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### NOTIFICATION

**NO. B.14016/36/05 – LAD/VC, the 18th February, 2009.** In exercise of the powers conferred under Section 23 of the Lushai Hills District (Village Council) Act, 1953., the Governor of Mizoram is pleased to make the following Rules, further to amend the Mizoram (Election to Village Councils) Rules 1974 (hereinafter referred to as the Principal Rules), namely :-

**1. Short title, extend and commencement**

- 1) These Rules may be called the Mizoram (Election to Village Councils (Seventh Amendment) Rules, 2009.
- 2) They shall have like extent as the Principal Rules.
- 3) They shall come into force from the date of publication in the Official Gazette.

**2. Amendment of Rule 2.**

Clause (a) of the Principal Rules shall be deleted and the following shall be inserted:- “(a) ‘State Election Commissioner’ means State Election Commissioner appointed by Governor under Article 243 K of the Constitution of India”.

In clause (j) of Rule 2 of the Principal Rules the word ‘Registration Officer’ and ‘Assistant Registration Officer’ shall be substituted by the word, ‘Electoral Registration Officer and District Election Officer’ and ‘Assistant Electoral Registration Officer and Assistant District Election Officer.’ Further, the word ‘State Government’ shall be substituted by the word ‘State Election Commissioner’.

After clause (m) of Rules 2 of the Principal Rules the following shall be inserted :- “ (n) ‘State Government’ means Government of Mizoram”, “(o) ‘Election Tribunal’ means Election Tribunal appointed by the State Government”



3. ***Amendment of Rule 3*** Sub-Rule (2) of Rules 3 of the Principal Rules shall be substituted by the following :- ‘ The State Election Commissioner shall, by notification in the Official Gazette fix the number of Seats for each constituency to form a Village Council as per provision of Sub-Section (2) of Section 3 of the Lushai Hills District (Village Councils) Act 1953.
4. ***Amendment of Rule 4*** Sub-Rule (1) of Rule 4 of the Principal Rules shall be substituted by the following :-
- ‘The Election Commissioner shall appoint an Electoral Registration Officer and District Election Officer for each District for the Village Councils elections and may appoint one or more persons as Assistant Electoral Registration Officer and Assistant District Election Officer to assist the Electoral Registration Officer and District Election Officer’
- Sub-Rule (2) of Rule 4 of the Principal Rules shall be substituted by the following :-
- ‘Every Assistant Electoral Registration Officer and Assistant District Election Officer shall, subject to the control of the Electoral Registration Officer and District Election Officer, be competent to perform all or any of the function of the Electoral Registration Officer and District Election Officer’
- In Sub-Rule (3),(4) & (5) of Rule 4 of the Principal Rules the word ‘Registration Officer’ shall be substituted by the word ‘Electoral Registration Officer and District Election Officer’
5. ***Amendment of Rule 5*** In Rule 5 of the Principal Rules, the word ‘State Government’ shall be substituted by the word ‘State Election Commissioner’
6. ***Amendment of Rule 7*** Sub-Rule (2) of Rules 7 of the Principal Rules shall stand deleted.
7. ***Amendment of Rule 8*** In Rules 8 of the Principal Rules the word ‘State Government’ shall be substituted by the word ‘State Election Commissioner’
8. ***Amendment of Rule 9*** In clause (a) of Rule 9 of the Principal Rules the word ‘Registration Officer’ shall be substituted by the word ‘Electoral Registration Officer and District Election Officer’
9. ***Amendment of Rule 10*** In Rule 10 of the Principal Rules, the word ‘State Government’ shall be substituted by the word ‘State Election Commissioner’

10. *Amendment of Rule 16* In clause (b) of Rule 16 of the Principal Rules, the word 'State Government' shall be substituted by the word 'State Election Commissioner'
11. *Amendment of Rule 21* Rule 21 of the Principal Rules shall be substituted by the following :-  
  
'There shall be a single ballot box for each Village Council Constituency. Just before polling is started the empty ballot box or boxes shall be shown to the person present at the Polling Station. The ballot box or boxes will then be closed by pasting with an adhesive and wax sealing devices'
12. *Amendment of Rule 22* Rule 22 of the Principal Rules shall be substituted by the following :-  
  
'Each voter shall be given one ballot paper containing the name and symbol of all candidates at a polling station'
13. *Amendment of Rule 23* Rule 23 of the Principal Rules shall be substituted by the following :-  
  
'Each voters shall record his vote or votes by stamping arrow cross mark on particular symbol of candidate or candidates of his choice  
  
Provided that if for any reason, a voter does not want to use his ballot paper or papers, the voter concerned must return the same which shall be cancelled and marked 'refused' on the counterfoil'
14. *Amendment of Rule 33* In Rules 33 of the Principal Rules, the word 'State Government' shall be substituted by the word 'Election Tribunal'
15. *Amendment of Rules 35* Rule 35 of the Principal Rules shall be substituted by the following :-  
  
'The State Government shall constitute an Election Tribunal to hear and dispose of all election petitions. The Tribunal shall report its finding and decision to the State Election Commissioner, where upon the State Election Commissioner shall notify the decision of the Tribunal.

**Rohmingliana,**  
Secretary to the Government of Mizoram,  
Local Administration Department.