

STATE ELECTION COMMISSION

No.1-38/SEC/96

Pondicherry, the 13th September, 1996

NOTIFICATION

An order to provide for specifications, reservation and allotment of symbols at elections of Chairman to Municipal Councils in the Union territory of Pondicherry for the recognition of political parties in relation thereto and for matters connected therewith;

Whereas the superintendence, direction and control of all elections to Municipal Councils in the Union territory of Pondicherry are vested in the State Election Commission by the Constitution of India and the Pondicherry Municipalities (Amendment) Act, 1994;

And whereas it is necessary and expedient to provide in the interest of purity of elections to the Municipal Councils in the Union territory of Pondicherry and in the interest of the conduct of such elections in a fair and efficient manner, for the specification, reservation and allotment of symbols, for the recognition of political parties in relation thereto and for matters connected therewith;

Now, therefore, in exercise of the powers conferred by article 243-ZA of the Constitution of India, read with section 3 of the Pondicherry Municipalities (Amendment) Act, 1996, and rules 2, 3 and 4 of the Pondicherry Municipal Councils (Conduct of Election of Chairman) Rules, 1996, and all other powers enabling it in this behalf, the State Election Commission, Pondicherry hereby makes the following :

ORDER

1. Short title, extent, application and commencement.- (1) This order may be called the Pondicherry Municipal Councils' Chairman's Election Symbols (Reservation and Allotment) Order, 1996.

(2) It shall extend to the whole of Pondicherry Union territory in relation to election in all Municipal Wards.

(3) It shall come into force on the date of its publication in the Gazette of Pondicherry which date is hereinafter referred to as the commencement of this order.

2. Definition and interpretation.- (1) In this order, unless the context otherwise requires,-

(a) "Act" means the Pondicherry Municipalities (Amendment) Act 1996;

(b) "contested election" means an election in a Municipality or Municipal Ward where poll is taken;

(c) "election" means an election to which this order applies, viz., election in all Municipalities and Municipal Wards in the Union territory of Pondicherry;

(d) "election held on party basis" means an election in which a candidate set up by a recognized political party gets an exclusive allotment of the symbol reserved for that party in accordance with the provisions of this order;

(e) "free symbol" means a symbol other than a reserved symbol;

(f) "recognized political party" means and includes every political party which has been recognized by the Election Commission of India as a National Party or as a State Party in the Union territory of Pondicherry under the Election Symbols (Reservation and Allotment) Order, 1968;

(g) "registered but unrecognised political party" means and includes every political party having its Head Office in the Union territory of Pondicherry which is registered with but not recognized either as a National Party or as a State Party in the Union territory of Pondicherry by the Election Commission of India under the Election Symbols (Reservation and Allotment) Order, 1968;

(h)"reserved symbol" means a symbol which is reserved by the Election Commission of India for exclusive allotment to a contesting candidate set up by a recognized political party;

(i)"rules" means the Pondicherry Municipal Councils (Conduct of Election of Chairman) Rules, 1996;

(j)"State Election Commission" means the State Election Commission of the Union territory of Pondicherry constituted under article 243-K of the Constitution, read with section 9 of the Act.

(2) Words and expressions used but not defined in this order but defined in the Representation of People Act, 1950 or the rules made thereunder or in the Representation of People Act, 1951 or the rules made thereunder or the Pondicherry Municipalities (Amendment) Act, 1996 or the rules made thereunder shall have the meaning respectively assigned to them in those Acts and rules.

3. Notification by the State Election Commission of the list of symbols for elections.—
The State Election Commission shall notify from time to time-

(a) the list of reserved symbols and the list or lists of free symbols for use in an election or elections held on party basis; and

(b) the list or lists of free symbols for use in an election or elections not held on party basis.

4. Notification by the State Election Commission of the list of recognized political parties and their symbols and list of registered but unrecognised political parties.— (1) The State Election Commission shall notify from time to time the list of recognized political parties and the symbols respectively for them and the list of registered but unrecognised political parties.

(2) For the purpose of sub-paragraph (1), the recognized political parties and the registered but unrecognised political parties shall submit an application to the State Election Commission incorporating the particulars listed out in Annexure-I to this order within the time limit prescribed by the State Election Commission.

(3) Every application under sub-paragraph (2) shall be signed by the Chief Executive Officer of the recognized political party and the registered but unrecognised political party (by whatever name called) and presented to the State Election Commission by registered post.

(4) The application shall be accompanied by-

(i) a copy of the memorandum or rules and regulations of the recognized political party or the registered but unrecognised political party, by whatever name called, and such memorandum or rules and regulations shall contain a specific provision that the association or body shall bear true faith and allegiance to the Constitution of India as by law established, and to the principles of socialism, secularism and democracy, and would uphold the sovereignty, unity and integrity of India; and

(ii) an attested order /communication/notification of the Election Commission of India, according recognition/registration to the recognized political party or the registered but unrecognised political party;

(5) The State Election Commission may call for such other particulars as it may deem fit from the recognized political party or the registered but unrecognized political party.

5. Allotment of symbols.—In every contested election, a symbol shall be allotted to a contesting candidate in accordance with the provisions of this order and different symbols shall be allotted to different contesting candidates.

6. Allotment of symbols in elections not held on party basis.—

(1) In an election not held on party basis, symbols shall be allotted to the candidates in the sequence of the symbols in the list of free symbols meant for that election by drawing lots.

(2) In such an election, the allotment of symbols shall be done only by drawing lots even if the contesting candidates agree among themselves upon their symbols.

(3) Each candidate shall be intimated the symbol allotted to him in writing, and his signature obtained in token of having received that intimation. He shall also be given a specimen copy of that symbol, along with the said intimation.

7. Allotment of symbols in elections held on party basis.— (1) Symbol for candidates set up by recognised political parties and allotment thereof.— In an election held on party basis every candidate set up by a recognised political party shall seek the symbol reserved for that party and no other symbol, and he shall be allotted the same, but no other symbol:

Provided that when there are conflicting claims for any such reserved symbol due to defect of substantial character either in the nomination paper or in Form-B or Form-C filed, none of the claimants shall be allotted that reserved symbol, and all the claimants shall be treated as independent candidates and allotted the free symbols left after allotting to all other candidates in that election:

Provided further that no reserved symbol shall be sought or allotted in an election to any candidate other than a candidate set up by a recognised political party to which that symbol has been reserved even if no candidate has been set up by that recognised political party in that election.

(2) Symbol for candidates set up by registered but unrecognised political parties and for independent candidates.— Every candidate who is set up by a registered but unrecognised political party or who is an independent candidate, shall be allotted a free symbol in accordance with the procedure laid down by the State Election Commission.

8. When a candidate shall be deemed to be set up by a political party.— For the purposes of this order a candidate shall be deemed to be set up a political party if, and only if—

(a) the candidate has enclosed a declaration to that effect along with the nomination paper in Form-C;

(b) a notice in writing in Form-B to that effect has, not later than 3.00 p.m. on the last date of ~~for~~ ^{making nomination} withdrawal of candidature, been delivered to the returning officer;

(c) the said notice is signed by the President, the Secretary or any other office-bearer of the party and the President, the Secretary or any other office-bearer is authorized by the party to send such notice; and

(d) the communication in Form-A with regard to the name and specimen signature of such authorised person are delivered to the returning officer of the ward or municipality and to the State Election Commission not later than 3.00 p.m. on the last day of ~~of withdrawal of candidatures~~ ^{for making nomination}.

9. Power of State Election Commission to suspend or withdraw recognition of a recognized political party for its failure to observe Model Code of Conduct or to follow lawful directions and instructions of the State Election Commission.— Notwithstanding anything in this order, if the State Election Commission is satisfied on information in its possession that a recognized political party under the provisions of this order, has failed or has refused or is refusing or has shown or is showing defiance by its conduct or otherwise,—

(a) to observe the provisions of the "Model Code of Conduct for Guidance of Political Parties and Candidates" as issued by the State Election Commission from time to time or as amended by it from time to time, or;

(b) to follow or carry out the lawful directions and instructions of the State Election Commission given from time to time with a view to furthering the conduct of free, fair and peaceful elections or safeguarding the interests of the general public and the electorate in particular, the State Election Commission may,

after taking into account all the available facts and circumstances of the case and after giving the party a reasonable opportunity of showing cause in relation to the action proposed to be taken against it, either suspend, subject to such terms as the State Election Commission may deem appropriate, or withdraw the recognition of such party for the municipal elections.

10. Power of the State Election Commission to issue instructions and direction.— The State Election Commission may issue instructions and directions,-

- (a) for the clarification of any of the provisions of this order;
- (b) for the removal of any difficulty which may arise in relation to the implementation of any such provisions; and
- (c) in relation to any matter with respect to the reservation and allotment of symbols and recognition of political parties for which this order makes no provision or makes insufficient provision and provisions in the opinion of the State Election Commission necessary for the smooth and orderly conduct of elections.

ANNEXURE-I

Particulars to be furnished by the recognised political parties and registered but not recognised political parties.

- (a) The name of the recognised political party or registered but not recognised political party;
- (b) The place at which its head office is situate;
- (c) The address to which letters and other communications meant for it should be sent;
- (d) The names of its President, Secretary, Treasurer and all other office-bearers at the national level and in the Union territory of Pondicherry;
- (e) The numerical strength of its members and if there are categories of its members, the numerical strength in each category;
- (f) The political principles on which it is based;
- (g) The policies, aims and objects which it pursues or seeks to pursue;
- (h) Its programmes, functions and activities in the Union territory of Pondicherry for the purpose of carrying out its political principles, policies, aims and objects;
- (i) The names of the main organs (by whatever name called) of the recognised political party or registered but not recognised political party, their functions and the names of the Chairman (by whatever name called) and other members of such organs;
- (j) Details of the electoral performance of the recognised political party or registered but not recognised political party in the Union territory of Pondicherry in the last ten years including Assembly and local body elections;
- (k) Whether it is represented by any member or members in either House of Parliament or the Pondicherry Legislative Assembly or any local body in the Union territory of Pondicherry, if so, the number of such member or members; and
- (l) Any other particulars which the association or body may like to mention.

FORM-A

Communication with regard to authorized persons to intimate name of candidates set up by the recognized and / or registered but unrecognised political party.

(See paragraphs 8(c) and (d) of the Pondicherry Municipal Councils' Chairman's Election Symbols (Reservation and Allotment) Order, 1996).

To

The State Election Commission,
No. 15, First Cross, Brindavan, Pondicherry
2. The Returning officer for the
..... Municipality

Sir,

Sub: Pondicherry Municipal Chairman's Elections toAllotment of symbols -Authorisation of persons to intimate name of candidates.

In pursuance of sub-paragraphs (c)and (d) of paragraph 8 of the Pondicherry Municipal Councils' Chairman's Election Symbols (Reservation and Allotment) Order, 1996, I hereby communicate that the following person(s) has/have been authorized by the party, which is a recognised political party/registered but unrecognised political partyto nominate the name of the candidates proposed to be set up by the party at the election cited above.

Name of person authorized to send notice in the Party (1)	Name of office held (2)	Municipal Council in respect of which he has been authorised (3)
1.		
2.		
3.		
4.		
5.		

2. The specimen signatures of the above mentioned persons so authorized are given below:

1. Specimen signatures of Shri

(i).....

(ii).....

(iii).....

2. Specimen signatures of Shri

(i).....

(ii).....

(iii).....

3. Specimen signatures of Shri

(i).....

(ii).....

(iii).....

Yours faithfully,

President /Secretary

Name of the Party

Place :

Date :

(Seal of the Party)

FORM-B

Notice as to Name of Candidates set up by the Recognised Political Party

(See paragraph 8 (b) of the Pondicherry Municipal Councils' Chairman's Election Symbols (Reservation and Allotment) Order, 1996).

To

The State Election Commission,

No. 15, First Cross, Brindavan, Pondicherry

2. The Returning officer for the

..... Municipality

Sub: Pondicherry Municipal Council Elections toAllotment of symbols - Authorisation of persons to intimate name of candidates.

Sir,

In pursuance of sub-paragraphs (b) of paragraph 8 of the Pondicherry Municipal Councils' Chairman's Election Symbols (Reservation and Allotment) Order, 1996, I hereby give notice that the following person(s) has /have been set up byparty as its candidates at the ensuing Municipal Elections from the Municipality noted against each.

Name of the Municipality	Name of the approved candidate	Father's/ Husband's name of approved candidate	Postal address of approved candidate
(1)	(2)	(3)	(4)

Name of the substitute candidate (who will step-in in the event of the approved candidate's nomination being rejected on scrutiny or his withdrawing from the contest)	Father's/ Husband's of name substitute candidate	Postal address of substitute candidate
(5)	(6)	(7)

(N.B: This must be delivered to the Returning officer by 3.00 p.m. of the last date for ~~withdrawal of candidature~~ making nominations.)

Yours faithfully,

President /Secretary

Name of the Party.....

Place :

Date :

(Seal of the Party)

FORM-C

Declaration by a candidate set up by the recognised political party orregistered but not recognised political party(See paragraph 8 of the Pondicherry Municipal Councils' Chairman'sElection Symbols (Reservation and Allotment) Order, 1996).

I, a candidate for the election of Chairman ofMunicipal Council hereby declare that I have been set up at this election byparty which is a recognised political party /registered but not recognised political party under the Pondicherry Municipal Councils' Chairman's Election Symbols (Reservation and Allotment) Order, 1996.

Date :

Signature of the candidate

.....

A.Subbaraya Pillai,
State Election Commissioner.

**STATE ELECTION COMMISSION
PUDUCHERRY**

No.SEC/1-6(M) /Civic Elec/2012/231

Puducherry, the 10 OCT 2012

NOTIFICATION

In exercise of the powers conferred under rule 4 of the Pondicherry Municipal Councils (Election of Chairman) Rules, 1996, rule 17A: 17B and 17C of the Pondicherry Municipal Councils (Conduct of Election of Councillors) Amendment Rules, 2004 and Notification No.56/2011/PPS-II, dated 28.12.2011 of the Election Commission of India and in supersession of Notification No.SEC/1-15/Civic Elec./2006/254, dated 3.5.2006 of the State Election Commission hereby notifies:

- (a) In Table-I, the list of National Parties and the respective symbols reserved for them;
- (b) In Table-II, the list of State Parties and the respective symbols reserved for them;
- (c) In Table-III, the list of registered unrecognized political parties;
- (d) In Table-IV, the list of free symbols for the election of Chairman and
- (e) In Table-V, the list of free symbols for the election of Councillor

Table-I, the list of National Parties and the respective symbols reserved for them;

Sl. No.	National Parties	Symbol reserved	Postal address of central office	Party's local address
1	2	3	4	5
1	Bahujan Samaj Party	Elephant	12, Gurudwara, Rakabanj Road, New Delhi-110 001	No.1, Gandhi Road, (Municipal Building Upstairs), Puducherry
2	Bharathiya Janatha Party	Lotus	11, Asoka Road, New Delhi- 110 001	Thamarai Illam, No.26A, II Cross, Anna Nagar, Puducherry
3	Communist Party of India	Ears of Corn and Sickle	Ajoy Bhavan, Kotta Marg, New Delhi-110 002	V. Subbiah Illam, No.66, Cuddalore Road, Mudaliarpet, Puducherry
4	Communist Party of India(Marxist)	Hammer, Sickle and Star	A.K.Gopalan Bhavan, 27-29, Bhal Vir Singh Marg, New Delhi-110 001	Moogambigai Nagar,(Aziz Nagar), Reddiarpalayam, Puducherry
5	Indian National Congress Party	Hand	24, Akbar Road, New Delhi-110 001	No.169, Calve Subbraya Chetty Street, Puducherry.
6	National Congress Party	Clock	10, Bishambhar Das Marg, New Delhi-110 001	No.6, Nehru Street, Ananda Nagar, Kadirkamam, Puducherry

Table-II, the list of State Parties and the respective symbols reserved for them;

Sl. No.	State Parties	Symbol reserved	Postal address of central office	Party's local address
1	2	3	4	5
1	All India Anna Dravida Munnetra Kazhagam	Two leaves	275, Avvai Shanmugam Salai, Royapettah, Chennai-600 014	Next to Uppalam Guest-house, 12, Dr.Ambedkar Salai, Uppalam Main Road, Puducherry.
2	All India N.R.Congress	Jug	No.51, JJ Complex, 100 Feet Road, Ellapillaichavady, Nellithope Post, Puducherry-605 005	No.51, JJ Complex, 100 Feet Road, Ellapillaichavady, Nellithope Post, Puducherry-605 005
3	Dravida Munnetra Kazhagam	Rising Sun	'Anna Arivalayam', 268-269, Anna Salai, Chennai-600 018	16 A, Ambour Salai, Puducherry
4	Pattali Makkal Katchi	Mango	63, Nattu Muthu Naicken Street, Vanniya Teynampet, Chennai-600 018	94-A, Swaminatha Naicker Street, Arianakuppam Puducherry-605 007

Table-III, the list of Registered unrecognized Political Parties;

- | | | |
|----|------------------------------------|--|
| 1. | Dravida Peravai | 69, Rangapillai Street, Puducherry – 605 001 |
| 2. | Pondicherry Manila Makkal Munnani | 17, Kumaran Street, Kamaraj Nagar, Puducherry-605 001 |
| 3. | Puducherry Padaipali Makkal Katchi | No.4, First Street, Thendral Nagar, Puducherry-605 013 |

Table-IV, the list of free symbols for the Election of Chairman;

Sl.No. (1)	Name of the free symbol (2)
1	Almirah
2	Auto Rickshaw
3	Balloon
4	Bat
5	Battery torch
6	Black Board
7	Bucket
8	Camera
9	Candles

10	Ceiling Fan
11	Coconut
12	Cot
13	Cup & Saucer
14	Harmonium
15	Hat
16	Hockey & Ball
17	Iron
18	Kite
19	Sewing Machine
20	Table Lamp

Table-V, the list of free symbols for the Election of Councillor;

1	Air conditioner
2	Basket containing Fruits
3	Brief Case
4	Cake
5	Carrom Board
6	Chess Board
7	Electric Pole
8	Flute
9	Glass Tumbler
10	Helmet
11	Ice Cream
12	Table
13	Television
14	Violin
15	Water Tap

UDDIPTA RAY
STATE ELECTION COMMISSIONER