publication of the said notification in the Official Gazette; And whereas, no objections and suggestions have been received by the Government on the said draft; Now, therefore, in exercise of the powers conferred by sub- section (1) of Section 277 read with sub-section (2A) of Section 9 of the Gujarat Municipalities Act, 1963 (Guj. 34 of 1964), the Government of Gujarat hereby makes the following rules, namely :

1. Short title :-

These Rules may be called the Gujarat Municipalities (Registration of Voters) Rules, 1994.

2. Definitions :-

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

(a) "the act" means the Gujarat Municipalities Act, 1963 (Guj. 34 of 1964);

(b) "electoral registration officer" means an officer appointed under Rule 3 and includes an Assistant Electoral Registration Officer ;

(c) "Form" means a form appended to these rules ;

(d) "section" means a section of the Act;

3. Appointment of Electoral Registration Officer and Assistant Electoral Registration Officer :-

(1) For the preparation and revision of lists of voters of a municipal borough, the State Election Commission shall appoint one or more officers as Electoral Registration Officer.

(2) To assist the Electoral Registration Officer, the State Election Commission may appoint one or more officers as Assistant Electoral Registration Officers for the whole or any part of the municipal borough.

(3) An Assistant Electoral Registration Officer, subject to such limitations as the Electoral Registration Officer may impose, shall discharge all or any of the functions and exercise all or any of the powers of the Electoral Registration Officer under these rules within his jurisdiction.

4. Preparation and Publication of Draft Lists of Voters :-

The Electoral Registration Officer, upon being so directed by the State Election Commission, shall prepare and publish a draft list of voters for each ward of the municipal borough in the following manner -

(1) The electoral roll of the Gujarat Legislative Assembly prepared and revised in accordance with the provisions of the Central Law for the time being in force shall be taken as the basis for the purpose of preparing the list of voters.

(2) Names of all the persons residing within the geographical limits of the ward and whose names are included in the electoral roll of the Gujarat Legislative Assembly shall be included in the draft list of voters of said ward.

(3) The Electoral Registration Officer shall publish the list prepared as aforesaid, by causing a copy thereof to be displayed for public inspection in a conspicuous place in the main office of the municipality and at such other places as he may decide, and keep it so displayed for a period of ten days. Any person who requires a

copy of the draft list of voters shall be supplied with the same at the same rate on which a copy of electoral roll or part of it of the Gujarat Legislative Assembly is being sold.

(4) The Electoral Registration Officer shall on the day on which the draft list is published give notice, by advertisement in any two local newspapers of the fact of publication, the places where the said list is displayed and the places at which and the rate at which copies of the said list may be obtained.

5. Modifications to Draft Lists of Voters :-

If on application made to him in this behalf, or on his own motion, the Electoral Registration Officer is satisfied that the list of voters is at variance with the relevant part of the electoral roll of the Assembly on account of any mistake, he shall amend the same so as to bring it in conformity with the said electoral roll and for that purpose may amend, delete or add any entry in the draft list of voters.

6. Claims for inclusion in the Draft List of Voters :-

(1)

(a) Any person who may have become entitled to be registered in the electoral roll of the Assembly under the Central Law and whose name has not been so included as on first day of the year in which draft lists of voters is published under Rule (4) of these rules, may make not later than ten days from the date of such publication of the draft list of voters, an application to the Electoral Registration Officer for inclusion of his name in the list of voters for the relevant ward.

(b) Every such claim shall be in Form A, duly signed by the person and countersigned by another person whose name is already included in the list of Voters for that ward.

(2) The Electoral Registration Officer if, after making such summary inquiry as he may consider necessary, is satisfied, that the applicant is entitled to be registered in the relevant part of the electoral roll of the Assembly under the Central Law, shall include the name of the applicant in the list of voters.

7. Publication of Final Lists of Voters :-

(1) The Electoral Registration Officer shall thereafter

(a) prepare a list of amendments to carry out his decisions under Rules 5 and 6 above and to correct any clerical or printing errors or other inaccuracies subsequently discovered in the draft lists of voters;

(b) publish the Lists of Voters together with the lists of amendments, and display the same for public inspection on the notice board of his office and shall on the day on which such final list is published give notice, by advertisement in any two local newspapers of the fact of publication and the places where the said list is displayed.

(2) On such publication, the lists of voters, alongwith the lists of amendments shall be the final lists of voters for the municipal borough and shall come into force immediately.

(3) The list of voters for each ward shall be conclusive evidence for the purpose of determining whether any person enrolled in such a list shall be entitled to vote at the election from that ward.

(4)

(a) Any person who requires printed copies of the final lists of voters shall be supplied with the same at the same rate at which a copy of electoral roll or part of it of the Gujarat Legislative Assembly is being sold.

(b) The Electoral Registration Officer shall supply, free of cost, two copies of the final Lists of Voters (as finally published alongwith the lists of amendments, if any,) to every political party recognized for the purposes of the Representation of People Act, 1951, (43 of 1951).

(c) The Electoral Registration Officer shall send a copy of the final lists of voters to the State Election Commission.