

For Official use only



HANDBOOK
FOR
RETURNING OFFICERS

AT


Election to Village Councils

State Election Commission
Mizoram


© State Election Commission, Mizoram, 2015.

Issued by the State Election Commission, 2015
Tuikhuahtlang, Aizawl - 796001

State Election Commissioner

 : 0389 - 2300180 (O), 2300378 (F)

Secretary, State Election Commission

 : 0389 - 2300380 (O), 2300379 (F)

RETURNING OFFICER

KAIHHRUAINA

Mizoram Village Council inthlan chung changa i hnathawh dan tur tlangpui a hnuaiah hian ziah a ni a, ngun takin chhiar la, hriatthiam loh i neih chuan The Mizoram (Election to Village Council) Rules, 2014-ah enfiah ang che. He lehkhabu hi kaihhruaina mai chauh a ni tih hria ang che.

I. TIH TUR HMASA BER

1. He kaihhruaina bu hi ngun takin chhiar la, inthlan hmain thil tih dan tur chiang takin hre hmasa ang che.
2. Inthlan hmanrua i dawnte ngun takin en la, a list-a chuante i dawng kim ngei em tih fiah hmasa rawh. Heng hmanruate hi i vawng him tur a ni.
3. Election thil a mamawh hun apiangah V/C Tlangau i chhawr thei ang a, V/C pawh a hranpain hriattir a ni bawh ang.
4. State Election Commission, Mizoram-in V/C inthlanna bik tana a siam Model Code of Conduct-te hi Candidate leh Political Party-te chu zawm ngei tura beisei anni tih i hriattir tur a ni.

II. CANDIDATE LAK DAN LEH ENDIK DAN

5. Form 7 hmang hian candidate in pekna hun tur hriattirna chhuah ang che. A zau thei ang berin Tlangau puan tir ang che. A hun leh hmunte nangma ruat tur a ni.
6. Thlan tur a in pe te'n an in pekna Form 8 hmanga an rawn thehluh leh a pawisa dahkham Rs. 500/- i laksak ang a, Form No. 9 hmang hian Receipt i pe tur a ni (Rule 41). Thlan tura rawn in pe te hming leh an dahkham chu Form 10-ah i chhinchhiah ang.
7. In hnuhdawhna hun i tiam chhung a candidate in hnuk dawh turte chuan Form 11 hmangin in hnuhdawhna an thehluh ang. In hnukdawh an awm chuan an tangka dahkham chu i pe kir leh ang a, i Receipt pek chhuah pawh kha i la kir leh tur a ni (Rule 44). Tin, Form 8 a '**How disposed of**' tih zawnah khan '**Refunded**' ti a ziah tur a ni.
8. Hun i ruat angin candidate-te chu inthlanna a ding thei an nih leh nih loh Lushai Hills District (Village Councils) Act 1953 sec 4 hmangin hetiangin i enfiah thei ang:

- a) Tlang mi an nih leh nih loh, an nih loh chuan inthlannaah a ding thei lo.
- b) A din tumna khua Electoral Roll-ah a hming a chuang em tih te, a chuan loh chuan a ding thei lo.
- c) Kum 25 a tlin loh chuan V/C inthlan na-ah a ding thei lo.
- d) A din tumna khua ni lo, khawdangah V/C member tanglai a ni em? A nih chuan a ding thei lo.
- e) Mi rilru kim lo, Court emaw, thuneitu dangin emaw rilru kim lo nia a puan a ni em? A nih chuan a ding thei lo.
- f) Lushai Hills Autonomous District (Administration of Justice) Rules, 1953 emaw, India ram chhunga hman lai mek dan dang emaw hnuaiah thil sual tih avangin hrem a tawk tawh em? Hrem a lo tawk tawh a nih a, a hremna tawh atang a kum thum a la ral lo a nih chuan a ding thei lo.
A chunga Dan sawi anga lungin tang tawh a nih chuan, a tan chhuah atangin kum thum a ral tawh em? Kum thum a la ral loh chuan a ding thei lo.
- g) Section 4 of Lushai Hill District (Village Council) Act in a phal angin Electoral Roll-a hming chuang te chauh candidate an ni thei.

9. Hetianga candidate-te i enfiah hnu a ding thei lo an awm chuan an pawisa dahkham kha i pe kir leh ang. Form 9 a **‘How disposed of’** tihah khan **‘Disqualified and refunded’** tih i ziak ang.
10. Nomination paper i pekchhuah rualin Candidate-te chhinchhiahna tur Symbol - Appendix Table I leh II te i pe chhuak tel tur a ni.
Rule 46 (9) leh (10) a sawi anga recognised political party leh registered political party-te candidate te chauhin Table-I a an party Reserve symbol hi an hmang ang a, political party behchhan neilo te chuan Table-II a Free symbol te hi an thlang thei ang.

National Parties

- | | | |
|---|---|-------------------------|
| 1. Bahujan Samaj Party (BSP) | - | Elephant |
| 2. Bharatiya Janata Party (BJP) | - | Lotus |
| 3. Communist Party of India (CPI) | - | Ears of Corn and Sickle |
| 4. Communist Party of India (Marxist) CPI(M)- | - | Hammer, Sickle and Star |
| 5. Indian National Congress (INC) | - | Hand |
| 6. Nationalist Congress Party (NCP) | - | Clock |

State Parties

- | | | |
|--------------------------------------|---|-----------------|
| 1. Mizo National Front (MNF) | - | Star |
| 2. Mizoram People’s Conference (MPC) | - | Electric Bulb |
| 3. Zoram National Party (ZNP) | - | Sun without Ray |

Free Symbols

1. Arbawm	21. Ipte	41. Tala
2. Balhla	22. Ketli	42. Tarmit
3. Balhla kung	23. Khuang	43. Telephone
4. Bukna	24. Khumbeu	44. Theihai
5. Chem	25. Laltin	45. Thingkung
6. Chemte	26. Lehkhabu	46. Thingrem
7. Dawhkan	27. Leihlawn	47. Thingzaina
8. Dekchi	28. Mai	48. Thlawhtheihna
9. Emping	29. Maufian	49. Thul
10. Favah	30. Motor	50. Thutthleng
11. Grape	31. Nghawngkaw	51. Tiangkawm
12. Hachhek	32. Nihliap	52. Tuibur
13. Herawt	33. No	53. Tuithawl
14. Hlumbel	34. Paikawng	54. Tuthlawh
15. Hmehen	35. Pam Khawnvar	55. Vaibel
16. Hmui	36. Pangpar	
17. Hnah	37. Pen	
18. Hnam	38. Pheikhawk	
19. Hreipui	39. Sakawrbakcheh	
20. In	40. Suahdur	

11. Mi pakhat aia tamin **symbol** thumun Appendix Table II a mi an thlan chuan thumvawrin a changtu zawk tur i ti tlu ang. Hemi thua hian i thu tlukna chu thutawp a ni.
12. Candidate-a in pete i enfiah vek hnua ding thei zat leh member thlan tur zat chu a in tluk chiahin emaw, thlan tur aia dingte an tlem zawk emaw chuan, inthlan kher ngai lovin, i en fiah vek hnua la dingte zawng chu thlan tlin a nih thu i puang nghal ang. Member thlan tur zat chu **‘Allocation of Seats to Village Councils’** lehkha a **‘No. of Seats to be elected’** tih column a mi zat hi a ni e.
13. Member thlan tur aia dingte an tlem zawk chuan thlan tur zat a kim lohna chu hun dangah State Election Commission remtihna in a hranpa a inthlanna buatsaih leh tur a ni ang. Chutiang a awm chuan thuneitute hnenah i report vat tur a ni. Eng vang mahin candidate dangte chumi hunah chuan zawn chawp tur a ni lo. Inthlan ni hi State Election Commission-in a ni a ruat bik a nih avangin eng zawng mahin i sawn a thiang lo a, member tur zat candidate an awm lo a nih pawhin a tih kim nan engmah i siam tur a ni lo.
14. Inthlanna a dingte hming, an chhinchhiahna symbols, an veng hming leh an party hming chu Form 13-na hmang hian tar chhuak ang che. Agent atan a

candidate in mi pakhat zel ziaak a an ruat, i hnena an thehluh chu inthlanna dan chang 48 angin nangma pawm tur a ni a, heng Agent-te hi Polling Booth chhungah candidate a awm loh chhungin an luh ve phal a ni. Agent-te list hi Presiding Officer hnenah hlan chhawng ang che.

15. Vote thlak tan hun leh tawp hun dar bi State Election Commission-in a tuk angin Form 13-na candidate ho hming hnuaiiah hian dar bi tuk zat chu ziaak tel ang che.
Mizoram puma a in khai rual theih nan State Election Commission-in dar bi a tuk thin a, dar bi tuk sa hi zawm ngei tur a ni. Chu chu tarchhuahna tur Form 13-ah hian i tar chhuak tel tur a ni.

III. VOTE CHHIAR DAN

16. **SUB-VILLAGE :**
Sub-Village-ah Polling booth hran a awm thei a, V/C Constituency pakhat tan Returning Officer pakhat chauh ruat a nih avangin Parent Village-ah vote hi chhiar tur a ni. Inthlan a zawh veleh Ballot Box chu tha taka charin, candidate emaw an agent-te emaw hriatpuin vote chhiarna hmunah him taka thlen tur a ni.
17. **VOTE CHHIARTU TURTE**
Vote chhiar chungchangah hian inthlanna dan chang 68 atanga 75 leh chang 38 te hi ngun takin chhiar la, zawm ngei bawk ang che. Vote chhiar tura mi i ruat chu mi rinawm leh rintlak, a theih phei chuan Sawrkar hnathawk, political party a nihna nei lo leh khawtlang a mi rinkai an ni tur a ni. Tin, vote chhiar tura i mi ruatte chu ‘appointment’ pein vote thlak hma niah vote chhiar dan tur training i pe lawk vek tur a ni. Vote thlak zawh veleh vote hi chhiar a ngaih dawn avangin nang leh Counting Official-te chu Vote thlak zawh hmain Polling Booth in thleng tur a ni. Vote thlak zawh ve leh a vote hi chhiar thei turin in buatsaih tur a ni.
18. **COUNTING SHEET**
Counting Sheet ah hian column siam a ni a. Tally Method hmangin column khat zelah hian candidate vote hmuhzat chhinchhiahna atan a chhuk zawngin wawi 4 (li) thai la, (###) chumi thai chu a khampei zawngin wawi 1 (khat) thai phei leh la, candidate zawn column khata a chhuk zawnga thai leh thai phei zat chu 5 (panga) a ni a nga, candidate vote hmuh tam dan a zirin chu tiang chuan i tih belh zel ang. Chutianga i tih zawh vek hnuah chuan belhkhawm a awlsam dawn a ni.
19. **VOTE THI**
A hnuaiia mi ang hi vote thi awm theih dan a ni:-

- i) Ballot Paper-ah chhutna-hnuhma (arrow cross mark) pakhat mah a awm loh in.
- ii) Candidate thlan tur zat (No. of seats to be elected) aia tam chhutna hnuhma a awm in.
- iii) Vote chhutna hmanrua (arrow cross mark) a vote chhut a nih lohin.
- iv) Tunge a vote tih hriat theih loh khawpa candidate te dai danna rin chu a mark chanve chiah a chhut a nih in.
- v) Ballot Paper hnung lama chhut a nih in.

20. VOTE NUNG

- i) Candidate thlan tur zat (No. of seats to be elected) chiah a chhutna hnuhma a awm in.
- ii) Candidate thlan tur zat (No. of seats to be elected) aia tlemah chhutna hnuhma a awm in.
- iii) Vote chhut chu candidate te leh midang daidanna rin (line)-ah lang ta se, a chhutna (mark) lan tamna lam chu vote nung lam a ni ang.
- iv) Candidate daidanna chhunga a nih phawt chuan vawikhat aia tam chhut pawh nise vote nung a ni ang.
- v) Chhut fiah lo riai a nih pawhin a nung ang.
- vi) Chhut (mark) sir khat lai emaw thenkhat lai emaw chauh pawh lang se a nung ang.
- vii) Ballot Paper thleh avanga voter-in a chhut dan pakhata a lan dan dik si (original mark), candidate dang hming or symbol-ah a lan dan diklo a thla a kai in original mark lanna kha a nung ang. Entirman : Arrow cross-mark chu sana in her dan nilo zawng a siam (anti clock wise) a nih chuan ballot paper thleh avanga mark diklo kai chu sana vir zawng (clock wise) a ni ve thung ang.

21. Member thlan tur zah vote hmu sang sang kha thlan tlin an ni tih puang ang che. Hei hi Result Sheet a candidate ten vote an hmuh dan zul zui a vote hmu sang sangte kha V/C member thlan tur zat (No. of seats to be elected) nen inmil a siam mai tur a ni. Chung candidate thlan tlin 'Result Sheet' a peih fel a nih hnuah Final Result chu puan chauh tur a ni. Thlan tlin candidate-te chu 'Certificate of Election' (Form 31) pawh pek nghal tur a ni.

22. Inthlanna dan chang 42 in a sawi angin, hmun ruak pakhat atana inthlannah chuan vote nung zawng zawng belh khawm hmun ruk a then a hmuh khat aia tam hmu tling lo chuan a dah kham a chan ang a, hmun ruak pakhat aia tam inthlannah chuan vote nung zawng zawng belhkhawm kha thlan tur hmun

ruak (seat) zatin sem chhuah phawt tur a ni. A chhuak hmun ruk a thena hmun khat aia tam hmu pha lo chuan a dah kham a chan ang.

Khaw pakhatah member thlan tur zat 5 lo ni se, vote nung zawng zawng belhkhawm 2400 chu member 5 a semin, 480 a chhuak ang a, 480 hmun ruk a then vote 80 aia tam hmu tling lo chuan a dah kham a chan ang. Chutiang dahkham chante chu pawisa pek kir tur an ni tawh lo. Form 9-a **‘How disposed of’** tih column ah hian **‘forfeited’** tiin ziah tur a ni.

23. Form 9 leh dahkham chawi an awm chuan pawisa nen ip khatah thun la, char tlat ang che.
24. Form 30 hmang hian inthlan result chu siam ang che. Copy thum siam tur a ni ang. Political Party candidate an nih chuan an party hming ziak tel ngei ang che. Independent an nih chuan Independent ti a ziah mai tur a ni.
25. Candidate te vote hmuhna Ballot Paper zawng zawng kha ip ah i khung ang a, i char tur a ni. Hal ral mai suh. I char fel vek hnuah a pawnah candidate hming leh vote hmuh zat ziak la. Chutiang a i tih vek hnuah thalhrit in char tlat ang che. A kawmah Village Constituency No. leh khaw hming ziak la, heng hi Office-ah vawn that turin DC/ DEO hnenah thawn tur a ni. Vote thi zawng zawng chu ip khatah i khung ang a, i char leh tur a ni a, vote thi zat leh Village Constituency No. etc. ti langin bawm khata khung khawm hnuah DC/ DEO hnenah report dang rualin thehluh tur a ni.
26. Chutiang bawkin Ballot Paper tihchhiat palh (spoiled) te Ballot Paper hman bang (un-used Ballot Paper, if any) te Ballot Paper bung leh lam (Counterfoil)te a hran theuhin Ip ah emaw envelope-ah emaw i khung a nga, a chungang mi ang hian DC/ DEO hnenah i thehluh ang.
27. Inthlanna a tlingte chu an pawisa dahkham pe kir leh la, Form 9-ah chhinchhiah la, pawisa i pek kir leh te chu ‘signature of persons receiving refund’ zawnah an hming ziah tir la, ‘how disposed of’ tih zawnah ‘refunded’ tiin i ziak ang.

FORM 1

RECEIPT

No...

Date...

Received Rs.25 (twenty five) only
from Pu.....S/o.....
.....of.....village
as Security Deposit on account of his/her candidature
for membership in the Village Council.

Signature of Receiving Officer
Village:

FORM 1

RECEIPT

No...

Date...

Received Rs.25/- (twenty five) only
from Pu.....S/o.....
.....of.....village
as Security Deposit on account of his/her candidature
for membership in the Village Council

Signature of Receiving Officer
Village:

FORM 1

RECEIPT

No...

Date...

Received Rs.25 (twenty five) only
from Pu.....S/o.....
.....of.....village
as Security Deposit on account of his/her candidature
for membership in the Village Council.

Signature of Receiving Officer
Village:

FORM 1

RECEIPT

No...

Date...

Received Rs.25/- (twenty five) only
from Pu.....S/o.....
.....of.....village
as Security Deposit on account of his/her candidature
for membership in the Village Council






























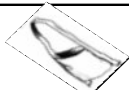
Signature of Receiving Officer
Village:

FORM - 2
(See Rule - 22)
BALLOT PAPER COUNTERFOIL

Sl. No. Elector's Serial No. in the V/C E/Roll

BALLOT PAPER

Sl. No. No. & Name of Village Council





























Sl. No.	Name of Candidate	Approved Symbol	Sl. No.	Name of Candidate	Approved Symbol
1		 ELEPHANT	16		 DAWHKAN
2		 LOTUS	17		 DEKCHI
3		 EARS OF CORN AND SICKLE	18		 EMPING
4		 HAMMER, SICKLE AND STAR	19		 FAVAH
5		 HAND	20		 GRAPE
6		 CLOCK	21		 HREIPUI
7		 STAR	22		 HERAWT
8		 BULB	23		 HLUMBEL
9		 SUN WITHOUT RAY	24		 HMEHEN
10		 ARBAWM	25		 HMUI
11		 BALHLA	26		 HNAH
12		 BALHLA KUNG	27		 HNAM
13		 BUKNA	28		 HREI
14		 CHEM	29		 IN
15		 CHEMTE	30		 IPTE

FORM - 2
(See Rule - 22)
BALLOT PAPER COUNTERFOIL

Sl. No. Elector's Serial No. in the V/C E/Roll

BALLOT PAPER

Sl. No. No. & Name of Village Council







Sl. No.	Name of Candidate	Approved Symbol	Sl. No.	Name of Candidate	Approved Symbol
31		 KETLI	45		 PANGPAR
32		 KHUANG	46		 PEN
33		 KHUMBEU	47		 PHEIKHAWK
34		 LALTIN	48		 SAKAWRBAHCHEH
35		 LEKHABU	49		 VAIBEL
36		 LEHLAWN	50		 SUAMDUR
37		 MAI	51		 TALA
38		 MAUFIAN	52		 TARMIT
39		 MOTOR	53		 TELEPHONE
40		 NGHAWLKA WL	54		 THEIHAI
41		 NIHIAP	55		 THINGKUNG
42		 NO	56		 THINGREM
43		 PAIKAWNG	57		 THINGZAINA
44		 PAM	58		 THLAWHTHEIHNA

FORM - 2
(See Rule - 22)
BALLOT PAPER COUNTERFOIL

Sl. No. Elector's Serial No. in the V/C E/Roll

BALLOT PAPER

Sl. No. No. & Name of Village Council

Sl. No.	Name of Candidate	Approved Symbol	Sl. No.	Name of Candidate	Approved Symbol
59		 THUL	62		 TUIBUR
60		 THUTHLENG	63		 TUIHAWL
61		 TIANGKAWM	64		 TUTHLAWH

FORM 3

HRIATTIRNA

Sub-rule (b) of Rule 9 of The Mizoram (Election to Village Councils) Rules, 1974 (as amended) in thuneihna min pek angin he hriattirna hi chhuah a ni.

- 1) khua Village Council inthlanna chu ni hian neih a ni dawn a. He inthlanna atana Candidate tura inpete chuan Form 3(a) hmangin an inpekna ka hnenah ni.....atanga ni..... chawhma dar 11 leh chawhnu dar 3 inkarah an rawn thehlut thei ang. Hming pekna Form 3(a) hi ni zing dar 8 thlengin ka hnenah lam theih a ni.
- 2) Hming pekna (Nomination) thehluhna hmun tur chu ah a ni ang.
- 3) Candidate tura inpe chuan a hming pekna lehkha a thehluh rualin inthlanna atan dahkham (security deposit) Rs 25/- (Cheng Sawmhnih panga) a pe nghal tur a ni.
- 4) Candidate te hming pekna lehkha enfiahna, (scrutiny of nominations) a hnuai hun leh hmun tarlanah hian neih a ni ang a, chutah chuan Candidate te bakah anmahni hriatpuitu mi dang pakhat (1) theuh an tel thei ang.
 - (a) Enfiahna hmun :
 - (b) Enfiah ni:....., dar.....
- 5) Candidate-in inhnukdawk duh tan Form 3(c) hmangin Ni dar thlengin inhnudawhna hun hawn a ni. Form 3(c) chu nomination enfiahna hmunah a duh tan lam theih a ni ang.

Date.....,

Place :

Name & Signature of Returning Officer

No. & Name of V/C.....

FORM 3 (a)

CANDIDATE ATANA INPEKNA LEHKHA (Form of Nomination)

[See Section 4 of the Act and also Rule 11]

PART - I

1. Hming :
2. Pa/Pasal hming :
3. Kum zat :, Pian ni, Thla leh Kum :
4. Address :
5. Hnam hming :
6. Electoral Roll Serial Number :
7. Party hming :
8. Election Symbol thlan : (1) (2) (3)

Place : (.....)
Date : Signature

(.....)
Hming, hawrawppuiin

PART - II

Kei a chung a hming ziaktu candidate hian a hnuai a thu te hi a dik ngei a ni tih ka puang e.

1. Scheduled Tribe member zinga mi ka ni.
2. Village Council dangah member ka ni lo.
3. Mi rilru kimlo ni a court/ thuneituten an puan ka ni lo.
4. Lushai Hills Autonomous District (Administration of Justice) Rules, 1953 hnuai a emaw, India emaw Mizoram hman mek Dan eng emaw hnuai a thiam loh chantir ka ni lo.
5. Lung in tantir ka ni tawh a, ka tan chhuah atangin kum 3 a ral tawh (Hei hi a tul loh chuan thai chhiat mai tur a ni.)

Hriatpuitu :

(.....)
Signature

(.....)
Signature

(.....)
Hming, hawrawppuiin

(.....)
Hming, hawrawppuiin

Khua.....
Khua.....
Electoral Roll Sl. No.

Note:- Political Party hminga in Candidate chuan Form 3(b) an thil tel tur a ni.

FORM 3(b)

CERTIFICATE

..... khua/veng Village
Council inthlanna (kum) atan a hnuaia mi hi kan Party
Candidate a ni tih ka hriattir e.

- 1. Name of Candidate :
- 2. Pa hming :
- 3. Address :
- 4. Electoral Roll Sl. No. :
- 5. Party Hming :

Place :

Date :

Signature

Name of Unit President with Seal

Note : Hei hi Political party an candidate theuh te tan siamin
Returning Officer hnenah thehluh tur a ni e.

FORM 3(c)

**INHNUH DAWHNA FORM
(Withdrawal Form)
[See Rule 12]**

Kei Son/Wife/
Daughter of
....., khua Village
Council inthlanna a Candidate hian, keima duhthu ngeiin Candidate ka nihna atangin ka inhnukdawke.

Hriatpuitu :

Signature

Signature

Hming
(Hawrawppuiin)

Hming
(Hawrawppuiin)

Khua

Khua

Date

Date

FORM 4
[See Rule 15]

LIST OF CONTESTING CANDIDATES
(Thlan theih turte hming)

Kum a Village Council inthlan-a Village Council Member atan thlan theih turte hming (contesting candidates) te chu a hnuai mite hi an ni tih ka hriattir e.

Sl. No.	Name of Candidate (in capital letter)	Father's/Husband's/ Mother's name	Address of Candidate	Party Affiliation	Symbol

Inthlanna chu ah (Hmun) Ni zinglam dar atangin tlai lam dar thlengin neih a ni ang.

Date :
Place :

Name & Signatute of Returning Officer
No. & Name of V/C



FORM 10

CERTIFICATE OF ELECTION

The Mizoram (Election to Village Councils) Rules, 1974
as amended hmanga ni -a Inthlanna buatsaihah
Pi/Pu Son/ daughter/ wife
of chu
..... (Party) Candidate /
Independent Candidate-in Village
Council Member atan thlan tlin a ni tih ka puang e.

Date

Signature

Name of R.O.

(in capital)

No. & Name of V/C Constituency

**THE MIZORAM
(ELECTION TO VILLAGE COUNCILS)
RULES, 1974**

(AS AMENDED)

THE MIZORAM (ELECTION TO VILLAGE COUNCILS) RULES, 1974 AS AMENDED

CHAPTER – 1 PRELIMINARY

1. Short title, extent and commencement :

- (1) These Rules may be called the Mizoram (Election to Village Councils) Rules, 1974
- (2) They extended to the whole of the State Mizoram excluding the District Council areas of Pawi-Lakher and Chakma in Chhimtuipui District.
- (3) They shall come into force at once.

2. Definition : In these Rules except where it is expressly provided otherwise, or the context otherwise requires :-

- (a) ‘The State Election Commissioner’ means The State Election Commissioner appointed by the Governor under Article 243 of the Constitution of India;
- (b) ‘Constituency’ means so much of the area as is included within the jurisdiction of a Village Council.
- (c) ‘Court’ means the Courts, except the Village Court constituted under the provision of the Lusahi Hills Autonomous District (Administration of Justice) Rules, 1953 as adapted and amended by the North–Eastern Areas (Re-Organisation) (Mizoram) Adaptation of Laws Order, 1972:
- (d) ‘District’ means the Aizawl District and Lunglei District, Champhai District, Mamit District, Kolasib District and Serchhip District in Mizoram;
- (e) ‘Election’ means an election to fill a seats in the Village Councils;
- (f) ‘Elector’ in relation to a constituency means a person whose name is for the time being entered in the Electoral Roll.
- (g) ‘Electoral Roll’ means the electoral roll of a constituency of the V/C of the V/C of Mizoram as modified and amended by the Govt. of Mizoram, which shall include the names of all person who are bonafied residents and entitled to vote in the election to Village Councils;

- (h) 'Gazette' means the Mizoram Gazette;
- (i) 'Presiding Officer' means the Officer appointed for conducting the Village Council election in a polling station.
- (j) 'Electoral Registration Officer and District Election Officer' means the electoral registration officer of a constituency and includes an Asst. Electoral Registration Officer and Asst. District Election Officer thereof who may be appointed by The State Election Commissioner;
- (k) 'Returning Officer' means any Officer appointed for conducting the Village Council election to a constituency;
- (l) 'Village' means a village or villages declared to form a Village Council.
- (m) 'Voter' means a person whose name is for the time being entered in the electoral roll prepared under sub-rule (4) of Rule 3.
- (n) 'State Government' means Government of Mizoram.
- (o) 'Election Tribunal' means Election Tribunal appointed by the State Government.

CHAPTER - II

GENERAL PROVISIONS

3. Holding of General Election :-

- (1) Elections to the Village Councils shall be held under the provisions of these rules.
- (2) The State Election Commissioner shall, by notification in the Official Gazette fix the number of seats for each constituency to form a Village Council as per provision of sub-section (2) of section 3 of the Lushai Hills District (Village Councils) Act, 1953.
- (3) There shall be an electoral roll for every constituency.
- (4) Qualification for Voters : (incorporated by the Mizoram) (Election to Village Councils) (Fourth Amendment) Rules, 2005, Notification No.L.A.D./V.C.-86/97(A), dated 18th Nov., 2004.

Every person who is

- a) a citizen of India, an originally residing in a constituency less than 180 days during the qualifying period;

- b) not below the age of 18 years on the qualifying date;
- c) Not of unsound mind does not stand so declared by a competent court, or such other authority as the Government of Mizoram may appoint in this behalf;
- d) belonging to a scheduled tribe whose affairs are triable by the Village Council Court under Rule 14 of the Lushai Hills Autonomous District (Administration of Justice) Rules, 1953; and
- e) for the time being not disqualified from voting under the provisions of any law relating to corrupt or illegal practices and other offences in connection with the elections;

Shall be entitled to be entered as a voter in the electoral roll

- f) Provided that permanently resident Gorkhas and their direct decendants, as notified under Govt. of Mizoram Home Department's Notification No. F. 22015/85/94-HM-Vol-II-dated 17th May, 2001, who are otherwise eligible to be voter shall be qualified to be entered as voters in the Electoral Roll;

- (5) For the purpose of sub-rule (4), the qualifying date and the qualifying period shall be the first day of January of the year in which the electoral roll is prepared, and the year immediately preceding the year respectively.

4. Appointment of Officers :

- (1) The Election Commissioner shall appoint an Electoral Registration Officer and District Election Officer for each district for the Village Council elections and may appoint one or more person as Assistant Electoral Registration Officer and Asst. District Election Officer to assist the Electoral Registration Officer and District Election Officer.
- (2) Every Assistant Electoral Registration Officer and Asst. District Election Officer shall, subject to the control of the Electoral Registration Officer and District Election Officer, be competent to perform all or any of the functions of the Electoral Registration Officer and District Election Officer.
- (3) Electoral Registration Officer and District Election Officer may employ such persons as he thinks fit for the preparation of electoral roll for Village Council election.
- (4) Electoral Registration Officer and District Election Officer shall appoint a Returning Officer, who will also function as Presiding

Officer, and also Polling Officers, to conduct the election of each Village Council constituency.

Provided if a Polling Officer, owing to illness or other unavoidable cause, is unable to perform the functions of the Polling Officer, the Returning Officer may appoint the person who is present at the Polling Station other than person who has been employed by or on behalf of, or have been otherwise working for a candidates in or about the elections to be the Polling Officer, and inform the Electoral Registration Officer and District Election Officer accordingly.

- (5) If the Returning Officer, who is also the Presiding Officer, owing to illness or other unavoidable cause is unable to perform the said functions his functions shall be performed by such Polling Officer as has been previously authorised by the Electoral Registration Officer and District Election Officer to perform such function.

5. Date of Election :

The State Election Commissioner shall, by notification in the Gazette, call upon the constituency concerned to elect the number of members to be returned and shall also appoint the date or dates for such election in each constituency simultaneously or consecutively according to convenience.

6. Publication of the names of members Village Council :

The names of members elected and of those nominated for the various Village Councils shall be published in the Gazettes as soon as may be after the election is over.

7. Filling of vacancies :

A seat or seats and a casual vacancy or vacancies in the Village Council or Councils in respect of elected seat or seats shall be filled by bye-election.

8. Disqualified members :

The seat of any members found to be disqualified after his election, may be declared vacant by the State Election Commissioner and filled under the provisions of these rules.

9. Duties of Officers :

- (a) **Electoral Registration Officer and District Election Officer :** It shall be the general duty of the Electoral Registration Officer and District Election Officer to procure, the electoral rolls and to make necessary amendments, alteration, addition etc. in the rolls and no

rolls expect those approved by the Electoral Registration Officer and District Election Officer, shall be used in the Village Council elections.

- (b) **Returning Officer** : It shall be the general duty of the Returning Officer at any Village Council election to do all such acts and things as may be necessary for effectually conducting the election in the manner provided under these rules and his decision shall be final.

10. Power of the State Election Commissioner :

The State Election Commissioner may prescribe such forms as may be necessary for the conduct of the elections.

CHAPTER - III

11. Qualification of candidates for election and scrutiny of candidature :

Any person whose name is included in the electoral roll of the constituency and who is not otherwise disqualified under section of the Lushai Hills District (Village Council) Acts, 1953 may offer himself as a candidates for election to a Village Council and shall inform the Returning Officer, in writing of his intention to do so by a particular date to be notified in this behalf by the Returning Officers. The scrutiny of candidature shall be taken up by the Returning Officer in the respective constituency on a date and time to be notified by him.

12. Withdrawal of candidature :

The Returning Officer may accept the withdrawal of any candidate before the scrutiny of the candidature takes place and refund the security deposit as here in after provided.

13. Security Deposit refund or forfeiture :

A candidate shall furnish a security deposit of Rs. 25% to the Returning Officer along with his application for candidature which will be refunded in the event of the withdrawal of candidature or at the earliest date after the conclusion of the election.

Provided that the deposit shall be forfeited to the Mizoram State Government if at an election where a poll has been taken to fill one seat the candidates is not elected and the number of valid votes polled by him does not exceed one-sixth of the total number of valid votes polled by the candidates or in the case of election of more than one member at the election, one-sixth of the total number of valid votes so polled divided by the number of members to be elected.

14. Election Symbol :

Each candidates shall select a symbol out of those prescribed in Appendix 'A' to represent him in the election and the election shall be conducted by symbol system. If more than one candidate selected same symbol, the Returning Officer shall decide by lot to whom of those candidates the symbol will be assigned. The decision of the Returning Officer in assigning any symbol to a candidate under this rule, shall be final.

15. Preparation and publication of the list of valid candidates :

As soon as may be after the scrutiny of the candidature, if the number of candidates exceeds that of the seats to be filled the Returning Officer shall compile a list showing the names of the valid candidates and the symbols assigned to each candidate and publish it in the manner he thinks fit and a poll shall be taking in the manner prescribed in these Rules.

16. (a) When number of valid candidates is equal to number of seats :

If the number of valid candidates in a constituency is equal to the number of elected seats to be filled. The Returning Officer shall forthwith declare all such candidates to be elected to fill those seats in the Village Councils.

(b) When number of valid candidates is less than number of seats :

If the number of valid candidates is less than the number of seats to be filled the Returning Officer shall declared all such candidates to be elected to fill as many of these seats and the State Election Commissioner shall by notification in the Gazette, call upon the constituency to elect a person or person to fill the remaining seat or seats, as the case may be, within such time as may be specified in the notification.

CHAPTER - IV VOTING

17. Arrangement of voting :

One or more Polling Stations shall be set up for the same constituency depending upon the number of voters in the concerned constituency. The Returning Officer or any Officer appointed by him shall make all arrangement for the conduct of election.

18. Election Agent :

One election agent of candidate appointed in writing and submitted to the Returning Officer shall be admissible into the Polling

Booth in the case of candidate absenting himself from the Polling Station.

19. No vote by proxy :

Every voter shall record his / her vote at the polling booth by him / herself only and no votes by proxy or otherwise shall be accepted what so ever.

20. Hours of poll :

The Returning Officer shall fix the hours of votes for Polling.

(See para 15 & 27 of Handbook)

21. Ballot Boxes :

There shall be single Ballot Box for each Village Councils Constituency. Just before Polling is started the empty Ballot Box or Boxes shall be shown to the person present at the polling station. The Ballot box or boxes will then be closed by pasting with an adhesive and wax sealing device.

22. Ballot Paper :

Each voter shall be given one ballot paper containing the name and symbol of all candidates at a polling station.

23. Record of vote :

Each voter shall record his vote or votes by stamping arrow cross mark on particular symbol of candidate or candidates of his choice.

Provided that if for any reasons, a voter does not to use his ballot paper or papers, the voter concerned must return the same which shall be cancelled and mark 'refused' on the counterfoil.

24. Helping of Voter :

If owing to blindness or another infirmity an elector is unable to read the symbol on the ballot box or is physically incapable of putting the paper into the ballot box, the Presiding Officer of the Polling Station shall enter the Polling compartment which such an elector, ascertain from the elector the candidate or candidates he desire to vote for and shall put the ballot papers in the ballot box or boxes of such candidate or candidates in accordance with the wishes of such elector. The Presiding Officer shall have this done with as much secrecy as is possible and shall keep a record of such instances.

25. Spoilt Ballot paper :

If the ballot paper happens to be spoilt before it is due to any reason another ballot paper may be obtained surrendering the spoilt ballot paper which shall be cancelled with its counterfoil.

26. Suspension of voting :

If due to any reason beyond control, the polling of Votes has to be stopped resulting in the dispersion of the voters and the candidates and the election Officers within the hours prescribed and before all the voters have polled, the polling shall be suspended and the ballot boxes closed by pasting with an adhesive and wax sealing device till re-opened when polling is continued as decided by the senior most Election Officer present.

27. Closing Ballot Boxes after Poll :

As soon as practicable after the closing of the poll, the Presiding Officer shall, in the presence of the candidates or their agents who may be present, close the ballot boxes and seal them and shall retain the ballot boxes in safe custody until the commencement of the counting of Votes.

CHAPTER - V

COUNTING OF VOTES

28. Counting of votes -

Counting of votes shall be taken up as soon as possible after the close of the poll and the Returning Officer shall inform the date, place and time of counting to the candidates or their election agents. The Returning Officer may appoint any person or persons as may be necessary to assist him in the counting of votes.

29. Authorised persons at the counting of Votes -

No person shall be allowed to be present at the counting of votes except the candidate or his election agent where the candidate is absent and the Returning Officer and such person as the Returning Officer may have appointed to assist him in the counting of votes.

30. Suspension of counting of vote -

If due to any reason beyond control the counting of votes has to be delayed for any period resulting in the dispersion of the candidates and the election staff from the booth or the place appointed in its stead,

the ballot boxes shall be closed by pasting with an adhesive and wax sealing device. The boxes shall be re-opened at the next counting of votes held.

31. Equality of votes -

In the case of Equality of votes the Returning Officer shall decide membership between those candidates by drawing lots.

32. Publication of Election Result -

The list of candidates elected shall be published in the Gazette.

CHAPTER - VI

ELECTION PETITION

33. Submission of Election Petitions -

A petition challenging the validity of any election may be submitted by a candidate and no one else of the Election Tribunal or any Officer appointed by him for the purpose, within 30 days of the declaration of the election result by the Returning Officer of the Constituency concerned attaching to the petition, a treasury challan showing that a deposit of Rs. 35/- as security for the cost of hearing of the petition has been made. Such deposit shall be forfeited to the Election Tribunal in case the petition fails. If however, the petition succeeds the deposit shall be refunded.

34. Withdrawal of Election Petition -

An Election petition may be withdrawn within 14 days from the date of filing with a refund of the security deposit. Withdrawal of election petition after 14 days, but before expiry of 30 days from the date of filings, will entail forfeiture of the security deposit.

35. Disposal of Election Petition -

The State Government shall constitute an Election Tribunal to hear and dispose of all election petition. The Tribunal shall report its finding and decision to the State Election Commissioner, where upon the State Election Commissioner shall notify the decision of the Tribunal.

CHAPTER - VII

CORRUPT PRACTICES

36. Corrupt Practices :

The Following shall be deemed to be corrupt practices for the purposes of Election of Village Councils.

- (1) Bribery
- (2) Undue influence
- (3) Impersonation
- (4) Removal of Ballot paper
- (5) Publication of False statement
- (6) Use of or appeal to religious and national symbols as defined in chapter-IX part IV of the Assam Autonomous District (Constitution of District Council) Rules, 1951.
- (7) The Corrupt practice enumerated in sub-rule (1) will entail disqualification for a voter or candidate or his agent as the case may be.

CHAPTER - VIII

ELECTORAL OFFENCES

37. Public Meeting :

No person shall convene, hold or participate in any public meeting or canvass for self or for any candidate on the date on which poll is taken for election to Village Councils.

38. Maintenance of Secrecy :

Every Officer, clerk or agent or other person who performs any duty in connection with the recording or counting of votes at an election shall maintain the secrecy of the voting.

39. Prohibition of Interference while polling :

No person shall interfere in any way with the work of the Returning Officer or other Officers employed for the conduct of Elections to Village Councils.

40. Contraventions of any provisions :

Any person who contravenes any of the provision of rules 37-39 shall be punished with fine which may extend to Rs. 50/-

CHAPTER - IX

POWER OF RETURNING OFFICER

41. No Civil Courts shall have jurisdiction to question the legality of any action taken or any decision given by the Returning Officer or by any other person appointed under these Rules in connection with the election.

CHAPTER - X

MISCELLANEOUS PROVISION

42. **Power to amend, repeal, etc. :**

The State Government may change, alter, amend or repeal any or all of the aforesaid at any time.

43. In any or all matters not specifically provided for in these Rules, the State Government shall have the discretion to take decisions and pass orders in manner considered appropriate by him.

44. **Repeal :**

The Lushai Hills District (Election to Village Council) Rules, 1954 is hereby repealed.