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NOTIFICATION

No.C. 13012/1/2003 - GAD/Pt, the 8th September, 2008. In pursuance of the Memorandum of Settlement signed between Hmar People's Convention and the Govt. of Mizoram on 27th July, 1994, the Governor of Mizoram is pleased to make the Sinlung Hills Development Council (Constitution and Conduct of Business) Rules, 2008 and the Sinlung Hills Development Council (Election) Rules, 2008 with effect from the date of publication in the Official Gazette.

Sd/-

J.C. Ramthanga,
Secretary to the Govt. of Mizoram,
General Administration Department.

**SINLUNG HILLS DEVELOPMENT COUNCIL
(CONSTITUTION AND CONDUCT OF BUSINESS) RULES, 2008.**

Whereas it is expedient to provide for the Constitution and Conduct of Business in the Sinlung Hills Development Council, therefore the Government of Mizoram hereby makes the following Rules:

**CHAPTER – I
PRELIMINARY**

- Short Title, Extent and Commencement:*
1. (1) These Rules shall be called the Sinlung Hills Development Council (Constitution and Conduct of Business) Rules, 2008.
 - (2) It extends to the whole of the Sinlung Hills Development Council area as notified by the Government in the Official Gazette.
 - (3) It shall come into force from the date of their publication in the Official Gazette.
- Definitions :*
2. (1) In these Rules, unless there is anything repugnant in the subject the context otherwise requires :
 - (a) 'Area' means The Sinlung Hills Development Council area as specified by the State Government in the Notification issued from time to time in consultation with the Council;
 - (b) 'Chairman' means Chairman of the Sinlung Hills Development Council constituted under these Rules;
 - (c) 'Council' means the Sinlung Hills Development Council constituted in terms of the Memorandum of Settlement, dated 27th July, 1994 between the Government of Mizoram and the Hmar People's Convention;
 - (d) 'Deputy Commissioner' means the Deputy Commissioner, Aizawl District;
 - (e) 'Executive Committee' means the Executive Committee of the Sinlung Hills Development Council;
 - (f) 'Executive Committee Member' means member of the Executive Committee of the Sinlung Hills Development Council;
 - (g) 'Governor' means the Governor of Mizoram;
 - (h) 'Legislative Assembly' means the Legislative Assembly of Mizoram;
 - (i) 'Member' means member of the Sinlung Hills Development Council;
 - (j) 'Official Gazette' means the Mizoram Gazette;

- (k) 'Resolution' means a motion for the purposes of discussing a matter of general public interest;
 - (l) 'Secretary' means Secretary to the Sinlung Hills Development Council, as appointed under these Rules;
 - (m) 'Secretary to the Government' means Secretary to the Government of Mizoram, General Administration Department;
 - (n) 'Session' means the whole period from the time the Council assembles on being summoned till the time it is prorogued by the appropriate authority under these Rules;
 - (o) 'Vice-Chairman' means the Vice-Chairman of the Sinlung Hills Development Council constituted under these Rules.
- (2) Any expression not defined in these Rules but occurring therein shall be deemed to have the same meaning in which they are used in the Constitution of India.

CHAPTER - II

CONSTITUTION, COMPOSITION, TERM, QUALIFICATION AND SESSION.

Constitution of the Council :

3. (1) There shall be a Development Council constituted in accordance with The Memorandum of Settlement signed by the State Government and the Hmar People's Convention on 27th July, 1994.
- (2) The Council shall be a body corporate by the name 'Sinlung Hills Development Council' and it shall have a common seal and shall by the said name sue and be sued.

Composition of the Council :

4. (1) The State Government shall, by notification in the Official Gazette, prescribe the number of the members of the Council not exceeding 15(fifteen) members out of whom not more than 3(three) members shall be nominated by the State Government and the rest shall be elected.

Provided that the nominated members may be among persons having requisite qualifications for being members of the Council and having special knowledge or practical experience in matters such as Science, Social Welfare and Developmental Planning.

- (2) The constituencies for direct elections of members shall be divided into territorial constituencies in such a manner that the ratio between the population of each constituency and the number of seats allotted to it shall, as far as practicable, be the same throughout the area.

*Term of the office
of Council :*

5. (1) The term of the Council shall ordinarily be for a period of 4(four) years from the date of its first meeting after the general election to the Council unless dissolved earlier by the State Government;

Provided that the said term may be extended by the State Government by notification in the Official Gazette for a period not exceeding 6 months at a time.

- (2) The elected members shall hold office during the life of the Council and the nominated members shall hold office at the pleasure of the State Government but not beyond the normal term of the Council.

*Qualification &
disqualification of
members of the
Council :*

6. (1) A person shall be qualified to be a member of the Council if he/she is:

- (a) a citizen of India;
- (b) not less than 25 years of age;
- (c) entitled to vote at the elections to the Council;
- (d) not a Government servant.

- (2) The provisions of sections 8, 8A, 9, 9A, 10 and 10A of the Representation of the People Act, 1951, as adapted for the purpose of the elections to the Sinlung Hills Development Council, shall apply in regard to the qualification for membership of the Council.

*Vacation of seats
and by-election :*

7. (1) if, a person is elected/nominated as a member of State Legislative Assembly or of Parliament and that of the Council, then, at the expiry of twenty-one days from the date of publication in the Official Gazette that he has been so chosen, that person's seat in the Council shall become vacant unless he has previously resigned his seat in the Legislative Assembly or Parliament.

- (2) In the event of any vacancy arising in the constituency under sub-rule (1), a by-election to that constituency may be conducted for filling up the vacancy or seats in the Council within six months from the date when it falls vacant.

- (3) If a member of the Council resigns his seat by writing under his hand addressed to the Chairman, the State Government on receipt of the report of the Chairman shall, by notification in the Official Gazette, declare such seats to be vacant and a by-election to fill such vacancy may be conducted within six months from the date when it falls vacant.

- (4) If for a period of thirty days a member of the Council remains, without the permission of the Chairman, absent from all meetings thereof, the Chairman may declare his seat as lying vacant;

Provided that in computing the said period of thirty days, no account shall be taken of any period during which the Council remains prorogued, or adjourned for more than three consecutive days.

- (5) When a seat becomes vacant under the provisions of sub-rule (4), the State Government shall by notification in the Official Gazette declare it to be so vacant and a by-election to fill such vacancy shall be conducted within six months from the date it falls vacant.

Session of the Council:

8. The Council shall meet as specified in sub-rule (3) of Rule 20. The Chairman shall have the power to invite any two Government officials or non-officials to attend any particular meeting of the Council, if considered necessary.

CHAPTER – III
CHAIRMAN etc., AND SECRETARIAT

*Chairman and
Vice-Chairman:*

9. (1) Election of Chairman and Vice-Chairman:
The Council shall, as soon as may be, choose two members from amongst the elected members of the Council to be Chairman and Vice-Chairman respectively.
- (2) Vacation of offices, resignation or removal of Chairman and Vice-Chairman:
The Chairman or Vice-Chairman of the Council:
- (a) shall vacate his office or shall be deemed to have vacated his office if he ceases to be a member of the Council;
- (b) may, at any time, by writing under his hand and addressed to the State Government in case of the Chairman, and to the Chairman in case of the Vice-Chairman, resigns from his office;

Provided that if the Chairman and the Vice-Chairman wish to resign simultaneously, then both shall submit such resignations to the State Government through the Secretary to the Government.

- (c) may be removed by a notice in writing of the intention to move a resolution for removal of the Chairman or Vice-

Chairman, signed by not less than one-third of the total members of the Council together with a copy of the proposed resolution which shall be delivered to the Secretary to the Government who shall, after giving not less than fifteen (15) days notice thereon, convene a meeting for consideration of the resolution;

- (d) may be removed if a resolution for the removal of the Chairman or Vice-Chairman is passed by a simple majority of the members present and voting in the Council at a meeting specially convened in accordance with the provision of sub-section (c) above in which case the State Government shall, by an order in writing, remove the Chairman or Vice-Chairman.

*Officers and Staff
of the Council:*

10. (1) The Council shall have a Secretary who shall be appointed by the State Government in consultation with the Chairman.
(2) The State Government on the recommendation of the Chairman shall appoint such officers and staff as may be necessary for the proper and efficient execution of the duties of the Council.

CHAPTER – IV
EXECUTIVE COMMITTEE

*Formation of
Executive Committee:*

11. There shall be an Executive Committee of the Council with the Chairman at the head and four (4) other members including the Vice-Chairman to exercise the functions hereinafter specified in Rule 14.

*Members of
Executive Committee:*

12. The State Government shall, in consultation with the Chairman, appoint not more than four (4) members including the Vice-Chairman to be Executive Members of the Council.

*Removal of
Executive Members:*

13. (1) The Executive Members shall be collectively responsible to the Council and may be removed on a vote of no confidence passed by a majority of the total members present at a meeting specially convened for the purpose.

Provided that the removal shall be in accordance with the manner as provided under clause (c) (d) of sub-rule (2) of Rule 9.

- (2) In case of the removal of the Executive Committee, the Chairman for the new Executive Committee shall be elected within forty eight (48) hours by the Council;

Provided that if the Council fails to elect the Chairman within the time specified, the State Government shall appoint any elected member of the Council to be the Chairman and other members to be the Vice-Chairman and Executive Members. The Executive Committee so constituted shall function until it is replaced by an Executive Committee constituted in accordance with the provisions of the sub-rule (1) of Rule 9, Rule 11 and Rule 12.

*Functions of
Executive Committee:*

14. (1) The executive function of the Council shall be vested in the Executive Committee.
- (2) All orders or instructions made or executed by the Executive Committee shall be expressed to be made by orders of the Council and they shall be signed by the Chairman in this behalf and such signature shall be deemed to be the proper authentication of such instructions or order.

*Matters to be
Disposed of by
Executive Committee:*

15. (1) The Executive Committee shall dispose off all matters falling within its purview except certain matters, hereinafter specified, which shall be referred to the Council and then to the State Government for final approval.
- (2) The specified matters required to be referred under sub-rule (1) shall be as follows :-
- (a) cases involving any important change in the administrative system of the Council or any important departure from accepted policy and practice;
 - (b) proposals for making regulations, rules or laws as authorized under the powers and functions of the Council;
 - (c) cases which seriously affect, or are likely to affect the peace and good governance of the Council or affect or likely to affect relations with any non-Council area;
 - (d) cases affecting the relations of the State Government with the Council;
 - (e) all important correspondences with the Government of India;
 - (f) all important appointments.
- (3) And all other matters required to be placed before the Council shall be sent to the Secretary in writing for placing before the said Council.

CHAPTER – V
CONDUCT OF BUSINESS OF THE COUNCIL

- Oath or Affirmation by Members:* 16. Every member of the Council as soon as constituted after the general elections, shall, before taking his seat, make and subscribe before the Secretary to the Government of Mizoram or a person appointed in this behalf by the State Government, an oath or affirmation as per the form set out in Appendix – I.
- Voting in the Council:* 17. (1) All questions at any sitting of the Council shall be determined by a majority of votes of the members present and voting, other than the Chairman or person acting as such.
(2) The Chairman or other person acting as such, shall not vote in the first instance, but shall exercise a casting vote in case of equality of votes.
- Power of the Council to act notwithstanding vacancy:* 18. The Council shall have power to act notwithstanding any vacancy in the membership thereof, and no proceeding in the Council shall be invalid.
- Quorum :* 19. (1) The quorum to constitute a meeting of the Council shall be one-third of the total number of members including the person presiding over the Council.
(2) If at any time during the meeting of the Council it is brought to the notice of the Chairman that there is no quorum, it shall be the duty of the Chairman or person acting as such, either to adjourn or suspend the meeting until there is a quorum.
- Summoning of the Council:* 20. (1) Subject to the provisions of sub-rule (3), the Chairman or such other person authorized by the State Government in this behalf, shall summon the Council to meet at such time and place as he thinks fit. He shall inform the Secretary as to the date, hour and place for such meeting of the Council.
(2) The Chairman shall cause a notice of the appointed date, hour and place for such meeting signed by the Secretary, to be served to each member of the Council at least thirty days before the date fixed for the meeting.
(3) The Council shall be summoned to meet three times in a year, and four months shall not elapse between its last sitting in the session and the date appointed for its first sitting in the next session;

Provided that in the event of an emergency, the Chairman, in consultation with the Executive Members may summon the

Council more often at a shorter notice, than what has been provided in sub-rule (2).

Provided further that prior information shall be sent to the State Government whenever any emergency session is summoned.

Provided furthermore that on receipt of a requisition signed by not less than two-thirds of members of the Council, the Chairman shall summon a special meeting of the Council.

- (4) The Chairman or such other person who summons the Council under sub-rule (1) or (3), may also prorogue the Council.
- (5) Notwithstanding anything contained in these Rules, nothing shall restrict the power of the State Government to summon a meeting of the Council at any time it deems fit, if the Chairman or a person acting as Chairman is not in a position to do so.

Language of the Council :

21. A member may address the Council in any of the languages spoken in the area over which the Council exercises jurisdictions or in English or in Mizo.

Provided that if any member desires to address the Council in a language not understood to the majority of the members thereof, he may, with the permission of the Chairman, shall furnish in advance to the Secretary, a copy of his speech written in English or Mizo.

Members to rise when speaking:

22. A member shall rise when he speaks and shall address the Chairman.

Limitations on Debate:

23. (1) The matter of every speech shall be strictly relevant to the subject under discussion before the Council.
- (2) A member while speaking shall not reflect upon the conduct of the President of India or any Government of a State or any Governor (as distinct from the Government of the State or the Government of the Union Territory or the Union Territory Administration, as the case may be) or any Court of law in the exercise of its judicial functions;
- (i) utter unreasonable or seditious words;
 - (ii) use offensive expressions regarding the Parliament or the Legislature of a State or Union Territory;
 - (iii) refer to any matter of fact on which a judicial decision is pending;
 - (iv) make a personal charge against the Chairman or another member; or
 - (v) use his right of speech, after due warning from the Chairman, for the purpose of willfully and persistently obstructing the business of the Council.

- Proceeding invalid for failure to comply with Rules:* 24. Proceedings of the Council may be deemed to be, or to have been invalid by reason of any relevant rule not being or not having been complied with.
- Decision on points of order :* 25. (1) The Chairman shall decide all points of order which may arise, and his decision shall be final.
(2) Any member may, at any time submit a point of order for the decision of the Chairman, but in doing so shall confine to stating the point.
- Irrelevant or Repetitions:* 26. The Chairman having drawn the attention of the Council to the conduct of a member who persists in irrelevant or tedious repetitions either of his own arguments or of the arguments used by other members in debate, may direct him to discontinue his speech.
- Power to order withdrawal of member:* 27. (1) The Chairman shall pass order and have all powers necessary for the purpose of enforcing his decision on all points.
(2) The Chairman may direct any member whose conduct is, in his opinion disorderly, to withdraw immediately from the sitting of the Council, and any member so ordered to withdraw shall do so forthwith and shall absent himself during the remainder of the day's meeting. If any member is ordered to withdraw a second time in the same session, the Chairman may direct the member to absent himself from the meeting of the Council for any period not longer than the remainder of the session, and the member so directed shall absent himself accordingly.
(3) The Chairman may, in case of grave disorder arising in the Council, suspend any sitting for such time as may be determined by him and submit report in this regard to the State Government.
- List of business :* 28. (1) A list of business for each day of the sitting shall be prepared by the Secretary and shall be circulated to all members at least three days in advance of the sitting.
(2) No business, not included in the list of business for the day, shall be transacted at any meeting without the leave of the Chairman.
- Business outstanding at the end of the day :* 29. (1) All business appointed for a day and not disposed of on that day shall stand over until the next day of the session available for such business;
(2) Any business left over on termination of a session shall become invalid unless it is included in the list of business on any day during the next session.

Vacation of seats by members for continuous absence :

30. (1) If a member is unable to attend the meeting of the Council for a period of thirty consecutive days, he shall apply to the Chairman for the leave of the Council to be so absent.
- (2) The Secretary shall inform the member as soon as possible, the decision of the Council on his application.
- (3) If a member is absent from the meetings without permission of the Council for a period of thirty consecutive days or more, the Chairman shall bring that fact to the notice of the Council. The Council shall then decide as to whether the seat of the absenting member should be declared vacant.
- (4) If the Council declares the seat of the member to be vacant, the Secretary shall communicate such declaration to the State Government through the Secretary to the Government and to the member concerned.
- (5) The Secretary shall keep a list showing the attendance of each member and such list shall be made available for inspection by members.

Time for questions :

31. The first hour of every meeting shall be available for the asking and answering of questions.

Notice of questions :

32. (1) A member who wishes to ask a question shall give notice in writing to the Secretary at least fifteen (15) clear days before the meeting of the Council at which he desires to put the questions which he wishes to ask and shall submit a copy of the question or questions which he wishes to ask.

Provided that the Chairman may allow a question to be asked at shorter notice than fifteen days.

- (2) The Chairman may, within the period of notice, disallow any question or any part of the question on the ground that it relates to a matter which is not the concern of the Council, and if he does so, the question or part of the question shall not be placed on the list of questions to be answered or replied.

Subject matter of questions :

33. (1) A question may be asked for the purpose of obtaining information on a matter of public concern within the special cognizance of the member to whom it is addressed.

No question shall be asked in regard to any of the following subjects namely:

- (a) Any matter which is under adjudication by a Court of law having jurisdiction in any part of the Union of India; and
- (b) Any matter relating to the conduct of any Judge or any Magistrate in the discharge of his duties.

- (2) If any doubt arises as to whether any question is or is not within the restriction imposed by sub-rule (1), the Chairman shall decide the matter and his decision shall be final.
- Form and content of question :*
34. In order that a question may be admissible, it shall satisfy the following conditions namely:
- (1) It shall not bring in any name or make any statement not strictly necessary to make the question intelligible;
 - (2) If it contains a statement by the member himself, the member asking it shall make himself responsible for the accuracy of the statement;
 - (3) It shall not contain argument, inferences, ironical expression or defamatory statement;
 - (4) It shall not ask for any expression of opinion or the solution of a hypothetical proposition;
 - (5) It shall not relate to the character or conduct of any person by name except by designation of his official or public capacity;
 - (6) It shall not be excessive in length;
 - (7) It shall not be request for action;
 - (8) It shall be precisely and definitely expressed; and
 - (9) It shall be asked with the object of eliciting information pure and simple.
- Controversial Questions:*
35. On matters which are or have been the subject of controversy between the State Government and the Council, no question shall be asked except as to a statement of facts.
- Chairman to decide admissibility of questions :*
36. The Chairman shall decide on the admissibility of question in term of Rule 34 and shall disallow any question which, in his opinion, is an abuse of the right of questioning or is in contravention of the rules applicable to it.
- Proceedings of the Council:*
37. The Secretary shall serve a full report of the proceedings of the Council at each of its meetings to be prepared as soon as possible after such meetings. He shall send copies of such reports to :
- (a) The State Government through the Secretary to the Government;
 - (b) The Executive Members;
 - (c) The Deputy Commissioner, Aizawl District;
 - (d) The Members of the Council.

A copy of such report, when confirmed and signed by the Chairman shall be the record of the proceedings of the Council.

- Other duties:* 38. In addition to the duties specially empowered by these Rules, it shall be the duty of the Secretary:
- (1) to take charge of all records of the Council;
 - (2) to keep the books of the Council;
 - (3) to keep a list of business before the Council;
 - (4) to superintend the typing or printing of all papers ordered by the Chairman to be typed or printed; and
 - (5) to write all letters directed by the Chairman to be written.
- Chairman's power to regulate conduct of business not provided in the Rules:* 39. The Chairman shall have the power to regulate the conduct of business in the Council in all matters not provided in these Rules.
- Pay and allowances:* 40. Pay, allowances and perks and other facilities of the Chairman, Vice-Chairman, Executive Members and Members of the Council shall be determined and fixed by the State Government from time to time.

CHAPTER – VI
POWERS AND FUNCTIONS OF THE COUNCIL.

- Powers and functions of the Council Financial, Educational Developmental and other Functions :* 41. The main objective of these Rules is to give adequate autonomy to the Council for social, economic, cultural and educational advancement of the people within its jurisdiction as per the Memorandum of Settlement between the State Government and the Hmar People's Convention on 27th July, 1994. Accordingly, the Council shall have autonomy in matters concerning the following:
- (1) (a) to make plan out of earmarked fund;
 - (b) to re-allocate fund from one scheme to another within the area and within sectoral allocations, provided that in case of proposed new schemes, approval of the State Government will be necessary; and
 - (c) to make plans and schemes for the earmarked fund of the Council.
 - (2) (a) to acquire any approved plans and schemes of the State Government within the jurisdiction of the Council;
 - (b) to draw up calendar for various works in the area and oversee their implementation;
 - (c) to make recommendation to the State Government for better planning, implementation and monitoring;
 - (d) to obtain information from any officer of the Departments under the State Government in the area regarding the progress of plan schemes;

- (e) to review the progress of plan projects in the area;
 - (f) to maintain and manage moveable and immoveable properties and institutions as may be transferred to the Council by the State Government;
 - (g) the construction, repair and maintenance of roads, bridges, channels and buildings as may be transferred to the Council;
 - (h) the establishment and maintenance of markets and fairs and all buildings connected therewith;
 - (i) the establishment, maintenance and management of primary education;
 - (j) embankment and the supply, storage and control of water for agricultural purposes;
 - (k) Public health and sanitations;
 - (l) the supply, storage and prevention from pollution of water for drinking cooking and bathing purposes;
 - (m) the regulation of practice of jhum and other forms of shifting cultivation;
 - (n) any matter which the State Government may, from time to time, entrust to the Council in the field of agriculture, animal husbandry, community development, social development and village planning;
 - (o) the appointment and transfer of SHDC Staff as per service posts sanctioned by the State government and any transfer of any staff temporarily appointed by the Govt. of Mizoram attached to the SHDC Office.
- (3) (a) the initiation, inspection and control of relief works within the area of the Council;
- (b) any matter falling within the framework of Memorandum of Settlement between the State Government and Hmar People's Convention on 27th July, 1994 and any subsequent resolution thereof;
- (c) any subject/duty which the State Government may, from time to time, entrust to the Council.

Resolution :

42. (1) A member who wishes to move a resolution shall give a notice of his intention before fifteen (15) days of the opening day of the Session and shall together with the notice, submit a copy of the resolution which he wishes to move;

Provided that the Chairman may allow a resolution to be entered in the list of business at shorter notice than fifteen days.

- (2) Immediately on receipt of the notice of a resolution under sub-rule (1), the Chairman shall cause to send a copy of the resolution to the members;

Provided that the Chairman shall have the power to disallow any resolution on the ground that it relates to matters falling outside the jurisdiction of the Council. When a resolution is so disallowed, the Secretary shall intimate the fact to the member concerned and to the Secretary to the Government.

- Restriction on subject for discussion :* 43. (1) Every resolution shall be in the form of a declaration of opinion by the Council indicating, whenever necessary, a line of action to be taken by the Council.
- (2) No resolution shall be moved in regard to any matter falling outside the jurisdiction of the Council and to any of the following subjects, namely:
- (a) Any matter which is under adjudication by a Court of law having jurisdiction in any part of the Union of India; and
 - (b) Any matter relating to the conduct of any Judge or Magistrate in the discharge of his duties.

- Limit of discussion :* 44. Discussion on resolutions shall be strictly limited to the subject of the resolution.

- Motion of Resolutions:* 45. (1) A member in whose name a Resolution appears in the list of business shall, when called upon, move the Resolution, and he shall commence his speech by a formal motion in the terms appearing on the list of business;
- (2) If the member when called upon is absent, the Resolution standing in his name shall be considered to have been withdrawn;

Provided that, with the consent in writing of such absent member and with the permission of the Chairman, any other member may move the Resolution.

Provided further that, if such Resolution stands in the name of another member present in the meeting of the Council, such member may be permitted by the Chairman to move that resolution.

- Withdrawal of Resolution:* 46. (1) A member who has moved a Resolution or amendment to a Resolution shall not withdraw the same except by leave of the Council.
- (2) No discussion shall be permitted on a motion for leave to withdraw a Resolution or all amendments thereto, except with the permission of the Chairman.

- Copy to the State Government :* 47. A copy of every resolution which has been passed by the Council shall be forwarded to the State Government through the Secretary to the Government.

- Restrictions on moving Motion and Chairman's power to disallow Motion:*
48. (1) The Chairman shall disallow any Motion, or part of a Motion on the ground that it relates to a matter which is not primarily the concern of the Council and if he does so, the Motion shall not be placed on the list of business.
- (2) No discussion of a matter of grave public interest shall take place other than on a Resolution moved in accordance with the Rules except with the consent of the Chairman and Member of the Executive Committee in-charge of the subject matter of the Resolution.
- Earmarked fund:*
49. (1) The Council shall, on or before a prescribed day in each year, submit to the State Government an estimate of Plan and Schemes of the Council for the next financial year in a form prescribed by the State Government;
- Provided that the detailed Plan and Schemes shall be made by the Executive Members which shall be approved by the Council in sitting.
- (2) The State Government may, on or before a prescribed day, return the estimate of the Council with or without modification.
- (3) In case of modification under Sub-Rule (2), the Council shall consider the proposed modifications, take a decision there-on and report the same to the State Government.
- (4) Any subsequent alteration in the estimate or re-appropriation of provision within the estimate shall be made with the approval of the State Government.
- Control over suspension and dissolution of the Council :*
50. (1) (a) It shall be the duty of the Chairman of the Council to furnish to the State Government a copy of the proceedings of the meetings of the Council and all other relevant information.
- (b) The State Government may, by order, and for reasons to be recorded, suspend the execution of any Resolution or Order of the Council or prohibit any action to be taken, or is being taken, in pursuance of or under cover of any provision of the law relating to the constitution or functions of the Council, if in its opinion, the resolution, order or act is in excess of the powers conferred by law or the execution of the Resolution or Order or the action which is likely to breach of the peace, or to cause annoyance or injury to the public or to any class or body of persons.
- (2) The State Government may, at any time, appoint a Commission to examine and report on any matter specified by it relating to the administration of the Council.

- (a) If, at any time, on receipt of the report from the Secretary to the Government, that the State Government is of the opinion that:
- (i) the Council is not competent to perform, or persistently makes default in the performance of the duties imposed on it by or under these Rules or any other law; or
 - (ii) the Council exceeds or abuses its powers; or
 - (iii) the financial and credit position of the Council is seriously threatened; or
 - (iv) a situation has arisen in which administration of the Council cannot be carried on in accordance with the provisions of these Rules; the State Government may, by an order published, together with a statement of the reasons thereof, in the Official Gazette, suspend the function of the Council for such period, not exceeding six months at a time, as may be specified in the order;

Provided that making an order of suspension may be extended for any further period not exceeding one year.

- (b) (i) All the members of the Council (including the Chairman and the Vice-Chairman thereof) shall, on such date as may be specified in the order, vacate their offices; and the State Government shall, by notification, assume to itself, all or any of the functions or powers vested in or exercisable by the Council and declare that such functions or powers shall be exercisable by such person or authority as may be specified in this behalf.
- (ii) Every Order made under clause (a) of sub-rule (2) with the reasons thereof, shall be laid before the Legislative Assembly and shall cease to operate at the expiry of thirty days from the date on which the Legislative Assembly first sits after the issue of the order, unless, before the expiry of that period, it has been approved by the Legislative Assembly.
- (c) The State Government may, on the recommendation of a Commission appointed under sub-rule (2) of this Rule by notification, order the dissolution of the Council; or
- (i) direct that a fresh general election to the Council shall be held immediately .

- (ii) subject to the previous approval of the Legislative Assembly, assume the administration of the area under the authority of such Council for a period not exceeding six months;

Provided that when an order under clause (c) of sub-rule (3) of this Rule has been made, the State Government may take the action referred to in sub-clause (c) of sub-rule (3) of this Rule with regard to the administration of the area, pending the reconstitution of the Council on fresh general Elections;

Provided further that no action shall be taken under sub-rule (3) (c) of this Rule without giving the Council an opportunity of placing its views before the Legislative Assembly.

- Amendment of Rules:* 51. The State Government, by notification in the official Gazette, may amend any part or parts of these Rules, if in its opinion, this is required in the overall interest of the state.

CHAPTER – VII MISCELLANEOUS

- Power to make supplementary Rules For Election including adjudication of election disputes:* 52. Election to the Council and related matters including adjudication of election disputes shall be governed by such other Rules as the State Government may make from time to time.

- Actions or proceedings made under The Memorandum of Settlement:* 53. Any action taken or proceedings made under the Memorandum of Settlement signed by the State Government and the Hmar People's Convention on 27th July, 1994 Settlement shall be deemed to have been taken or made under these Rules.

APPENDIX – I

(See Rule 16)

FORM OF OATH OR AFFIRMATION TO BE MADE BY A MEMBER OF THE
SINLUNG HILLS DEVELOPMENT COUNCIL.

I having been elected (or nominated) a member of the
Sinlung Hills Development Council, do

swear in the name of God

solemnly affirm

that I will bear true faith and allegiance to the Constitution of India as by law established and that
I will faithfully discharge the duty upon which I am about to enter.

Signature of Member.

THE SINLUNG HILLS DEVELOPMENT COUNCIL (ELECTION) RULES 2008

Whereas it is expedient to provide for the conduct of elections to the Sinlung Hills Development Council to enable the proper functioning of the Council, therefore the Government of Mizoram hereby makes the following rules:

CHAPTER - I

Short title and Commencement:

1. 1) These Rules may be called the Sinlung Hills Development Council (Election) Rules, 2008.
- 2) It shall come into force from the date of their publication in the official Gazette.

Definitions:

2. 1) In these Rules, unless the context otherwise requires:-
 - (a) **'Agent'** means an election agent and includes any person who, on the trial of an election petition, is held by the Commissioner to have acted as agent in connection with the election with the knowledge or consent of the candidate;
 - (b) **'Commissioner'** means Deputy Commissioner of Aizawl District or any other officials appointed by the State Government for the purpose of election to the Sinlung Hills Development Council;
 - (c) **'Candidate'** means a person who has been, or claims to have been duly nominated as a candidate at an election to the Sinlung Hills Development Council; and a candidate who, with election in prospect, has held himself out as a prospective candidate, shall be deemed to have been a candidate as from the time when he began so to hold himself out';
 - (d) **'Cost'** means all costs, charges and expenses incidental to a trial of election petition;
 - (e) **'Council'** means the Sinlung Hills Development Council constituted in terms of the Memorandum of Settlement, dated 27th July, 1994 between the Government of Mizoram and the Hmar People's Convention;
 - (f) **'Elector'** means a person who is entitled to vote at an election to the Sinlung Hills Development Council;
 - (g) **'Election'** means an election to fill a seat or seats in the Council;
 - (h) **'Legislative Assembly'** means the Legislative Assembly of Mizoram;
 - (i) **'Official Gazette'** means the Mizoram Gazette;
 - (j) **"Returned candidate"** means a candidate whose name has been published under these Rules as duly elected;

- (k) **'Returning Officer'** includes Asst. Returning Officer performing any function which he is competent to perform under these Rules;
 - (l) **'Secretary to the Government'** means Secretary to the Government of Mizoram General Administration Department;
 - (m) **"State Government"** means the Government of Mizoram.
- 2) Words and expressions not defined in these Rules but occurring therein shall be deemed to have the same meaning in which they are used in the Constitution of India, the General Clauses Act, 1913 as it applies in the state of Mizoram and the Sinlung Hills Development Council (Constitution and Conduct of Business) Rules, 2008.

CHAPTER – II ELECTIONS

- General Elections:*
3. (1) Upon the commencement of these Rules, a General Election shall be held, under these Rules, for the constitution of the Council and, thereafter, subsequent General Elections shall be held on the expiry of the term of the existing Council or on its dissolution, as the case may be.
- (2) For the formation of the Council under these Rules for the first time, or on the expiry of the term of an existing Council or on its dissolution, the State Government shall, by Notification in the Official Gazette, call upon every Constituency to elect a member in accordance with these Rules within such time, as may be specified in such Notification;

Provided that if the State Government thinks fit, the said notification may be issued at any time not being more than six months prior to the date on which the term of the Council would expire in the ordinary course of events.

*Qualification and
Disqualification for
Membership of the
Council:*

4. (1) A person shall be qualified to be elected as a member of the council if he/she is :
- (a) a citizen of India;
 - (b) not less than twenty five years of age;
 - (c) entitled to vote at the elections to the Council;
 - (d) not a government servant;
- (2) The provisions of sections 8, 8A, 9, 9A, 10 and 10A of the Representation of the People Act, 1951, as adapted for the purpose of the elections to the Sinlung Hills Development Council, shall apply in regard to the qualification for membership of the Council.

Election of members:

5. Election of members of the Council shall be held in accordance with Rule 3 on such date or dates as the State Government may, by notification in the Official Gazette direct, provided that a casual vacancy shall be filled within a period of six months from the date of the occurrence of the vacancy;

Provided that no election shall be held to fill up a casual vacancy occurring within four months prior to the holding of a general election under these Rules.

Qualification for electors:

6. A person shall be qualified as an elector of the Council if he/she:
- (1) is a person entitled to vote at the elections to the Legislative Assembly;
 - (2) is a person belonging to a Scheduled Tribe and
 - (3) is a person ordinarily residing in any constituency of the Council.

Electoral roll for every Constituency:

7. (1) There shall be an electoral roll for every territorial constituency of the Council.
- (2) Subject to the provisions of Rule 6, the electoral rolls of the area comprised within the Council area for the purpose of elections to the Legislative Assembly from time to time, in accordance with the provisions of the Representation of the People Act 1950 read with the Registration of Electors Rules, 1960 made thereunder, as stand adapted for the purpose of these rules, shall be deemed to be the electoral rolls for the corresponding areas of the Council for the purpose of election to the Council.
- (3) It shall be the duty of the State Government to make such adaptations in the electoral rolls of the Council as necessary.

Returning Officers:

8. (1) The Returning Officers for the constituencies shall be appointed by Deputy Commissioner. He may further appoint Assistant Returning Officers to assist the Returning Officers as required.

General Duty of the Returning Officer:

9. It shall be the general duty of the Returning Officer at any election to do all such acts and things as may be necessary for effectually conducting the election in a manner provided in these Rules or orders made thereunder.

Nomination of candidates:

10. (1) The State Government shall appoint for each Constituency:
- (a) a date or dates, not later than three weeks after the date of the notification under Rule 3, calling upon each Constituency to elect a member, for filing of nomination papers by candidates and for scrutiny of such nomination papers; and

- (b) a further date or dates on which a poll shall, if necessary, be taken; and the dates so fixed shall be notified in the Constituency in such a manner as the Returning Officer may think fit.
- (2) Any person whose name is included in the electoral roll of the Constituency and who is not subject to any disqualification for being so included under these Rules, may subscribe a proposer or seconder but no person shall be a proposer and seconder of more than one candidate.
- (3) On the date or dates so appointed for filing of nomination papers by candidates, each candidate shall, either in person or by his proposer or seconder, deliver to the Returning Officer or to such other person as may be authorized in this behalf by the Returning Officer, Nomination Paper completed in the form specified in Appendix-I and subscribed by the candidate himself as assenting to the nomination and by two other persons referred to in sub-rule (2) of this Rule as proposer and seconder.
- (4) Every nomination shall also contain a declaration in writing subscribed by the candidate that he has selected a particular symbol from the approved symbols. No candidate shall be deemed to be duly nominated unless such declaration is made on the nomination papers.
- (5) All nomination papers which are not received before 3:00 P.M. on the last date fixed by the State Government for the filing of nomination of candidates, shall not be entertained.
- (6) Any candidate may withdraw his candidature by notice in writing subscribed by him and delivered by him either in person or by his proposer or seconder to the Returning Officer at any time before the Returning Officer has completed the preparation of the list of valid nomination under sub-rule (4) of Rule 11. A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to be re-nominated as a candidate for the same election.

Scrutiny of nominations:

- 11. (1) On the date fixed for the scrutiny of nominations, the candidates, their election agents, one proposer and one seconder of each candidate and one person duly authorized in writing by each candidate but no other person, may attend at such time and place as the Returning Officer may appoint; and the Returning Officer shall give them all reasonable facilities for examining the nomination papers of all candidates, which have been delivered within the time and in the manner laid down in Rule 10.
- (2) The Returning Officer shall then examine the nomination papers and shall decide all objections which may be made to any nomination on the following grounds:

- (a) that the candidate is not qualified to be elected to fill the seat under these Rules;
- (b) that the proposer and seconder is disqualified from subscribing a nomination paper under sub-rule (2) of Rule 10;
- (c) that there has been a substantial failure to comply with any of the provisions of Rule 10;
- (d) that the candidate or any proposer or seconder is not substantially identical with the person whose number or name appearing in the electoral roll is given in the nomination paper as the number or name of such candidate, proposer or seconder;
- (e) that the signature of the candidate or any proposer or seconder is not genuine;

Provided that the Returning Officer shall not reject/refuse any nomination paper on the ground of minor technical defect such as wrong spelling of a name, and shall accept any nomination paper in respect of which he is satisfied that the candidate is qualified to be chosen to fill the seat and has been proposed and seconded by persons who are qualified to do so.

- (3) (a) The Returning Officer shall endorse on each nomination paper his decision accepting or rejecting the same, and if the nomination paper is rejected, shall record in writing a brief statement of his reasons for such rejection.
- (b) The scrutiny shall be completed, if possible, on the date and time fixed for the nomination of candidate and if not possible, it may be adjourned to the next working day.
- (4) On completion of the scrutiny of nomination papers, the Returning Officer shall forthwith examine the symbols chosen by the candidates and in case of any dispute, his decision shall be final. Each candidate or his election agent shall be informed the symbol assigned to him and shall be given a specimen thereof. The Returning Officer shall prepare a list of valid nominations and symbols assigned to each candidate and shall cause such list to be affixed in some conspicuous place.

Deposit of nomination: 12. (1) At the time of delivery of nomination paper under sub-rule (4) of Rule 10, each candidate shall deposit a sum of Rs 2,500/- (Rupees Two Thousand Five Hundred only/-) in cash to the Returning Officer and no candidate shall be deemed to be duly nominated unless such deposit has been made, and the Returning Officer shall issue a proper receipt in duplicate of such deposit.

- (2) If a candidate withdraws his candidature or if the nomination of any such candidate is refused, the deposit should be returned to the candidate, and if any candidate dies before the commencement of the poll, any such deposit shall be returned to his legal representative.
- (3) If in a constituency, a candidate by whom or on whose behalf the deposit has been made is not declared elected and the number of votes polled by him does not exceed one-sixth of the total number of valid votes polled, the deposit shall be forfeited to the State Government.
- (4) The deposit made by a candidate who is not elected, shall, if it is not forfeited under sub-rule (3), be returned to the candidate after the publication of the result of the election in the Official Gazette, and the deposit made by a candidate who is elected shall be so returned to the candidate after the publication of the result of the election in the Official Gazette.

*Death of candidate
before poll:*

13. If a candidate duly nominated under these Rules dies after the date of scrutiny of nominations and before the commencement of poll, the Returning Officer shall, on being satisfied of the fact of such death, countermand the poll in the constituency concerned and report the fact to the State Government, and all proceedings with reference to the election in that constituency shall be commenced afresh in all respects as if for a new election;

Provided that no fresh nomination shall be necessary in the case of a candidate whose nomination had been valid at the time of the countermanding of the poll.

Effect of nominations:

14. (1) If the number of candidates who have been duly nominated and who have not withdrawn their candidature exceeds that of the seats to be filled, the Returning Officer shall forthwith publish in the Official Gazette, in such manner and in such places in the constituencies as he may consider necessary, the names of the candidates as given in the nomination papers in alphabetical order and the symbols assigned to each candidate, and a poll shall be taken in the manner provided hereinafter.
- (2) If the number of such candidates is equal to the number of seats to be filled, the Returning Officer shall declare all such candidates, to be elected to fill as many of those seats and the poll shall be conducted in the remaining constituency or constituencies in accordance with the notification issued under Rule 12, to elect a person or persons to fill the remaining seat or seats.

- (4) In emergencies such as disturbance of public peace or the occurrences of any natural calamity, the Presiding Officer may, with the approval of the Returning Officer, close the poll and announce the adjournment or postponement of the poll to a subsequent day. The Returning Officer shall immediately report the circumstances to the State Government for approval.

*Arrangement for
secrecy of voting:*

21. (1) The Returning Officer shall provide each polling station with necessary ballot boxes, copies of the relevant part of the electoral roll, ballot papers and instruments for stamping the official mark on ballot papers by the electors.
- (2) There shall be no symbol pasted on the ballot box. Every ballot box used at a polling station shall bear labels, both inside and outside, marked with:
- (a) serial number, if any, and name of the constituency;
 - (b) serial number and name of the polling station;
 - (c) serial number of the ballot box (to be filled in at the end of the poll on the label outside the ballot box only); and
 - (d) date of the poll.
- (3) Before the commencement of the poll, the Presiding Officer shall display at a conspicuous place outside and inside each polling station, the list of candidates in English or local language along with the symbol assigned to each of them which has been issued by the Returning Officer.

*Preparation of the ballot
boxes before the
commencement of poll:*

22. Every ballot box shall be so constructed that the ballot papers can be inserted therein, but cannot be withdrawn therefrom, without the box being unlocked. The Presiding Officer at any Polling Station, immediately before the commencement of the poll, shall show to all polling agents and other such persons as may be present at such station that the ballot box is empty, and he shall then lock it up, and place his seal upon it in such manner as to prevent it from being opened without breaking such seal.

*Procedure before
recording of votes:*

23. (1) Every elector, on entering the Polling Station, shall approach the First Polling Officer who shall be in charge of that portion of electoral roll in which the elector's name appears. The First Polling Officer shall ascertain the elector's name and such other particulars as appear on the roll, and having checked those with the roll, call out the number, name and particulars of the elector as printed. He shall then place against the number of the elector in the roll a short horizontal line to denote that the elector has received the ballot paper or papers to which he or she is entitled. No other mark shall be made on the roll.

- (2) If an elector's name or any particulars given in the roll is found to be incorrect owing to a misprint or clerical error, the Presiding Officer may interpret the entry in the roll so as to overlook any such clerical or printing error but shall record his reason in writing for doing so in each case.
- (3) On the elector's name being called out, the Second Polling Officer who shall be in charge of ballot papers shall ensure that distinguishing mark bearing the serial number, if any, of the constituency and the serial number of the Polling Station, is stamped on the top right hand side corner just opposite to the serial number printed on the back of the ballot paper (i.e. that side of it which does not contain the names of the candidates). The Second Polling Officer shall then fold the ballot paper first in the middle vertically, so that the name or names of the candidates are covered up within the fold. He shall fold the ballot paper a second time horizontally. Then he shall unfold the ballot paper and hand it over to the elector together with the instrument for marking the ballot paper, and he shall thoroughly instruct the elector to fold the ballot paper in the same manner as done by him and to stamp only once on the symbol of the candidate for whom he wishes to vote. The Second Polling Officer shall also mark the left forefinger nail of the elector.

Persons to be present at the Polling Station to assist the Polling Officers in identifying electors:

- 24.** At every Polling Station, arrangements shall be made for a suitable village authority such as Village Council President or a Government Official to be present so that when the electors of such village appear to record their votes, such officers shall sit in close proximity to the Polling Officer in charge of the electoral roll and shall assist him in identifying the elector calling his attention to any case of impersonation or misrepresentation and the matter shall at once be referred to the Presiding Officer.

Manner of voting:

- 25.** (1) Voting shall be done in person and not by proxy.
(2) An elector shall, on receiving the ballot paper and the marking instrument, go inside the voting compartment and record his or her vote by stamping the marking instrument on the symbol or within the column of the candidate's name for whom he wishes to vote. He shall then fold it in the same manner as it was indicated by the Second Polling Officer at the time of issue of the ballot paper and come out of the voting compartment with the folded ballot paper and the instrument. He shall then insert the ballot paper into the ballot box and hand over the instrument to the Second Polling Officer.

*Recording of votes
by blind or infirm electors:* 26.

If the Presiding Officer is satisfied that owing to blindness or other physical infirmities, an elector is unable to recognise the symbol on the ballot box without assistance, the Presiding Officer shall permit the elector to take with him a companion of not less than eighteen years of age to the voting compartment for recording the vote on his behalf and in accordance with his wishes;

Provided that no person shall be permitted to act as companion of more than one elector at any polling station on the same day.

Provided further that before any person is permitted to act as the companion of an elector on any day under this rule, the person shall be required to declare that he will keep secret the vote recorded by him on behalf of the elector and that he has not already acted as the companion of any other elector at any polling station on that day.

The Presiding Officer shall keep a record of the full names of electors, their respective companions, full address of each companion and the signature of each companion in a separate form devised by the Returning Officer.

*Ballot paper when
invalid:* 27.

Any ballot paper on which any mark has been made by which the elector may be identified, shall be invalid.

Form of ballot paper: 28.

Every ballot paper shall be in such form and printed in such language or languages as the Returning Officer may direct. The ballot papers shall be serially numbered, the serial number being printed on the foil and counterfoil.

Tendered votes: 29.

If a person representing himself to be a particular elector registered in the electoral roll applies for the ballot paper after another person has voted as such elector, the applicant shall after duly answering such question as the Presiding Officer may ask, be entitled to cast a ballot paper in the same manner as any other elector. Such ballot paper (hereinafter referred to as a tendered ballot paper), instead of being put into the ballot box, shall be given to the Presiding Officer and endorsed by him with the name of the elector, constituency and his number on the electoral roll, and shall be set apart in a separate packet and shall not be counted by the Returning Officer. The name of such elector and his number in the electoral roll and the name and distinctive number of the Polling Station to which the roll relates, shall be entered in a list in the form at Appendix - II, which shall bear the heading 'TENDERED VOTES' LIST'.

The person tendering such ballot paper shall sign his or her name and address thereon or affix his or her thumb impression against the relevant entry in the list. The tendered ballot paper shall be in the form in Appendix – III.

Challenged votes:

- 30.** (1) If any candidate, election agent or polling agent declares and undertakes to prove that any person by applying for a ballot paper has committed the offence of false impersonation, the Presiding Officer shall require such person to enter in the list of 'Challenged Votes', which shall be in the form in Appendix – IV, his name and address, or if he is unable to write, to affix his thumb impression thereto, and may further require such person to produce evidence of identification;

Provided that no action shall be taken by the Presiding Officer under this Rule unless a sum of Rs 50/- (Rupees fifty only) has been deposited in cash to the Presiding Officer by the candidate or such agent for each challenge he or she makes.

- (2) If the person so challenged refuses to comply with such requisition, he shall not be allowed to vote, but if he does comply, and on being questioned whether he is the person enrolled in the electoral roll in force and whether he has already voted at the present election in this constituency, answers the former question in the affirmative and the latter in the negative, he shall be allowed to vote after he has been warned of the penalty for impersonation.
- (3) If the Presiding Officer, after such inquiry on the spot as he thinks necessary, is of opinion that the challenge made by the candidate or his agent under sub-rule (1) is frivolous and has not been made in good faith, he shall direct the deposit made under the proviso to sub-rule (1) to be forfeited to the Government and his order in this respect shall be final.
- (4) If the deposit made under the proviso to sub-rule (1) is not forfeited under sub-rule (3), it shall be refunded to the person by whom it was made, after the close of poll on the same day.
- (5) The Presiding Officer shall in every case, whether or not the person challenged is allowed to vote, make a note of the circumstances in the list of challenged votes.

Supply of duplicate ballot paper:

- 31.** An elector who has inadvertently dealt with his ballot paper in such a manner that it cannot conveniently be used as a ballot paper may, on delivering it to the Presiding Officer and satisfying him of the inadvertence, obtain another ballot paper in place of the spoiled paper and the latter shall, together with its counterfoil be marked as cancelled.

*Provision for voting
by persons on duty:*

- 32.** A government servant on election duty who, being entitled to vote in a constituency, is duly appointed or authorized for duty at a Polling Station at which he is not ordinarily entitled to vote, may apply to the Returning Officer for a postal ballot paper in the form as in Appendix V at least seven days before the date of poll, and the Returning Officer shall, if satisfied, that the application is in order, issue a postal ballot paper to him within 48 hours after the last hour of the withdrawal of candidature. The postal ballot paper shall be printed and dispatched by the Returning Officer along the lines provided under Part III the Conduct of Elections Rules, 1961 as adapted for the purpose of these Rules.

*Method of voting by
post:*

- 33. (1)** A person in possession of a postal ballot paper may return the marked postal ballot paper by post or drop it in sealed covers (mentioned in Rule 32) in a special box with secure locks placed in the office of the Returning Officer from the date of issue/dispatch of the postal ballot papers till the date prior to the date fixed for the counting of votes.
- (2)** The Returning Officer alone shall be responsible for the safe custody of the postal ballot papers received by him through either of the methods mentioned in sub-rule (1).

*Delivery of ballot boxes
etc. to the Returning
Officer after the close
of the poll:*

- 34.** The Presiding Officer of each Polling Station, as soon as practicable after the close of the poll, shall, in the presence of the candidates or their polling agents, close the slit of the ballot box with a paper seal issued by the Returning Officer. The Presiding Officer shall affix his signature and seal on the paper seal and also allow any polling agent present to affix his seal. The ballot box shall thereafter be sealed and secured. The Presiding Officer shall then make into separate packets, and seal with his own seal and the seals of the candidates or their agents who may desire to affix their seals, the following, namely:
- (1)** the marked copy of the electoral roll;
 - (2)** the tendered ballot papers;
 - (3)** the tendered votes list;
 - (4)** the unused ballot papers;
 - (5)** the counterfoils of the used ballot papers;
 - (6)** the spoilt ballot papers; and
 - (7)** the list of challenged votes and shall deliver such packets or cause them to be delivered to the Returning Officer.

Statement by Presiding Officer after close of the Poll: **35.**

The packets as prepared under Rule 34 shall be accompanied with a statement in the form given in Appendix – VI by the Presiding Officer showing the number of ballot papers entrusted to him and accounting for them under the heads of ballot papers received, issued, unused, spoilt and tendered ballot papers issued.

Appointment of time, place and date for counting of votes: **36.**

- (1) The State Government shall appoint a time and place for the counting of votes, and the Returning Officer shall give notice thereof in writing to all candidates and their election agents.
- (2) If, at the time appointed, all the ballot boxes have not been received by the Returning Officer or due to any unavoidable cause he is unable to proceed with the counting of votes, he shall, with the previous approval of the State Government, postpone the counting to some other date and time as may be appointed by the State Government. The Returning Officer shall give notice thereof in writing to all candidates and their election agents.

Persons who may be present at the counting of votes: **37.**

No person shall be allowed to be present at the counting of votes except the Returning Officer with such other persons as he may appoint to assist him in counting the votes, the candidate's election agents and counting agents, as may be required, authorized in writing by the candidates who shall have the right to be present at the time of counting.

Procedure to be followed at the counting of votes: **38.**

- On the date and time appointed under Rule 36, the Returning Officer shall, before he commences to count the votes, proceed as follows:
- (1) The procedure for counting of votes shall be the same as normally followed in the counting of votes in the election to the Legislative Assembly.
 - (2) If an equality of votes is found to exist between any two candidates, and the addition of one vote will entitle any of such candidates to be declared elected, the Returning Officer shall decide by drawing lots.
 - (3) The Returning Officer shall declare the candidate to whom the largest number of valid votes has been given, to be elected and grant to such candidate a certificate of election in the Form at Appendix – VII. An acknowledgement receipt shall be offered for sending the same to the Secretary to the Government.

Report of result of election to the State Government: **39.**

The Returning Officer shall, without delay, report the result of every election in a constituency to the Secretary to the Government and to such other officers as the Government may direct, in an

Election Index Card as in Appendix VIII. Copies of the report by the Returning Officer may be obtained from him on payment of a fee of Rs. 10/- (Rupees ten) only.

Verification of statement by the Presiding Officer: 40.

The Returning Officer **shall not** immediately open sealed packets of tendered votes, marked copy of the Electoral roll or counterfoil of the ballot papers. He shall first verify the statements submitted by the Presiding Officer under Rule 35, and then only, after being satisfied, shall open or cause to open the sealed packets of tendered votes etc.

Publication of result in the Official Gazette: 41.

The name or names of the candidates elected shall be published in the Official Gazette under the signature of the Returning Officer.

Election agent: 42.

As provided in these Rules, any person nominated as a candidate at an election, shall appoint **one** person, who is not disqualified for such appointment, to be his election agent.

Revocation of appointment of election agent: 43.

- (1) The appointment of an election agent, shall be revoked only in writing signed by the candidate and lodged with the Returning Officer and shall operate from the date on which it is so lodged;
- (2) In the event of such revocation or of the death of any election agent, whether it occurs before or during election, or after the election but before a return of the candidate's election expense has been lodged in accordance with the provisions of Rule 45, the candidate shall appoint forthwith some other person to be his election agent, and shall give notice in writing of the appointment to the Returning Officer.

Account of Election Expenses: 44.

Every candidate or his agent shall keep an account of all expenses incurred in connection with his or her election.

Return of election expenses: 45.

- (1) Within sixty days from the date of declaration of the result of an election under Rule 38(3), there shall be lodged, with the Returning Officer in respect of each person who has been nominated as a candidate for the election, a return of the election expenses of that person, duly signed by him or his election agent.
- (2) The return of election expenses shall be in the form given in Appendix - IX and shall contain such particulars as prescribed therein. Every such return shall be accompanied by an affidavit from the candidate.

- (3) Every such return shall also bear non-judicial stamp of Rs. 5/- (Rupees five only) without which the Returning Officer shall not accept the return.
- (4) The Returning Officer shall report to the State Government in the form given in Appendix – X within fifteen days from the date on which the return of election expenses of candidates ought to have been lodged with him, whether or not the candidates and their election agents have complied with the requirements of the Rule.

Inspection and copy of return of election expenses:

- 46.** When any Return of Election Expenses and declaration made in respect thereof has been lodged with the Returning Officer, he shall, as soon as possible, cause notice of the date on which the return and the declaration in question have been lodged and of the time and place at which they can be inspected, to be pasted in some conspicuous place in his office and to be published in the Official Gazette; and any person shall, on payment of a fee of Rs 5/- (Rupees five only), be entitled to inspect any such return and declaration and, on payment of a fee of Rs 50/- (Rupees fifty only) to obtain a copy thereof.

Maintenance of record regarding such return of election expenses:

- 47.** The State Government shall cause to be prepared in the manner, and maintained for such time, as it may direct, a record showing the names of all election agents of each candidate and the date on which the return of the election expenses of each candidate has been lodged with the Returning Officer.

Limit of election expenses:

- 48.** The maximum scale of election expenses (including the personal expenses of a candidate) which may be incurred by a candidate for any election in a constituency of the Council shall be Rs. 50,000/- (Rupees Fifty Thousand) only.

CHAPTER – III ELECTIONS: DOUBTS AND DISPUTES

Presentation of election petition:

- 49.** An election petition against any returned candidate may be presented to the State Government:
- (1) by any candidate or elector on any of the grounds specified in sub-rule (2), within sixty days from the date on which the result of the election is published in the Official Gazette;
 - (2) The petitioner may, if he so desires, in addition to calling in question the election of a returned candidate, claim a declaration

that he himself has been duly elected, but such declaration shall only be claimed on one or other of the following grounds:

- (a) that in fact the petitioner received a majority of the valid votes; or
 - (b) that but for the votes obtained by the returned candidate by corrupt or illegal practices, the petitioner would have obtained a majority of the valid votes;
 - (c) that the returned candidate was disqualified for being elected as such member.
- (3) An election petition shall be deemed to have been presented to the State Government when it is delivered to the Secretary to the Government:
- (a) by the person making the petition; or
 - (b) by the person authorized in writing in this behalf by the person making the petition; or
 - (c) by registered post.

Contents of the election Petition: **50.**

- (1) Every such petition shall contain a statement of material facts on which the petitioner relies and shall be signed by the petitioner.
- (2) Every such petition shall be accompanied by a list signed by the petitioner setting forth full particulars of any corrupt or illegal practice which the petitioner has alleged, including as full a statement as possible, of the names and address of the parties alleged to have committed corrupt or illegal practice and the date and place of the commission of each of such practice(s).

Deposit of security: **51.**

- (1) At the time of the presentation of the election petition, the petitioner shall enclosed with the petition, copy of the State Government treasury challan original laying/duly pledged to the Secretary to the Government of Mizoram/Returning Officer showing that deposit of Rs. 1000/- (Rupees One Thousand only) has been made as initial security deposit towards the cost of the petition. The security so deposited by a petitioner may be used either for paying of costs awarded to any respondent by the Commissioner (appointed by the State Government under Rule 53) at the conclusion of the trial, or, for meeting the expenses on witnesses summoned by the Commissioner on behalf of the petitioner.
- (2) If, during the course of the trial of the petition, the Commissioner considers that the security deposit of Rs. 1000/- (Rupees One Thousand only) made by the petitioner is not adequate or has already been exhausted, the Commissioner may, at any time,

call upon the petitioner to give such further security for costs as he/she may deem appropriate.

- (3) Costs to be awarded shall be determined by the Commissioner. But where an election petition is dismissed, the returned candidate shall be entitled to the costs incurred by him in contesting the petition and, accordingly, the State Government shall make an order for costs in his favour.
- (4) Any person in whose favour any costs have been awarded can apply to the State Government for payment of such costs to him, from out of the security deposit made by the petitioner. Such application should be made to the State Government within one year from the date of publication of the orders of the State Government in the official gazette, failing which the security deposit shall be refunded to the depositor, or to his legal representative in the case of his death.

Dismissal of petition: **52.** If the provisions of Rules 49, 50 and 51 are not complied with, the State Government shall summarily reject and dismiss the petition.

Appointment of Commissioner: **53.** (1) If an election petition is not dismissed under Rule 52, the State Government shall appoint a Commissioner for hearing and disposing of the petition, who shall be the District Magistrate, Aizawl District concerned.

(2) When in respect of an election in a constituency, more than one petitions are presented, the Commissioner may, at his discretion, inquire into the petitions either separately or jointly as he may think fit.

Inquiry & Hearing by Commissioner: **54.** (1) The Commissioner shall fix the date, time and place of hearing and shall cause a notice thereof to be served to the petitioner and to each respondent.

(2) As regards the procedure for hearing the petition, the Commissioner shall be guided by the spirit, not by the letter, of the Code of Civil Procedure, 1908 as amended from time to time.

(3) District Magistrate or any other suitable to be appointed as Commissioner(of Inquiry).

Withdrawal of petitions: **55.** (1) An election petition may be withdrawn only with the permission of the Commissioner by filing an application for withdrawal by the petitioner himself under his verification and signature.

(2) Where an application for withdrawal is made to the Commissioner, notices thereof fixing a date for hearing of the application shall be given to all the parties to the petition.

- (3) No application for withdrawal shall be allowed if in the opinion of the Commissioner, such application has been induced by any bargain or ulterior consideration on the part of the petitioner.
- (4) If the petition for withdrawal is allowed:
 - (a) the petitioner shall be ordered to pay the costs incurred by the respondent or such portion thereof as the Commissioner may direct;
 - (b) any person who might himself have been a petitioner, may, within fourteen days of the grant of such withdrawal, apply to be substituted as petitioner, in place of the party withdrawing, and upon the compliance of the conditions of Rule 51 as to security, shall be entitled to be so substituted and to continue the proceedings upon such terms as the Commissioner may direct.
- (5) When an application for withdrawal is granted by the Commissioner and no person has been substituted as petitioner in place of the party withdrawing under clause (b) of sub-rule (4), the Commissioner shall report the facts to the State Government.

Recrimination when seat claimed:

56. (1) When, in an election petition, a declaration that any candidate other than the returned candidate has been duly elected is claimed, the returned candidate or any other party may give evidence to prove that the election of such candidate would have been void if he had been the returned candidate and a petition had been presented calling in question his election;

Provided that the returned candidate or such other party as aforesaid shall not be entitled to give such evidence unless he has, within fourteen days from the date of commencement of the trial, given notice to the Commissioner of his intention to do so and make the deposit under Rule 51.

- (2) Every notice referred to in sub-rule(1) shall be accompanied by the statement and particulars required under Rule 50 in the case of an election petition and shall be signed and verified in the like manner.

Grounds for declaring an election to be void:

57. (1) Subject to the provisions of sub-rule (2), if the Commissioner is of the opinion that :
- (a) on the date of his election, a returned candidate was not qualified, or was disqualified, to be chosen to fill the seat under these rules; or
 - (b) any corrupt or illegal practice has been committed by a returned candidate or his election agent or by any other

person with the consent of a returned candidate or his election agent; or

- (c) that any nomination has been improperly rejected;
 - (d) that the result of the election, in so far as it concerns a returned candidate, has been materially affected by the improper acceptance of any nomination, or by any corrupt practice committed in the interest of the returned candidate, or by the improper reception, refusal or rejection of any vote or the reception of any vote which is void, or by any non-compliance with the provisions of these Rules the Commissioner shall may the election of the returned candidate to be void.
- (2) If, in the opinion of the Commissioner, a returned candidate has been guilty by an agent other than the election agent, of any corrupt or illegal practice but the Commissioner is satisfied;
- (a) that no such corrupt or illegal practice was committed at the election by the candidate or his election agent, and every such corrupt, or illegal practice mentioned in the report was committed contrary to the orders, and without the consent or connivance of the candidate or his election agent;
 - (b) that the candidate and his election agent took all reasonable means for preventing the commission of such corrupt or illegal practices at the election;
 - (c) that the corrupt or illegal practice mentioned in the reports were of a trivial and limited character or took the form of customary hospitality which did not materially affect the result of the election; and
 - (d) that in all other respects, the election was free from any corrupt or illegal practice on the part of the candidate or his agents, then the Commissioner may that the election of the returned candidate is not void.

Findings as to corrupt practices: **58.**

- Where any charge is made in an election petition of any corrupt or illegal practices, the Commissioner shall record in his report :
- (1) a finding as to whether a corrupt or illegal practice has or has not been proved to have been committed by any candidate or his agent, or with the connivance of any candidate or his agent, and the nature of such corrupt or illegal practice, and
 - (2) the names of the persons, if any, who have been found, upon inquiry, to have been guilty of any corrupt or illegal practices, with any such recommendations as the Commissioner may desire to make for exemption of any such persons from any disqualification, under these Rules;

Provided that no person shall be so named in the report unless he has been given a reasonable opportunity of showing cause as to why his name should not be so recorded.

*Report of the
Commissioner and
procedure thereon:*

59. (1) Upon the conclusion of the inquiry, the Commissioner shall report whether the returned candidate, or any other party to the petition, who has under the provisions of these Rules claimed the seat, has been duly elected, and in so reporting shall have regard to the provisions of Rule 57.
- (2) The report shall further include a recommendation by the Commissioner as to the total amount of costs which are payable and the persons by whom and to whom such costs should be paid.
- (3) The report shall be in writing and shall be signed by the Commissioner, who shall forthwith forward his report to the State Government. The State Government, on receipt of the report thereof, shall issue orders in accordance with the report and publish the report in the official Gazette and the orders of the State Government shall be final.

CHAPTER - IV MISCELLANEOUS MATTERS

*Requisitioning of
premises, vehicles etc.
for election purposes:*

60. The provisions of sections 160, 161, 162, 163, 164, 165, 166 and 167 of the Representation of the People Act, 1951 (No. 43 of 1951) and of Rules 98 and 99 of the Conduct of Elections Rules, 1961 shall apply mutatis mutandis in respect of elections to the Council.

Provided that if the circumstances so demand, the State Government may apply other sections and rules of the said Act and Rules, on the recommendation of the Returning Officer.

*Disposal of election
papers:*

61. Subject to any direction to the contrary given by the State Government -
- (a) the packets of unused ballot papers shall be retained for a period of six months and shall thereafter be destroyed in such manner as the State Government may direct;
- (b) the other packets referred to in Rule 34 shall be retained for a period of one year and shall thereafter be destroyed in such manner as the State Government may direct;

Provided that packets containing the counterfoils of used ballot papers shall not be destroyed except with the previous approval of the State Government.

(c) all other papers relating to the election shall be retained for such period as the State Government may direct.

- Secrecy of voting:* **62.** The provisions of sections 94 and 128 of the Representation of the People Act, 1951 (No. 43 of 1951) read with Rule 54 of the Conduct of Elections Rules, 1961 shall apply mutatis mutandis in respect of elections to the Council.
- Corrupt Practices:* **63.** The provisions of section 123 of the Representation of the People Act, 1951 (No. 43 of 1951) shall apply mutatis mutandis in respect of elections to the Council.
- Electoral Offences:* **64.** The provisions of sections 125, 126, 127 and 127A of the Representation of the People Act, 1951 (No. 43 of 1951), as adapted for the purpose of these Rules, shall apply in respect of elections to the Council.
- Electronic Voting Machine:* **65.** The State Government may issue an order the use of Electronic Voting machine if it is consider necessary in which case the procedure for use of Electronic Voting Machine shall be notified by the State Government.

**CHAPTER – V
GENERAL
RESIDUARY MATTERS**

- Jurisdiction of Civil courts barred:* **66.** No Civil court shall have jurisdiction to question the legality of any action taken or of any decision given by the Returning Officer or by any other person appointed under these Rules, in connection with an election.
- Actions or proceedings made under the Memorandum of Settlement :* **67.** Any action taken or proceedings made under the Memorandum of Settlement signed between the State Government and the Hmar People's Convention on 27th July, 1994 shall be deemed to have been taken or made under these Rules.
- Residuary matters :* **68.** Any reference to any provision including qualification of members of the council etc. not specifically contained in these rules shall be construed as a reference to the relevant or corresponding provision contained in the Sinlung Hills Development Council (Constitution and Conduct of Business) Rules, 2008.

APPENDIX – I
[See Rule 10(3)]
NOMINATION PAPER

1. Name of constituency for which the candidate is nominated:
2. Name of candidate and postal address:
3. Father's or husband's name:
4. Age:
5. Name of the constituency on the electoral roll of which the name of the candidate is included, and the part number of such electoral roll:
6. Serial number of the candidate in the electoral roll of the constituency in which his name is included:
7. Name of proposer:
8. Serial number of the proposer in the electoral roll of the constituency:
9. Name of the seconder:
10. Serial number of the seconder in the electoral roll of the constituency:
11. Signature of the proposer:

DECLARATION BY PROPOSER

I, Pi/Pu as above named, propose to nominate Pi/Pu as above described, as a candidate for election to the Sinlung Hills Development Council from constituency. His/her particulars and address as given above are true to the best of my information and knowledge. He/she does not have any disqualification under the Rules.

Place.....
Date.....

(Signature of the proposer)

DECLARATION BY SECONDER

I, Pi/Pu as above named, second the nomination of Pi/Pu as proposed above.

My name is entered at serial numberin Part number of the electoral roll for the constituency.

Place.....
Date.....

(Signature of the proposer)

DECLARATION BY CANDIDATE

- I. Character/Antecedent of the Candidate**
- II. Declaration of Assets Property(Moveable & immoveable properties, Bank Accounts etc.)**

I, Pi/Pu as above named, assent to this nomination and hereby declare:

- (a) that I was born on(date, month and year of birth);
- (b) that I am a candidate set up by theparty;
- (c) that the symbols I have chosen in order of preference are;
(1)..... (2)..... (3).....;
- (d) that I have appointed Pi/Pu (name) of (address) to be my election agent for the ensuing election. Neither my election agent nor myself have any disqualification under the Rules.

Place.....

Date.....

(Signature of the candidate)

CERTIFICATE OF DELIVERY

(To be filled in by the Returning Officer or other authorized person)

Serial No.....

This nomination paper was delivered to me at my office at (date and hour).

Date

Seal

Returning Officer

CERTIFICATE OF SCRUTINY

(To be filled in by the Returning Officer or other authorized person)

I have scrutinized the nomination paper in accordance with the Rules and found that they are respectfully qualified to stand for election, to propose and to second.

Date

Seal

Returning Officer

**APPENDIX – II
(See Rule 29)
TENDERED ELECTORS' LIST**

Name and number of Polling Station:

.....

Name of Constituency/name of elector /
member in electoral roll

.....
.....

*Signature or thumb impression
of elector and his/her address*

**APPENDIX – III
(See Rule 31)
FORM OF TENDERED BALLOT PAPER**

Polling Station No.
Constituency
Name of elector
Serial Number of elector in electoral roll
Name of candidate for whom the vote is tendered

Date

Signature of Presiding Officer

APPENDIX – IV
[See rule 30(1)]

LIST OF CHALLENGED VOTES

Part No. and Sl. No. in the electoral roll	Name & address of the elector challenged	Signature or thumb impression of the elector challenged	Signature & address of identifier, if any	Order of the Presiding Officer	Remarks

APPENDIX – V
(See Rule 32)

LETTER OF INTIMATION TO THE RETURNING OFFICER

To
The Returning Officer for _____ Constituency,

Sir,
I intend to cast my vote by post at the ensuing election to the Sinlung Hills Development Council from the _____ Constituency.

My name is entered at Sl. No. _____ in Part No. _____ of the electoral roll for _____ Constituency.

The ballot paper may be sent to me at the following address:-

Place _____
Date _____

Yours faithfully,

Signature
(NAME OF THE ELECTOR)

APPENDIX – VI
(See Rule 35)

BALLOT PAPER ACCOUNT

Sl. No	Particulars	Ordinary Ballot Paper	Tendered Ballot Paper
1.	No. of Ballot papers received by the Presiding Officer		
2.	No. of ballot papers issued		
3.	No. of unused ballot papers returned		
4.	No. of spoilt ballot papers		
5.	No. of tendered ballot papers issued	NA	

APPENDIX – VII
[See Rule 38 (3)]

CERTIFICATE OF ELECTION

I, Returning Officer for the
..... constituency hereby certify that I have on the
..... day of declared
Pi/Pu of to have been
duly elected by the said constituency to be a member of the Sinlung Hills Development Council
and that in token thereof, I have granted to him this certificate of election.

Place
Date

Signature of
Returning Officer
for the
Constituency

**APPENDIX – VIII
(See Rule 39)**

**ELECTION INDEX CARD
FOR ELECTION TO THE SINLUNG HILLS DEVELOPMENT COUNCIL ONLY**

District : Year :
No. & Name of Council Constituency

I.	CANDIDATES	MEN	WOMEN	TOTAL
1.	Nominated			
2.	Nominations Rejected			
3.	Withdrawn			
4.	Contested			
5.	Forfeited Deposits			
II.	ELECTORS	MEN	WOMEN	TOTAL
1.	General			
2.	Service			
3.	Total			
III.	VOTERS	MEN	WOMEN	TOTAL
1.	General			
2.	Postal			
3.	Total			
IV.	DETAILS OF VOTES			
1.	Rejected Votes (Postal)			
2.	Invalid Votes			
3.	Total Valid Votes polled			
4.	Tendered Votes			
V.	DETAILS OF POLL			
1.	Total Number of Polling Stations set up in the Constituency			
2.	Average Number of Electors assigned to a Polling Station			
3.	Date(s) of Poll			
4.	Date(s) of Re-poll			
5.	Number of Polling Stations where Re-poll was ordered			
6.	Date(s) of Counting			
7.	Date of Declaration of Result			

VI. DETAILS OF VOTES POLLED BY EACH CANDIDATE

Sl. No	Name of the Contesting Candidates (in Block Letters)	Sex (M/F)	Age (years)	Category (ST/SC)	Party Abbreviation	Valid Votes Polled		
						General	Postal	Total
1.								
2.								
3.								
4.								
5.								
6.								
7.								
8.								
9.								
10.								
TOTAL								

Note : Arrange serially contesting candidates in descending order of the votes polled.

Certified that the Election Index Card has been checked with Forms 2A or 2B, 3A, 20 and 21C or 21E and R.O's Report etc. and that there is no discrepancy. Further Certified that the Party affiliation has been verified from the declarations made by the candidates in the nomination papers first filled with a Notice in writing to that effect signed by authorized persons under paragraph 13 of the Election Symbol (Reservation and Allotment) Order, 1968.

Date	(Signature)
(Seal) Returning Officer	

APPENDIX – IX

[See Rule 45 (2)]

FORM NO. _____

RETURN OF ELECTION EXPENSES

Election to the Sinlung Hills Development Council

Name of candidate :

Name of constituency :

Date of poll :

Sl. No.	Date on which expenditure incurred	Particulars (all expenses on transportation, public meetings, printing of banners, posters and pamphlets, entertainment, etc.)	Amount	Name and address of payer	Particulars of Vouchers (copies be enclosed)	Remarks if any

Certified that the above statements are true to the best of my knowledge and belief.

(Signature of the candidate/election agent)

Place : _____

Date : _____

APPENDIX – X
[See Rule 48 (4)]
Report to the Secretary to the Government of Mizoram,
General Administration Department.
Lodging of Election Expenses Accounts.
Election to Sinlung Hills Development Council.

Serial Number and Name of Constituency _____

Date of declaration of result _____

Last date for lodging of accounts of Election Expenses _____

Name of elected candidate _____

Sl. No.	Name (Party affiliation of candidate) and address of contesting candidate.	Whether accounts have been lodged	Date of lodging of accounts	Whether lodged in time	Whether lodged in the manner required by law	If not, a brief statement of defect/lapses noticed	Total expenses incurred as per the accounts filed	Remarks

Place _____

Date _____

Returning Officer

ANNEXURE-XI
CHAPTER OF OATH OR AFFIRMATION
(ARTICLE 84(A) OF THE CONSTITUTION OF INDIA)
(To be made by a candidate for election to the Sinlung Hills Development Council)

I.....having been nominated as a candidate to fill a seat in the Sinlung Hills Development Council do

swear in the name of God
solemnly affirm

that I will bear true faith and allegiance to the Constitution of India as by law established and that I will uphold the sovereignty and integrity of India.

Signature and name in block letters
of the candidate

Sworn in the name of God/Solemnly affirmed by Mr/Ms
at(Place) at(hour) this the.....
day of200.....before me.

Signature & Seal
of Returning Officer

(CERTIFICATE FOR RECEIPT OF OATH)
(To be handed over to the candidate by the Returning Officer)

Certified that.....(name) a candidate for election to the Sinlung Hills Development Council has made and subscribed the oath/affirmation as required by the Constitution of India before me at my office at(hour) on.....(date)

Signature & Seal
of Returning Officer

Date.....