

**THE PONDICHERRY MUNICIPALITIES  
(REGISTRATION OF ELECTORS ) RULES, 1974.**

**Short title, extent and commencement**

1. (1) These rules may be called the Pondicherry Municipalities (Registration of Electors) Rules, 1974.
- (2) They shall extend to the whole of the Union territory of Pondicherry.
- (3) They shall come into force at once.

**Definitions**

2. In these rules, unless the context otherwise requires,

(a) "Act" means the Pondicherry Municipalities Act, 1973 (9 of 1973);

(b) "declared office" means an office declared to be an office to which the provisions of sub-section (4) of section 20 of the Representation of People Act, 1950 (Central Act 43 of 1950) apply;

(c) "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;

(d) "registration officer" means the Electoral Registration Officer of a ward appointed by the election authority and includes an Assistant Registration officer thereof, who shall prepare and publish in such manner and at such times as the election authority may direct, the electoral roll for the ward or the alterations to such roll, as the case may be.

(e) "roll" means the electoral roll of a ward;

(f) "section" means a section of the Act.

**Meaning of ward**

3. In these rules, "ward" means a municipal ward.

**Form and language of roll**

4. The roll for each ward shall be prepared in such form and in such language or languages as the election authority may direct.

**Preparation of rolls in parts**

5. (1) The roll shall be divided into convenient parts which shall be numbered consecutively.

(2) The last part 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 statement made under rule 7.

(3) 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 under rule 7 shall be included in the part of the roll pertaining to the locality in which they would, according to that statement, have been ordinarily resident.

**Order of names**

6. (1) The names of electors in each part of the roll shall be arranged according to house number, unless the election authority determines in respect of any part, 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 part of the roll shall be numbered, as far as practicable, consecutively with a separate series of numbers beginning with the number one.

### **Statement**

7. (1) Every person who holds a declared office or has a service qualification and desires to be registered in the roll for the ward in which but for holding such office or having such qualification, he would have been ordinarily resident, shall submit to the registration officer of the ward, 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.

### **Information to be supplied by occupants of dwelling houses**

8. The registration officer if necessary, may, for the purpose of preparing the roll, send letter 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.

### **Access to certain registers**

9. 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.

### **Publication of roll in draft**

10. As soon as the roll for a ward is ready, the registration officer shall publish it in draft by making a copy thereof available for inspection and displaying a notice in Form 6:-

(a) at his office, if it is within the ward and

(b) at such place in the ward as may be specified by him for the purpose, if his office is outside the ward.

### **Further publicity to the roll and notice**

11. The registration officer shall also-

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

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

### **Period for lodging claims and objections**

12. 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 7 days from the date of publication of the roll in draft under rule 10 or such shorter period as may be fixed by the election authority in this behalf:

Provided that the election authority may, by notification in the Official Gazette, extend the period in respect of the ward as a whole or in respect of any part thereof.

### **Form of claims and objections**

13. (1) Every claim shall be:-

(a) in Form 7;

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

(c) countersigned by another person whose name is already included in that part of the roll in which the claimant desires his name to be included.

(2) Every objection to the inclusion of a 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 part of the roll in which the name objected to appears.

(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.

#### **Manner of lodging claims and objections**

14. Every claim or objection shall:-

(a) either be presented to the registration officer or to such other officer as may be designated by him in this behalf; or

(b) be sent by post to the registration officer.

#### **Procedure of designated officer**

15. (1) Every officer designated under rule 14 shall:-

(a) maintain in duplicate a list of claims in Form 12, a list of objections to the inclusion 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 a notice board in his office;

(2) Where a claim or objection is presented to him, he shall, after complying with the requirements of sub-rule (1) forward it with such remarks, if any, as he considers proper to the registration officer.

#### **Procedure of registration officers**

16. The registration officer also shall:-

(a) maintain in duplicate the three lists in Forms 12, 13 and 14, entering thereon the particulars of every claim or objection as and when it is received by him whether directly under rule 14 or on being forwarded under rule 15; and

b) keep exhibited one copy of each such list on a notice board in his office;

#### **Rejection of certain claims and objections**

17. Any claim or objection which is not lodged within the period or in the form and manner, herein specified, shall be rejected by the registration officer.

#### **Acceptance of claims and objections without inquiry**

18. If the 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 clause (b) of rule 16:

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



### **Notice of hearing claims and objections**

19. (1) Where a claim or objection is not disposed of under rule 17 or rule 18, the registration officer shall:-

(a) specify in the list exhibited by him under clause (b) of rule 16 the date, time and place of 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 objected to in Form 17; and

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

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

### **Inquiry into claims and objections**

20. (1) The registration officer shall hold a summary inquiry into every claim or objection in respect of which notice has been given under rule 19 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 registration officer, is likely to be of assistance to him, shall be entitled to appear and be heard.

(3) The registration officer may in his discretion-

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

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

### **Inclusion of names inadvertently omitted**

21. (1) If it appears to the 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 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 other 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.

(2) If any statements under rule 7 are received after the publication of the roll in draft under rule 10, the registration officer shall direct the inclusion of the names of the electors covered by the statements in the appropriate parts of the roll.

### **Deletion of names of dead electors and of persons who cease to be, or are not, ordinarily residents**

22. If it appears to the registration officer during preparation 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 ward have been included in the roll and that remedial action should be taken under this rule, the 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

(c) after considering any verbal or written objections that may be preferred, decide whether all or any of the names should be deleted from the roll:

Provided that before taking any action under this rule in respect of any person on the ground that he has ceased to be, or is not ordinarily resident in the ward, the registration officer shall make every endeavour to give him a reasonable opportunity to show cause why the action proposed should not be taken in respect of him.

### **Final publication of roll**

23 (1) The registration officer shall thereafter:-

(a) prepare a list of amendments to carry out his decisions under rules 18, 20, 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 office.

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

(3) Where the roll (hereafter in this sub-rule referred to as the basic roll), together with the list of amendments, becomes the electoral roll for a ward under sub-rule (2), the registration officer may, for the convenience of all concerned, integrate, subject to any general or special directions issued by the election authority in this behalf, the list into the basic roll by including the names of electors in the list together with all particulars relating to such electors in the relevant parts of the basic roll itself, so however that no change shall be made in the process of such integration in the name of any elector or in any particulars relating to any elector as given in the list of amendments.

### **Appeals from orders deciding claims and objections**

24.(1) An appeal shall lie from any decision of the registration officer under rule 20, rule 21 or rule 22 to such officer as the election authority may designate in this behalf (hereinafter referred to as the appellate officer):

Provided that an appeal shall not lie where the person desiring to appeal has not availed himself of his right to be heard by, or to make representations to, the registration officer on the matter which is the subject of appeal.

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

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

(b) presented to the appellate officer within a period of five days of announcement of the decision or sent to that officer by registered post so as to reach him within that period.

(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 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 registration officer, shall take effect only from the date of the decision in appeal.

(5) The registration officer shall cause such amendments to be made in the roll as may be necessary to give effect to the decisions of the appellate officer under this rule.

### **Special provision for preparation of rolls on redelimitation of ward**

25. (1) If any ward is delimited anew in accordance with law and it is necessary urgently to prepare the roll for such ward the election authority may direct that it shall be prepared-

(a) by putting together the rolls of such of the existing wards or parts thereof as are comprised with the new ward; and

(b) by making appropriate alterations in the arrangement, serial numbering and headings of the rolls so compiled.

(2) The roll so prepared shall be published in the manner specified in rule 23 and shall, on such publication, be the electoral roll for the new ward.

### **Revision of rolls**

26. (1) The roll for every ward shall, unless otherwise directed by the election authority for reasons to be recorded in writing, be revised by reference to the qualifying date before each ordinary election to the Municipal Council or in any year if such revision has been directed by the election authority:

Provided that if the roll is not revised as aforesaid the validity or continued operation of the said roll shall not thereby be affected.

(2) Where the roll or any part thereof is to be revised before any ordinary election or in any year, it shall be prepared afresh and rules 4 to 24 shall apply in relation to such revision as they apply in relation to the first preparation of a roll.

### **Correction of entries and inclusion of names in electoral rolls**

27. (1) Every application under sub-section (2) of section 18 for correction of entries and inclusion of names in rolls shall be made in duplicate in such one of the Forms 7, 9, 10 and 11 as may be appropriate.

(2) and (3) Omitted

(4) The registration officer shall, immediately on receipt of such application, direct that one copy thereof be posted in some conspicuous place in his office together with a notice inviting objections to such application within a period of three days from the date of such posting.

(5) The registration officer shall, as soon as may be after the expiry of the period specified in sub-rule (4), consider the objections, if any, received by him and shall, if satisfied that the applicant is entitled to be registered in the roll, direct his name to be included therein:

Provided that when an application is rejected by the registration officer, he shall record in writing a brief statement of his reasons for such rejections.

### **Appeals from orders under rule 27**

28. (1) Every appeal under rule 27 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 one rupee to be-

(i) paid by means of non-judicial stamps; or

(ii) deposited in a Government treasury or the State Bank of India in favour of the election authority; or

(iii) paid in such other manner as may be directed by the election authority; and



(c) presented to the election authority within a period of five days from the date of the order appealed from or sent by registered post so as to reach him within that period.

(2) where the fee is deposited under clause (b) (ii) of sub-rule (1), the appellant shall enclose with the memorandum of appeal a Government treasury receipt in proof of the fee having been deposited.

(3) For the purpose of sub-rule (1) an appeal shall be deemed to have been presented to the election authority, when the memorandum of appeal is delivered by, or on behalf of, the appellant to the election authority itself or to any other officer appointed by it in this behalf.

#### **Custody and preservation of rolls and connected papers**

29. (1) After the roll for a ward has been finally published, the following papers shall be kept in the office of the registration officer or at such other place as the election authority may by order specify until the expiration of one year after the completion of the next revision of that roll:-

- (a) one complete copy of the roll;
- (b) statements submitted to the registration officer under rule 7;
- (c) statements submitted to the registration officer under rule 8;
- (d) register of enumeration forms if any used;
- (e) applications in regard to the preparation of the roll;
- (f) manuscript parts prepared by enumerating agencies and used for compiling the roll;
- (g) papers relating to claims and objections;
- (h) papers relating to appeals under rule 24; and
- (i) papers relating to appeals under rule 28.

(2) One complete copy of the roll for each ward duly authenticated by the registration officer shall also be kept in such place as the election authority may specify for a period of six years from the date of its final publication.

#### **Inspection of electoral rolls and connected papers**

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

#### **Disposal of electoral rolls and connected papers**

31. (1) The papers referred to in rule 29 shall on the expiry of the period specified therein be disposed of in such manner as the election authority may direct.

(2) Copies of the electoral roll for any ward in excess of the number required for deposit under rule 29 and for any other public purpose shall be disposed of at such time and in such manner as the election authority may direct and until such disposal shall be made available for sale to the public.