



GOVERNMENT OF TRIPURA

URBAN DEVELOPMENT DEPARTMENT

THE TRIPURA MUNICIPALITIES (Conduct of Election)
(1st Amendment) RULES, 2000.

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URBAN DEVELOPMENT DEPARTMENT

NO.F14(11)-UDD/2000 Dated, Agartala, the 11th October,2000

NOTIFICATION

In exercise of the powers conferred by Section 274 of the Tripura Municipal Act, 1994, the State Government hereby makes the following rules to amend the Tripura Municipalities (Conduct of Election) Rules, 1995, namely :-

1. (1) These rules may be called the Tripura Municipalities (Conduct of Election) (First Amendment) Rules, 2000.

(2) They shall come into force at once.

2. In the Tripura Municipalities (Conduct of Election) Rules, 1995 (herein after referred to as the Principal Rules) after sub-rule (2) of rule 3 the following sub-rule shall be inserted, namely :-

“(3) The Returning Officer, Asstt.Returning Officer, Election Authority, Asstt.Election Authority and any other officer appointed under these rules and any police officer designated for the time being by the State Government for the conduct of any election shall be deemed to be on deputation to the State Election Commissioner for the period in which they are so employed and such officers and staff during that period be subject to the control, superintendence and discipline of the State Election Commissioner”.

3. In the Principal Rules the following rule shall be inserted after Rule 3, namely :-

“3A State Election Commissioner may nominate observers who shall be the officers of the Government to watch the conduct of election or elections in a constituency or a group of constituencies and to perform such other functions as may be entrusted to them by the State Election Commissioner”.

4. In the Principal Rules, -

(i) after sub-rule (1) of rule 13 the following proviso shall be inserted namely :

“ Provided that such person shall not be entitled to be a candidate for election from more than two constituencies”.

- (ii) after sub-rule (2) of rule 13 the following new sub-rule shall be inserted, namely :-

“(3) A candidate not set up by a recognised political party shall not be deemed to be duly nominated for election from a constituency unless the nomination paper is subscribed by 5 proposers being electors of the constituency :

Provided that nomination form may be prescribed by the State Election Commissioner in keeping with the format in use for nomination of candidates for election to State Assembly”.

5. In the Principal Rules, below sub-rule (2) of rule 15 the following proviso shall be inserted, namely :-

“ Provided that the State Election Commissioner may notify before every general election revised Schedule of the symbols keeping in view updated list of free symbols notified by the Election Commission of India which may be chosen by the candidates at the election in a constituency.

6. In rule 20 of the Principals Rules, for the figure “Rs.250/-” and “Rs.125/-“ the figures “Rs.500/-“ and “Rs.250/-“ shall be respectively be substituted.

7. In the Principal rules, in rule 25, for sub-rule (3) the following sub-rule shall be substituted, namely :-

“(3) For the purpose of listing the names under sub-rule(I) , the candidates shall be classified as follows, namely :-

- (a) candidates of recognised Political Parties ;
- (b) the candidates of registered Political Parties other than those mentioned in Clause (a).
- (c) other candidates.

The names of candidates in each category shall be arranged in the order as specified above in Bengali alphabetical order or in other language as the State Election Commissioner may direct and the addresses of the contesting candidates as given in the nomination papers together with such other particulars as prescribed in Form 7. Alphabetic order shall be determined with reference to the names of the candidates and not with reference to their surnames.

8. In the Principal Rules, - in rule 33 the following proviso shall be inserted, namely :-

“Provided that where the paper seal is used for securing a ballot box, the Presiding Officer shall affix his own signature on the paper seal and obtain thereon the signatures of such polling agents present as are desirous of fixing the same and that the procedure as the State Election Commissioner may direct shall be followed”.

9. In the Principal Rules, after rule 33 the following new rule shall be inserted, namely :-

"33A The State Election Commissioner may, if he considers it expedient so to do, direct that electronic voting machine used for conduct of Parliament or Assembly Election may also be used for conduct of election of any municipality or any constituency or any part thereof subject to permission, where necessary, and following the procedure prescribed/determined by the Election Commission of India".

10. In the Principal Rules, the following proviso shall be inserted below sub-rule (4) of rule 37, namely :-

"Provided that in the case of use of ballot box of a particular design the procedure for preparation of the ballot box for the poll and sealing of the ballot box on completion of poll shall be such as the State Election Commissioner may direct.

11. In rule 39 of the Principal Rules, after sub-rule (4) the following sub-rule shall be inserted, namely :-

"(5) For the purpose of identification of an elector, the identity card, if any, supplied to him by the Election Commission of India may be entertained by the Presiding Officer concerned.

12. In the Principal Rules, in rule 80 -

- (i) the existing marginal note shall be substituted by the words "Registration etc" ;
- (ii) after sub-rule (3) the following sub-rule shall be inserted, namely :-

"(4) (i) The Chairperson or other authorities mentioned above may on receipt of the resignation under sub-section (1) of Section 59B accept the same and declare the seat vacant and on failure of the member to submit resignation within 14 days as specified in that sub-section declare all the seats vacant in Form 25.

(ii) The Chairperson may on receipt of the resignation under sub-section (2) of section 59B and if satisfied that it is genuine and voluntary accept the resignation and declare the seat vacant in Form 26.

(iii) The Chairperson if satisfied that a member has remained absent from three consecutive meetings without permission of the Chairperson as provided in sub-section (3) of section 59B, declare the seat vacant in Form 27.

(iv) The Chairperson or other authorities on receipt of information about resignation under sub-section (4) of Section 59 B shall record such information and on failure of the member to resign within 14 days under that sub section from the membership of Loksabha, Rajyasabha, Tripura Legislative Assembly, Tripura