

ANNEXURE - IV**The Bombay Provincial Municipal Corporations
(Restoration of Voters) Rules, 1994**

WHEREAS the draft of the Bombay Provincial Municipal Corporations (Registration of Voters) Rules, 1994 was published as required by sub-section (2) of Section 456 read with sub-section (3) of Section 8 of the Bombay Provincial Municipal Corporations Act, 1949 (Bom. LIX of 1949) at pages 289-1 to 289-4 of Gujarat Government Gazette, Extraordinary, Part-I-A Central Section, dated the 5th August, 1994 under Government Notification Urban Development and Urban Housing Department No. KV-358-94-AMN-8094-335-P dated the 5th August, 1994 inviting objections and suggestions from all persons likely to be affected thereby within 30 days from the date of publication of the said Notification in the Official gazette;

AND WHEREAS, no objections and suggestions have been received by the Government on the said draft; NOW, THEREFORE, in exercise of the powers conferred by sub-section (2) of Section 456 read with sub-section (3) of Section 8 of the Bombay Provincial Municipal Corporations Act, 1949 (Bom. LIX of (1949), the Government of Gujarat hereby makes the following rules, nemely :-

- 1. Short Title:**
These Rules may be called the Bombay Provincial Municipal Corporations (Registration of Voters) Rules, 1994.
- 2. Definitions:**
(1) In these rules unless the context otherwise requires,—
(a) "the Act" means the Bombay Provincial Municipal Corporations Act, 1949 (Born. LIX of 1949);
(b) "electoral registration officer," means an officer appointed under rule 3 and includes an Assistant Electoral Registration Officer;
(c) "Form" means a form appended to these rules;
(d) "section" means a section of the Act.
- 3. Appointment of Electoral Registration Officer and Assistant Electoral Registration Officer:**
(1) For the preparation and revision of lists of voters of a municipal corporation. the State Election Commission shall appoint one or more officers as Electoral Registration Officer
(2) To assist the Electoral Registration Officer, the State Election Commission may appoint one or more officers as Assistant Electoral Registration Officers for the whole or any part of the municipal corporation.
(3) An Assistant Electoral Registration Officer, subject to such limitations as the Electoral Registration Officer may impose, shall discharge all or any of the functions and exercise all or any of the powers of the Electoral Registration Officer under these rules withing his jurisdiction.
- 4. Preparation and Publication of Draft Lists of Voters :**
The Electoral Registration Officer, upon being so directed by the State election Commission, shall prepare and publish a draft list of voters

for each ward of the municipal corporation in the following manner-

(1) The electoral roll of the Gujarat Legislative Assembly prepared and revised in accordance with the provisions of the Central Law for the time being in force shall be taken as the basis for the purpose of preparing the list of voters.

(2) Names of all the persons residing within the geographical limits of the ward and whose names are included in the electoral roll of the Gujarat Legislative Assembly shall be included in the draft list of voters of said ward.

(3) The Electoral Registration Officer shall publish the list prepared as aforesaid, by causing a copy thereof to be displayed for public inspection in a conspicuous place in the main office of the municipal corporation and at such other places as he may decide, and keep it so displayed for a period of fifteen days. Any person who requires a copy of the draft list of voters shall be supplied with the same at the same rate on which a copy of electoral roll or part of it of the Gujarat Legislative Assembly is being sold.

(4) The Electoral Registration Officer shall on the day on which the draft list is published give notice, by advertisement in any two local newspapers of the fact of publication, the places where the said list is displayed and the places at which and the rate at which copies of the said list may be obtained.

**Modifications to
Draft Lists of
Voters**

5. Modifications to Draft Lists of Voters :

If on application made to him in this behalf, or on his own motion, the Electoral Registration Officer is satisfied that the list of voters is at variance with the relevant part of the electoral roll of the Assembly on account of any mistake, he shall amend the same so as to bring it in conformity with the said electoral roll and for that purpose may amend, delete or add any entry in the draft list of voters.

**Claims for
inclusion in the
Draft List of
Voters**

6. Claims for inclusion in the Draft List of Voters :

(1) (a) Any person who may have become entitled to be registered in the electoral roll of the Assembly under the Central law and whose name has not been so included as on first day of the year in which draft lists of voters is published under Rule (4) of these rules, may make not later than fifteen days from the date of such publication of the draft list of voters, an application to the Electoral Registration Officer for inclusion of his name in the list of voters for the relevant ward.

(b) Every such claim shall be in Form A, duly signed by the person and countersigned by another person whose name is already included in the List of Voters for that ward.

(2) The Electoral Registration Officer if, after making such summary inquiry as he may consider necessary, is satisfied, that the applicant is entitled to be registered in the relevant part of the electoral roll of the Assembly under the Central Law, shall include the name of the applicant in the list of voters.

**Publication of
final List of voters**

7. Publication of final List of voters :

(1) The Electoral Registration Officer shall thereafter :

(a) prepare a List of amendments to carry out his decisions under rules 5 and 6 above and to correct any clerical or printing errors or other

inaccuracies subsequently discovered in the draft lists of voters:

(b) publish the Lists of Voters together with the lists of amendments and display the same for public inspection on the notice board of his office and shall on the day on which such final list is published give notice by advertisement in any two local news papers of the fact of publication and places where the said list is displaced.

(2) On such publication, the Lists of Voters, alongwith the lists of amendments shall be the final Lists of Voters for the municipal corporation and shall come into force immediately.

(3) The List of Voters for each ward shall be conclusive evidence for the purpose of determining whether any person enrolled in such a list shall be entitled to vote at the election from that ward.

(4) (a) Any person who requires printed copies of the final lists of voters shall be supplied with the same at the same rate at which a copy of election roll or part of it of the Gujarat Legislative Assembly is being sold.

(b) The Electoral Registration Officer shall supply, free of cost, two copies of the final Lists of Voters (as finally published along with the lists of amendments, if any) to every political party recognized for the purposes of the Representation of People Act, 1951, (43 of 1951).

(c) Electoral Registration Officer shall send a copy of the final lists of voters to the State Election Commission.

8. Repeal of corresponding Rules :

The Bombay Municipal Corporation (Registration of Electors) Rules, 1994 dated 16th March, are hereby repealed.

**Repeal of
corresponding
Rules**

FORM - A
(See Rule 6(1) (b))
Claim Application for inclusion of name

To
The Electoral Registration Officer

Sir,

I request that my name be included in the list of voters for Ward Number
Ward Name : of the city of

(1) My name in full is

(2) My Father's/Mother's/Husband's name is

(3) My place of residence is :

Municipal census No./Survey No./final plot No. of house

Street/MohallaWard Number :

Ward Name : Town.....

I hereby declare that to the best of my knowledge and belief-

(i) I am a citizen of India.

(ii) My age on the First day of January last was.....years
andmonths.

(iii) I am ordinarily resident at the address given above,

(iv) I have not applied for inclusion of my name in any other ward
roll;

(v) My name has not been included in any other List of Voters of the
municipal corporation: or my name has been included at Serial Number
..... of Part..... of List of Voters of ward Number

Ward Name of the municipal borough

and I request that the same may be excluded from that list.

Date :

Signature or thumb impression of claimant.

Place:

I am voter in the List of Voters of the ward in which the claimant applied
for inclusion and my name is enrolled at Serial No.....of the list of voters.

I support his claim and countersign it.

Signature of the Voter Name (in full)

INTIMATION OF THE ACTION TAKEN

The application in Form A of Shri/Smt/Kum.

addresshas been

(a) accepted and his/her name has been included in the list of voters

Vide Sr. No in the list of voters of ward.

(b) rejected for the reasons below :

Date : Electoral Registration Officer
(Address):

RECEIPT FOR APPLICATION

Received the application in Form-A from Shri/Smt./Kum
Address.....on.....at.....hours.....

Date : Electoral Registration Officer.
(Address).....

[Noti. No. KV-467-94-AMN-8094-335-P, dt. 28.10.94 - Guj. Gov. Gaz,
Exty., Pt. 1-A. dt. 28.10.94. pp. 387-1, 387-4.]

**The Bombay Provincial Municipal Corporations
(Registration of Voters) (Amendment) Rules, 1995**

**Words in rules 4(3) & 6(1) (a) of the Principal Rules, 1994 -
Substituted**

WHEREAS the Government of Gujarat is satisfied that there are sufficient reasons to take immediate action to amend the Bombay Provincial Municipal Corporations (Registration of Voters) Rules, 1994 and to dispense with the previous publication thereof under the proviso to sub-section (2) of Section 456 of the Bombay Provincial Municipal Corporation Act, 1949 (Bom. LIX of 1949);

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) of Section 456 read with sub-section (6) of Section 8 of the Bombay Provincial Municipal Corporations Act, 1949 (Born. LIX of 1949), the Government of Gujarat hereby makes the following rules further to amend the Bombay Provincial Municipal Corporations (Registration of Voters) Rules, 1994, namely :-

1. These rules may be called the Bombay Provincial Municipal Corporations (Registration of Voters) (Amendment) Rules, 1995.
2. In the Bombay Provincial Municipal Corporations (Registration of Voters) Rules, 1994 (hereinafter referred to as the "said rules"), in rule-4, in sub-rule (3), for the words "fifteen days", the words "twenty-two days" shall be substituted.
3. In the said rules, in Rule 6. in sub-rule (1), in clause (a), for the words "Fifteen days", the words "twenty-two days" shall be substituted.

[Noti. No. KV/4W5/AMN/8094/335/P, dt. 21-3-95 — Guj. Govt. Gaz.. Pt. I-A. No. 73. (it. 21-3-95. p. 73-1.)

ANNEXURE – V
The Bombay Provincial Municipal Corporations
(Reservation in the office of the Mayor) Rules, 1995

WHEREAS the draft of the Bombay Provincial Municipal Corporations (Reservation in the office of the Mayor) Rules, 1995 was published, as required by sub-section (2) of the Section 456 of the Bombay Provincial Municipal Corporations Act, 1949 (Born. LIX of 1949) at pages 110-1 to 110-3 of the Gujarat Government Gazette Extra Ordinary Part IA dated 18th May, 1995 under Government Notification. Urban Development and Urban Housing Department No. KV-65-95-AMN-8094-2688-P dated the 18th May, 1995, inviting objections and suggestions from all persons likely to be affected thereby within fifteen days from the date of publication of the said notification in the Official Gazette.

AND WHEREAS objections and suggestions which were so received by the Government on the said draft have been considered by the Government;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) of Section 456 read with sub-section (IA) of the Section 19 of the Bombay Provincial Municipal Corporations Act, 1949 (Born. LIX of 1949), the Government of Gujarat hereby makes the following rules, namely :-

- 1. Short title;**
 Short title
 These rules may be called the Bombay Provincial Municipal Corporations (Reservation in the office of the Mayor) Rules, 1995.
- 2. Reservation in favour of Scheduled Castes, Scheduled Tribes, backward classes and women:**
 Reservation in favour of SC, ST, BC & women
 The office of the Mayor of every Corporation shall be reserved in favour of Scheduled Castes, Scheduled Tribes, backward classes and women in accordance with the roster shown in SCHEDULE appended to these rules.
- 3. Reservation to continue for casual vacancies :**
 Reservation to continue for casual vacancies
 If any election is to be held for filling up a casual vacancy that has arisen in the office of the Mayor the reservation, if any, applicable for the election of the " previous Mayor (whose term has remain incompleted) shall continue to be applicable to such election.
- 4. Roster point when Corporation is reconstituted :**
 Roster point when Corporation is reconstituted
 Where a Corporation has been reconstituted either on the completion of the term of the previous Corporation or on account of its dissolution before the expiry of its term, then for the election of the mayor after such reconstitution , the roster point next to the point last used as the starting point.
- 5. Duration of Roster :**
 Duration of Roster
 The roster specified in the schedule appended to these rules shall remain in operation for a period of 10 years commencing from the election of the first Mayor of the respective corporation.

SCHEDULE

(see Rule 2)

Name of the Corporation

| Year | Ahmedabad | Bhavnagar | Jamnagar | Rajkot | Surat | Vadodra |
|----------------|------------------|------------------|-----------------|---------------|--------------|----------------|
| First | Woman | Sch. Caste | General | Woman | General | General |
| Second | General | General | Woman | General | Woman | Back. Cl. |
| Third | Sch. Caste | Woman | General | Back. Cl. | General | General |
| Fourth | General | General | Back. Cl. | General | Woman | Woman |
| Fifth | Woman | Woman | General | Woman | General | General |
| Sixth | General | General | Woman | General | General | Woman |
| Seventh | Woman | Back. Cl. | General | Sch. Caste | Woman | General |
| Eighth | General | General | Sch. Caste | General | General | Sch. Caste |
| Ninth | Back. Cl. | Woman | General | Woman | Back. Cl. | General |
| Tenth | General | General | Woman | General | General | Woman |

[Noti. No. KV-68 of 95-AMN-8094-2688-P, dt. 12-6-95- Guj. Govt. Gaz., Exty., Pt. IA, No. 121, dt. 12-6-95, p. 121.1,]

ANNEXURE – VI

The Bombay Municipal Corporations (Conduct of Election) (Amendment) Rules, 1995

WHEREAS the draft of the Bombay Provincial Municipal Corporations (Conduct of Election) (Amendment) Rules, 1995, was published as required by sub-section (2) of Section 14 of the Bombay Provincial Municipal Act, 1949 (Bom. LIX of 1949) at pages 127-1 to 127-3 of the Gujarat Government Gazette, Extra Ordinary Part I-A. dated 29th June, 1995 under Government Gazette, Extra Ordinary Part I-A. dated 29th June, 1995 under Government Notification, Urban. Development and Urban Housing Department No. KV-80-95-AMN-8094-1721-P, dated the 29th June, 1995 inviting objections and suggestions from all persons likely to be affected thereby within thirty days from the date of publication of the said Notification in the Official Gazette

AND WHEREAS no objections and suggestions have been received by the Government on the said draft notification.

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) of Section 456 read with sub-section (2) of Section 14 of the Bombay Provincial Municipal Corporations Act, 1949 (Born. LIX of 1949), the Government of Gujarat hereby makes the following rules, namely :-

1. These rules may be called the Bombay Provincial Municipal Corporations (Conduct of Election) (Amendment) Rules, 1995.
2. In the Bombay Provincial Municipal Corporations (Conduct of Election) Rules, 1994 (hereinafter referred to as the "said Rules"), in proviso of sub-rule (2) of the Rule 4 in place of words and figures "under rules 6 to II, 13, 15, 16, 18, 42, 50 to 53 and 58 to 69" the following words and figures shall be substituted :-
"under Rules 6, 8 to 10, 13, 15, 16, 18, 50 to 53 and 60 to 69."
3. In sub-rule (3) of Rule 5 after the words "shall be the" the words "second" shall be inserted.
4. In sub-rule (7) of Rule 7 after the words "delivered to him" the words, "and shall as soon as may be thereafter cause to be affixed in some conspicuous place in his office, a notice of nomination containing description similar to those contained in nomination paper, of the candidate, of the proposal and of the seconder shall be added."
5. In Rule 11 after the proviso the following words shall be added :-
"The returning officer shall on being satisfied as to the genuineness of notice of withdrawal and the identity of the person delivering, it cause the notice to be affixed in some conspicuous place in his office."
6. In sub-rule (4) of Rule 15, after the words "of the candidate" the words, "other than the candidate of a recognised political party" shall be inserted.
7. In sub-rule (3) of the Rule 17 the following words shall be added after the words "shall be forfeited" "and shall form part of municipal fund."
8. In sub-rule (1) of Rule 23 after the words "Returning Officer shall", the words "**with the previous approval of the City Election Officer and**" shall be inserted.

9. Rule No. 37 Voting by Company, Firm, Association. Hindu Undivided Family shall be deleted.

10. In sub-rule (5) of Rule 38 the words, "to Government" appearing after the words "be forfeited" shall be replaced by words "to municipal corporation."

11. (1) In Form No. 2.

(a) In para 1 for the words "an election" the words, "A Generally election" shall be substituted.

(b) In para 2 for the words "me at my office" the words "Returning Officer or to Assistant Returning Officer" shall be substituted.

(c) In para 4 of the words "my office" at hours on shall be substituted.

(d) In para 5 for the words "to me at my" the words, "to either of the officer specified in para 2 above at his" shall be substituted.

(2) In form No. 6 after the words "ward name seats by Election Commission....." shall be added.

(3) The existing Form No. 11 shall be substituted by the Revised Form No. 11.

(4) In Form No. 19, "The Words on right side affix a Passport Size Photograph" shall be added.

(5) In Form No. 21 for the words "Total number of electors" the words, "Total number of votes" shall be substituted.

FORM NO. II

(See Rule 29)

Form of Ballot Paper

Counterfoil

Municipal Corporation ofYear Ward No Serial No. of Ballot Paper Polling Station No Polling Station Name Serial Number of the Elector in Ward Roll Signature of T.I. of the Elector

Outerfoil

Sr. Number Name and Symbol of Candidate

| | |
|---------------------------------------------------------|------------------------------|
| Name of Municipality _____ | |
| Serial No. of Ballot Paper _____ Year of Election _____ | |
| Sr. Number | Name and Symbol of Candidate |
| Sr. Number | Name and Symbol of Candidate |
| Sr. Number | Name and Symbol of Candidate |
| Sr. Number | Name and Symbol of Candidate |
| Sr. Number | Name and Symbol of Candidate |
| Sr. Number | Name and Symbol of Candidate |
| Sr. Number | Name and Symbol of Candidate |

[Noti. No. KV-159-95-AMN-8094-1721-P, dt. 21-11-95— Guj. Govt. Gaz., Exty.. Pt. 1-A. No. 196, dt. 21-11-95, p. 196-1.]



ANNEXURE – VII

Bombay Provincial Municipal Corporations (the Delimitation of wards in the city and Allocation of Reserved Seats) Rules, 1994

WHEREAS, draft rules of Delimitation of wards and allocation of reserved seats (Municipal Corporations) were published as required by sub-section (2) of section 456 of the Bombay Provincial Municipal Corporations Act, 1949 (Bom. LIX of 1949) at pages 141-1 to 141-2 of the Gujarat Government Gazette, Part I-A Central Section dated the 4th December, 1993, under Government Notification, Urban Development and Urban Housing Department No. KV-261-93-AMN-8093-4164-P dated the 4th December, 1993 inviting objections and suggestions from all persons likely to be affected thereby till and January, 1994;

AND, WHEREAS, the objections and suggestions received by the Government on the said draft have been considered by the Government.

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) of section 456 read with Section 5 of the Bombay Provincial Municipal Corporations Act, 1949 (Bom. LIX of 1949), the Government of Gujarat hereby makes the following rules, namely:- ,

1. These rules may be called the Bombay Provincial Municipal Corporation (the Delimitation of wards in the city and Allocation of Reserved Seats) Rules, 1994.
2. The Wards shall be constituted in such a manner that the population in all the wards is, as far as practicable, equal, in particular, the population of a ward shall not vary by more than ten percent from the average wards population of the City :
Provided that the State Election Commission may in order to maintain homogeneity or geographical contiguity constitute a ward consisting of population marginally higher or lower, as the case may be, than the above limit,
Explanation : Average ward population of a city means the number arrived at by dividing the total population of the city by the number of wards determined under section 5 of the Bombay Provincial Municipal Corporations Act, 1949 (hereinafter referred to as "the said Act").
3. Besides maintaining geographical contiguity boundaries such as rivers, railway lines, roads, shall be adhered to, as far as possible, while delimiting the wards.
4. All wards shall be multi-member wards with three councillors to be elected from each ward
5. In each and every ward one seat shall be reserved for women (including seats to be reserved for women belonging to Scheduled Castes, Scheduled Tribes and Backward Classes) and one seat shall remain unreserved. The remaining third seat may be reserved, depending upon the requirement of reservation as notified by the State Government under Section 5 of the said Act.

6. Subject to the provisions of rules 5 and 7, —

(a) the State Election Commission may first allocate the seats reserved for Scheduled Castes and Scheduled Tribes to those wards with the highest percentage of population of Scheduled Castes Scheduled Tribes, as the case may be, in the descending order. Among the seats so allocated for Scheduled Castes and Scheduled Tribes, the State Election Commission may further specify the wards to which the seats reserved for women belonging to Scheduled Castes or Scheduled Tribes, as the case may be, have been allocated;

(b) the State Election Commission may allocate the seats reserved for Backward Classes among the wards according to formula that may be evolved by it. Among the seats so allocated for Backward Classes, the State Election Commission may further specify the wards to which the seats reserved for women belonging to the Backward Classes have been allocated'.

(c) after the seats are allocated as provided at (a) and (b) above, the State Election Commission shall allocate the seats reserved for women other than those belonging to Scheduled Castles, Scheduled Tribes and Backward Classes among the wards.

7. The seats reserved for Scheduled Castes, Scheduled Tribes, Backward Classes and women may be rotated among the wards from one general election to another.

8. The State Election Commission shall, before finalising the proposed delimitation of wards and allocation of seats reserved for Scheduled Castes, Scheduled Tribes, Backward Classes and women among those wards invite suggestions thereon from the general public and also consult the political parties recognised for the purposes of Representation of Peoples Act, 1951 (43 of 1951).

{Deptt. of Urban Development and Housing Not. No. KV-13-94-AMN-8093- 4164.P. dt. 13-1-94-Puh. in Guj. Govt. Gaz. Exty. Pt. 1-A dt. 13-1-94 P. 5-1]

ANNEXURE - VIII**Bombay Provincial Municipal Corporations
(Registration of Electors) Rules, 1994**

**[deleted by B.P.M.C (Restoration of voters) Rules, 1994 dt 28-10-94
this is reference for reader]**

WHEREAS the Government of Gujarat is satisfied that there are sufficient reasons which render it necessary to take immediate action to make rules to provide for registration of electors in Municipal Corporation and to dispense with the previous publication thereof under the proviso to sub-section (2) of section 456 of the Bombay Provincial Municipal Corporations Act, 1949 (Bom. LIX of 1949);

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) of section 456 read with sub-section (2) of section 14 of the Bombay Provincial Municipal Corporations Act, 1949 (Bom. LIX of 1949) the Government of Gujarat hereby makes the following rules namely :-

Short title**1. Short title:**

These Rules may be called the Bombay Provincial Municipal Corporation (Registration of Electors) Rules, 1994.

Definitions and Interpretation**2. Definitions and Interpretation :**

(1) in these rules unless the context otherwise requires—

(a) "Act" means the Bombay Provincial Municipal Corporations Act, 1949;

(b) "Electoral Registration Officer" means an officer appointed under rule 3 and includes an Assistant Electoral Registration Officer:

(c) "form" means a form appended to these rules;

(d) "municipal electoral roll" means the electoral roll of the City prepared in the manner provided for in these rules.

(e) "qualifying date" means the first day of January of the year for which the municipal electoral roll is being prepared.

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

(2) The Bombay General Clauses Act, 1904 (Born. I of 1904) shall apply for the interpretation of these rules.

Appointment of Electoral Registration Officers and Assistant Electoral Registration Officers**3. Appointment of Electoral Registration Officers and Assistant Electoral Registration Officers:**

(1) The State Election Commission shall for the preparation and revision of municipal electoral roll for the City, appoint one or more officers as Electoral Registration Officer.

(2) To assist the Electoral Registration Officer, the State Election Commission may appoint one or more officers as Assistant Electoral Registration Officer for the whole or any part of the City.

(3) An Assistant Electoral Registration Officer, subject to such limitations as the Electoral Registration Officer may impose shall discharge all or any of the functions and exercise all or any of the Electoral Registration Officer under these rules within the jurisdiction.

