

The
Bangladesh Gazette



Extraordinary
Published by Authority

SUNDAY, OCTOBER 23, 1983

GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH
MINISTRY OF LOCAL GOVERNMENT, RURAL DEVELOPMENT AND
CO-OPERATIVES

Local Government Division

Section-XI

NOTIFICATION

Dhaka, the 23rd October, 1983

No. S.R.O. 388-L/83/S-XI/3R.7/83/98.—In exercise of the powers conferred by section 155 of the Chittagong Municipal Corporation Ordinance, 1982 (Ord. XXXV of 1982), the Government is pleased to make the following rules, namely :—

THE CHITTAGONG MUNICIPAL CORPORATION (ELECTION OF
COMMISSIONERS) RULES, 1983

PART I

PRELIMINARY

1. **Short title.**—These rules may be called the Chittagong Municipal Corporation (Election of Commissioners) Rules, 1983.

2. **Definitions.**—In these rules, unless there is anything repugnant in the subject or context,—

- (a) "candidate" means a person who has been proposed as a candidate for election as a Commissioner;

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Price : Taka 2.25

- (b) "contesting candidate" means a candidate who has been validly nominated for election as a Commissioner and has not, on or before the withdrawal date, withdrawn his candidature;
- (c) "election" means election of a Commissioner of the Chittagong Municipal Corporation;
- (d) "election agent" means an election agent appointed by a candidate under rule 24;
- (e) "election petition" means an election petition made under rule 45;
- (f) "electoral roll" means an electoral roll prepared under the Electoral Rolls Ordinance, 1982 (Ord. No. LXI of 1982), and shall be deemed to be the electoral roll for a ward under section 21 of the Ordinance;
- (g) "Form" means a form set out in Schedule I and includes a translation thereof into Bengali;
- (h) "marking place" means a screened portion of the polling compartment with a small table reserved for marking the ballot papers by a voter without the view of others;
- (i) "nomination day" means the day appointed for the nomination of candidates;
- (j) "Ordinance" means the Chittagong Municipal Corporation Ordinance, 1982 (Ord. XXXV of 1982);
- (k) "polling agent" means a polling agent appointed by a candidate under rule 25;
- (l) "polling day" means the day on which poll is taken for an election;
- (m) "polling officer" means a polling officer appointed under rule 8 for a polling station;
- (n) "Presiding Officer" means a Presiding Officer appointed under rule 8 for a polling station and includes an Assistant Presiding Officer exercising the powers and performing the functions of the Presiding Officer;
- (o) "returned candidate" means a candidate who has been declared elected as a Commissioner;
- (p) "Returning Officer" means a Returning Officer appointed under rule 6 and includes an Assistant Returning Officer exercising the powers and performing the functions of the Returning Officer;
- (q) "Schedule" means a Schedule annexed to these rules;
- (r) "scrutiny day" means the day appointed for the scrutiny of nomination papers;
- (s) "Tribunal" means an Election Tribunal appointed under rule 47 for trial of election petitions;
- (t) "voter" means a person whose name for the time being appears on the electoral roll of the ward concerned;
- (u) "voters' list" means the electoral roll arranged for a ward under rule 5; and
- (v) "withdrawal day" means the day appointed under rule 19 on or before which candidature may be withdrawn.

3. **Election Commission.**—(1) For the purpose of conducting election of Commissioners of the Chittagong Municipal Corporation, the Election Commission shall, subject to the Ordinance, follow the procedure laid down in these rules.

(2) The Election Commission may require any person or authority to perform such function or render such assistance as it may direct.

(3) All executive authorities of the Government shall assist the Election Commission in the performance of its functions and, for this purpose, the Election Commission may issue such directions as it may consider necessary.

PART II

ELECTION

4. **Delimitation of wards.**—(1) Subject to the provisions under section 168 of the Ordinance, the city of Chittagong shall be divided into thirty-eight wards having regard to the territorial unity and, as far as practicable, to distribution of population and administrative convenience.

(2) For the purpose of delimitation of wards the delimitation officer, appointed by the Election Commission under section 19 of the Ordinance, shall make such enquiries and examine such records as may be deemed necessary and consider such representations as may be received by him, and shall publish at his office and at the office of the Corporation and such other place or places as he considers necessary a preliminary list of wards specifying the areas proposed to be included in each such ward together with a notice inviting objections or suggestions within fifteen days from the date of publication of the notice.

(3) The objection or suggestion, if any, received under sub-rule (2) shall be forwarded to such officer as may be appointed by the Election Commission in this behalf who, after making such enquiries as he considers necessary, shall give his decision within a period not exceeding fifteen days from the date of receipt of the objection or suggestion.

(4) The delimitation officer shall make such amendments, alterations or modifications in the preliminary list published under sub-rule (2) as may be required by any decision given under sub-rule (3) and may also make such other amendments, alterations or modifications in the said list as may be necessary for correcting any error or omission.

(5) After making amendments, alterations or modifications, if any, under sub-rule (4), the delimitation officer shall publish at his office and at the office of the Corporation and at such other place or places as he considers necessary the final list of wards specifying the areas included in such wards, and shall forward attested copies thereof to the Election Commission who shall publish the list of wards in the official Gazette.

5. **Arrangement of electoral roll.**—(1) The Subdivisional Election Officer shall, subject to the provisions of sub-rule (2), arrange or cause to be arranged the electoral roll of the areas comprised in a ward in such manner that there shall be separate electoral roll for each ward.

(2) The arrangement of electoral roll under sub-rule (1) shall be made in such manner that there shall be separate electoral roll for male and female voters in a ward.

6. Returning Officers.—(1) The Election Commission shall appoint a Returning Officer for the election of Commissioners of the Corporation.

(2) The Election Commission may appoint, from amongst the officers of the Government or of any local authority, as many Assistant Returning Officers as may be necessary to assist the Returning Officer in conducting elections.

(3) An Assistant Returning Officer shall assist the Returning Officer in the performance of his functions under these rules and may, subject to any conditions imposed by the Election Commission, exercise and perform, under the control of the Returning Officer, the powers and functions of the Returning Officer.

(4) It shall be the duty of a Returning Officer to do all such acts and things as may be necessary for conducting an election in accordance with the provisions of the Ordinance and these rules.

7. Polling station and polling compartments.—(1) The Returning Officer shall provide for one or more polling stations for each ward, and each polling station may contain as many polling compartments as may be necessary for voting by male and female voters separately.

(2) Each polling compartment may contain as many marking places as may be necessary.

(3) The Presiding Officer shall regulate the polling station in such a way that male and female voters are enabled to cast their votes separately.

(4) No polling station shall be located in any premises other than public places.

8. Presiding Officer and polling officers.—(1) The Returning Officer shall appoint for each polling station a Presiding Officer and such number of Assistant Presiding Officers and polling officers to assist the Presiding Officer as he may consider necessary :

Provided that a person who is, or has at any time been, employed by or on behalf of a candidate shall not be appointed either as a Presiding Officer or as a polling officer.

(2) The Presiding Officer shall conduct the poll in accordance with the provisions of the Ordinance and these rules, and shall be responsible for the maintenance of order at the polling station and shall report to the Returning Officer any fact or incident which may, in his opinion, affect the fairness of the poll; and it shall be the duty of the Assistant Presiding Officer and each polling officer to assist the Presiding Officer in the discharge of his duties under these rules.

(3) In case a polling officer is unable or fails to report for duties at the polling station, the Presiding Officer shall appoint one person on the spot, not being a candidate or not being related to a candidate, to perform the duties of the polling officer; and any absence of a polling officer and the reasons therefor and the appointment made in his place shall, as soon as possible after the close of the poll, be reported to the Returning Officer.

(4) The Returning Officer shall authorise the Assistant Presiding Officer or one of the polling officers to act in place of the Presiding Officer if the Presiding Officer is, at any time during the poll, by reason of illness or other cause, not

present at the polling station or is unable to perform his functions; and any absence of the Presiding Officer and the reasons therefor shall, as soon as possible after the close of the poll, be reported to the Returning Officer.

(5) The Returning Officer may, at any time during the poll, for reasons to be recorded in writing, suspend any Presiding Officer, Assistant Presiding Officer or polling officer and, make such arrangements as he may consider necessary for the performance of the functions of the officer so suspended.

9. **Supply of voters' list.**—The Returning Officer shall provide the Presiding Officer of each polling station with required number of copies of the voters' list containing the names of the voters entitled to vote at that polling station.

10. **Notification of days of different stages of election.**—(1) For the purpose of holding an election, the Election Commission shall, by notification in the official Gazette, appoint—

- (a) a day, at least five days after the date of the publication of such notification, for the nomination of candidates;
- (b) a scrutiny day;
- (c) a withdrawal day; and
- (d) a polling day at least fifteen days after the withdrawal day.

(2) A copy of such notification shall be forwarded to the Returning Officer which shall be locally published at some prominent places in the wards as well as at the office of the Returning Officer and the office of the Corporation.

(3) Notwithstanding anything contained in sub-rule (1), no such notification shall be necessary in the case of a bye-election and the Returning Officer shall, in such case, subject to such direction as may be given by the Election Commission, appoint by notice in writing, a nomination day, as scrutiny day, a withdrawal day and a polling day at such intervals as he deems expedient; and each such notice shall be published in the manner provided in sub-rule (2).

11. **Public notice inviting nomination.**—The Returning Officer shall, as soon as may be after the publication of a notification under rule 10, give public notice in respect of each ward, inviting nominations and specifying the time before which, and the place or places at which, nomination papers shall be delivered to him.

12. **Nomination.**—(1) Any voter of a ward may, for the purpose of election of a Commissioner for that ward, propose or second the name of any person who is qualified to be elected and nominated as a Commissioner under sub-section (1) of section 11 of the Ordinance.

(2) Every proposal for election of a Commissioner shall be made in Form A and shall be signed by the proposer and a seconder and shall contain a certificate signed by the candidate that he has consented to his nomination and that he is not subject to any disqualification under sub-section (2) of section 11 of the Ordinance or under any other law for the time being in force.

(3) No voter shall subscribe nomination papers, either as a seconder or proposer, in excess of only one nomination paper for election of a Commissioner to be elected in a ward and, if any voter does so, all such nomination papers in excess of the requisite number in order of their receipt shall be rejected.

(4) Every nomination paper shall be delivered on the nomination day by the candidate or his proposer or seconder to the Returning Officer who shall acknowledge in writing the receipt of the nomination paper specifying the date and time of receipt.

13. **Deposit.**—(1) The nomination paper for each candidate shall be accompanied by a treasury challan or a receipt of a Scheduled Bank or a receipt from the Returning Officer showing deposit of a sum of two thousand taka.

(2) No nomination paper shall be accepted by the Returning Officer unless the deposit referred to in sub-rule (1) has been made.

(3) The Returning Officer shall maintain a Register in Form B in which he shall enter the particulars of any deposit made to him in cash or otherwise.

(4) When a deposit is made in cash it shall be acknowledged by granting a receipt in Form C and shall be deposited by the Returning Officer in a Government Treasury or sub-treasury or any branch of the Sonali Bank.

(5) The head of account for the purpose of deposit in a Government Treasury or sub-treasury or in any branch of the Sonali Bank or of any scheduled bank by the candidate or the Returning Officer shall be "P—Deposits and Advances—Part-II—Deposit not bearing interest—Civil Deposit—Deposits in connection with election".

14. **Return or forfeiture of deposit.**—(1) The return of a deposit which is required to be refunded to a candidate shall be authorised under the seal and signature of the Returning Officer.

(2) If nomination of a candidate has been rejected or a candidate has withdrawn on or before the withdrawal day or died before the poll, the deposit shall be returned to the person making it or to his legal representatives, as soon as may be, after rejection, withdrawal or death, as the case may be.

(3) If, after a poll is taken and the counting of votes is completed, a contesting candidate is found not to have polled more than one-eighth of the total number of votes cast at the election, his deposit shall be forfeited to the Corporation Fund.

(4) If any election petition is filed with the Election Tribunal calling in question the validity of any election, the deposits concerning that election shall neither be refunded to the candidate nor it shall be forfeited to the Corporation Fund till such election petition is finally disposed of.

15. **Symbols.**—(1) Each candidate for election as Commissioner from a ward shall select a symbol from the list given in Schedule II and shall state it in his nomination paper.

(2) If symbols selected by candidates for election as Commissioner from a ward are found to conflict with one another, the Returning Officer shall allocate the symbols in conformity with the wishes of the candidates as far as possible, and, if necessary, by lot, and his decision in this respect shall be final.

(3) If, in any election, the number of candidates is more than the number of symbols in the list given in Schedule II, the Election Commission shall add the required number of new symbols to the list.

16. **Scrutiny.**—(1) The candidates, their election agents, proposers and Seconders and one other person authorised in this behalf by each candidate may attend the scrutiny of the nomination papers, and the Returning Officer shall give them reasonable opportunity for examining all nomination papers delivered to him under rule 12.

(2) The Returning Officer shall, in the presence of the persons attending the scrutiny under sub-rule (1), examine the nomination papers and decide any objection raised by any such person to any nomination.

(3) The Returning Officer may, either on his own motion or upon an objection made by a person specified in sub-rule (1), conduct such summary enquiry as he may think fit and reject a nomination paper if he is satisfied that—

- (a) the candidate is not qualified to be elected a Commissioner; or
- (b) the proposer or the seconder is not qualified to subscribe to the nomination paper; or
- (c) any provision of rule 12 or rule 13 has not been complied with; or
- (d) the signature of the proposer or the seconder is not genuine:

Provided that—

- (i) the rejection of a nomination paper shall not invalidate the nomination of a candidate by any other valid nomination paper;
- (ii) the Returning Officer shall not reject a nomination paper on the ground of any defect which is not of a substantial nature and may allow any such defect to be remedied forthwith; and
- (iii) the Returning Officer shall not enquire into the correctness or validity of any entry in the electoral roll.

(4) The Returning Officer shall endorse on each nomination paper his decision accepting or rejecting it, and shall, in the case of rejection, record a brief statement of the reason thereof.

17. **Appeal against rejection of nominations.**—(1) Any candidate whose nomination has been rejected by the Returning Officer under sub-rule (4) of rule 16 may appeal to the Deputy Commissioner against the rejection within two days of the date of scrutiny.

(2) An appeal against the rejection of nomination shall be disposed of within two days from the date of filing of the appeal either summarily or after such summary enquiry as may be considered necessary and the decision taken on any such appeal shall be final.

18. **Publication of the list of validly nominated candidates.**—The Returning Officer shall, after scrutiny of the nomination papers under rule 16, or, in case of any appeal preferred under rule 17, after receipt of the decision on the appeal, prepare and publish in a conspicuous place of his office the list of validly nominated candidates in Form D.

19. **Withdrawal of candidature.**—Any candidate whose name is included in the list published under rule 18 may, by a notice in writing signed by him and delivered, on or before the withdrawal day, to the Returning Officer, either by such candidate in person or by an agent authorised in this behalf in writing by such candidate, withdraw his candidature.

20. **Death of candidate before poll.**—If a contesting candidate dies at any time before a poll is held, the poll shall be restricted to the remaining candidates.

21. **Uncontested election.**—If the number of validly nominated candidate for election as a Commissioner in a ward be only one, the Returning Officer shall declare such candidate to be duly elected and make a return to the Election Commission in Form E and shall publish the said return at a conspicuous place in his office.

22. **Contested election.**—(1) If the number of contesting candidates in a Ward is more than one, a poll shall be held; and for that purpose, the Returning Officer shall, at least one week before the date fixed for poll, publish in the office of the Corporation and in such other places in the ward as the Returning Officer may consider necessary, a list in Form F containing the names in Bengali Alphabetical order and addresses of the contesting candidates as given in the nomination papers and the symbols assigned to each such candidate.

(2) The Returning Officer shall, on the day next following the withdrawal day, furnish a copy of the list published in Form F to the Election Commission and also to each of the contesting candidates or his election agent.

23. **Votes by ballot.**—At every election where a poll is held, votes shall be cast by ballot in the manner provided in these rules.

24. **Appointment of election agent.**—(1) A contesting candidate may appoint a person qualified to be elected as a Commissioner to be his election agent.

(2) The appointment of an election agent may, at any time, be revoked in writing by the contesting candidate and, when it is so revoked or the election agent dies, another person may be appointed by such candidate to be his election agent.

(3) When an election agent is appointed, the contesting candidate shall send to the Returning Officer a notice in writing of the appointment containing the name, father's name and address of the election agent.

(4) Where no appointment of an election agent is made under this rule, a contesting candidate shall be deemed to be his own election agent and shall, so far as the circumstances permit, be subject to the provisions of these rules both as a contesting candidate and as an election agent.

25. **Appointment of polling agent.**—(1) The contesting candidate or his election agent may, before the commencement of the poll, appoint, for each polling station, not more than one polling agent for one polling compartment.

(2) The appointment of a polling agent under sub-rule (1) may, at any time, be revoked by the contesting candidate or his election agent and, when it is so revoked or the polling agent dies, another person may be appointed by such

contesting candidate or his election agent to be a polling agent; and a notice of such appointment shall be given to the Presiding Officer.

26. **Place and hours of poll.**—The Returning Officer shall, subject to any direction of the Election Commission, fix the places (hereinafter referred to as polling station) at which the poll shall be taken between the hours from 8 a.m. to 5 p.m. and give public notice of the places and time so fixed.

27. **Ballot box.**—(1) The Returning Officer shall provide each Presiding Officer with such number of ballot boxes as may be necessary.

(2) Not more than one ballot box shall be used at a time for the purpose of the poll at any polling compartment of any polling station.

(3) At least half an hour before the time fixed for the commencement of the poll, the Presiding Officer shall—

- (a) ensure that every ballot box to be used is empty;
- (b) show the empty ballot box to the contesting candidates or their election agents or polling agents whoever may be present;
- (c) after the ballot box has been shown to be empty, close and seal it; and
- (d) place the ballot box so as to be conveniently accessible to the voter, and at the same time within the sight of himself and of such candidates or their election agents or polling agents whoever may be present.

(4) If one ballot box is full or cannot further be used for receiving ballot papers, the Presiding Officer shall seal that ballot box and keep it in a secured place and use another ballot box in the manner laid down in sub-rule (3).

(5) A Presiding Officer shall make arrangement for one or more marking places as may be required at each polling compartment at the polling station so that every voter may be able to mark his ballot paper in secret before the same is folded and inserted into the ballot box.

28. **Ballot paper.**—The ballot papers for recording of votes shall be in Form G which shall contain all the symbols given in Schedule II and such other symbols as may be added by the Election Commission under sub-rule (3) of rule 15.

29. **Adjourned poll.**—(1) If, at any time, the poll at the polling station is interrupted or obstructed for reasons beyond the control of the Presiding Officer, he shall immediately stop the poll and inform the Returning Officer that he has done so.

(2) Where a poll has been stopped under sub-rule (1), the Returning Officer shall—

- (a) immediately report the circumstances to the Election Commission;
- (b) appoint, as soon as may be, with the approval of the Election Commission, a day for a fresh poll; and
- (c) fix place or places at which, and the hours during which, such fresh poll shall be taken.

(3) All voters shall be allowed to vote at the fresh poll taken under sub-rule (2) and no vote cast at the poll stopped under sub-rule (1) shall be counted.

30. **Admission to polling station.**—(1) On the election day, the Presiding Officer shall admit into the polling station the contesting candidates, the election agents and polling agents to assist him in the identification of voters :

Provided that not more than one polling agent of each contesting candidate shall be present at one time for one polling compartment.

(2) Only voters and such other persons as the Presiding Officer may admit shall be allowed to enter into the polling station.

(3) The presiding Officer shall allow the entry of such number of voters into the polling compartment at a time as he may consider convenient :

Provided that not more than one voter shall be admitted into a marking place at a time and the Presiding Officer shall see that the secrecy of voting is maintained.

(4) No contesting candidate, election agent or polling agent of a contesting candidate shall be admitted into the marking place reserved for marking ballot papers except for recording his own vote.

(5) Members of the agencies for maintenance of law and order shall be on duty whether inside or outside each polling station as the Presiding Officer may direct, and they shall under the orders of the Presiding Officer assist in expediting and regulating the passage of voters inside the polling station and maintaining order whether inside or outside the polling station.

31. **Maintenance of order at polling station.**—(1) Any person who misconducts himself at a polling station or fails to obey the lawful orders of the Presiding Officer may immediately, by order of the Presiding Officer, be removed from the polling station by any police officer or by any other person authorised by the Presiding Officer to remove him, and the person so removed shall not, without the permission of the Presiding Officer, again enter the polling station during the day.

(2) Any person so removed may, if accused of an offence in a polling station, be dealt with as a person arrested without warrant.

(3) The powers under this rule shall not be so exercised as to deprive a voter otherwise entitled to vote of an opportunity to vote at that or another polling station.

32. **Canvassing.**—(1) The contesting candidates and their election agents and polling agents shall not speak to, or address, any voter in the polling enclosure, but may submit to the Presiding Officer objections with regard to a voter on any of the following grounds :—

- (a) that his name is not on the voters' list of the ward in respect of which the election is being held;
- (b) that his claim to be a certain voter shown on the voters' list is false; and
- (c) that he has already voted.

(2) The Presiding Officer shall hear the objections and summarily decide the same and his decision shall be final.

33. **Manner of voting.**—The procedure for recording a vote shall be as follows :—

- (a) a voter shall be entitled to vote in the ward in which he is a voter ;
and
- (b) a voter shall be entitled to vote for only one candidate for election of a Commissioner.

34. **Voting procedure.**—(1) When a voter presents himself at the polling station to vote the Presiding Officer shall, after satisfying himself about the identity of the voter, issue to him one ballot paper.

(2) Before the ballot paper is issued to a voter—

- (a) he shall be required to receive a personal mark made with indelible ink on the thumb or any other finger of either hand ;
- (b) the number and name of the voter as entered in the voters' list shall be called out ;
- (c) a mark shall be placed on the voters' list against the number and name of the voter to indicate that ballot paper has been issued to him ;
- (d) the ballot paper shall on its back be stamped with the official mark ;
- (e) the number of the voter on the voters' list shall be entered on the counterfoil by the Presiding Officer who shall also stamp the counterfoil with the official mark.

(3) The official mark shall be kept secret until the commencement of the poll.

(4) A ballot paper shall not be issued to a person who refuses to receive the personal mark with indelible ink or if he already bears such a mark or the remnants of such mark.

(5) The voter, on receiving the ballot paper, shall—

- (a) forthwith proceed to the marking place reserved for marking the the ballot paper ;
- (b) mark the ballot paper within the space containing the symbol of the contesting candidate for whom the voter wishes to vote with the rubber stamp containing squares thereon provided for the purpose by the Presiding Officer ; and
- (c) after he has so marked fold the ballot paper and insert it in the ballot box.

(6) The voter shall vote without undue delay and shall leave the polling station immediately after he has inserted his ballot paper in the ballot box.

(7) Where a voter is blind or is otherwise so incapacitated that he cannot vote without the assistance of a companion, the Presiding Officer shall allow him such assistance, and thereupon such voter may do with such assistance anything which a voter is required or permitted to do under these rules.

35. **Challenged ballot paper.**—(1) If at the time a person applies for a ballot paper for the purpose of voting, a contesting candidate or his election agent or polling agent declares to the Presiding Officer that he has reasonable cause to believe that the person has committed an offence of personation and

undertakes to prove the charge in the court of law, the Presiding Officer may, after warning the person of the consequences of personation and after obtaining his signature or thumb impression on the counterfoil of the ballot paper, issue a ballot paper to that person.

(2) If the Presiding Officer issues a ballot paper under sub-rule (1) he shall enter the name and address of the person referred to in sub-rule (1) in a list to be prepared by him in Form H (hereinafter referred to as "the challenged votes list") and obtain thereon the signature or thumb-impression of that person :

Provided that no action shall be taken by the Presiding Officer unless a sum of five taka has been deposited in cash with the Presiding Officer by the candidate or his election agent or polling agent for each challenge made under this rule.

(3) A ballot paper issued under sub-rule (1) shall, after it has been marked and folded by the voter, be placed in the same condition in a separate packet bearing the label "challenged ballot paper" instead of being placed in the ballot box.

(4) The Presiding Officer shall deposit the amount received by him under sub-rule (2) with the Returning Officer, who, in turn, shall deposit it into a Government Treasury or Sub-treasury or in any branch of the Sonali Bank under the head "XLVI-Misc.—Other Items—Election Receipts".

36. Spoilt and cancelled ballot paper.—(1) If a vote has inadvertently dealt with his ballot paper in such manner that it cannot conveniently be used as a ballot paper, he may apply to the Presiding Officer for replacement of the spoilt ballot paper and if the Presiding Officer is satisfied of such inadvertence, he shall pass order on the Polling Officer to issue another ballot paper to the voter concerned in lieu of the spoilt ballot paper, and the spoilt ballot paper shall be cancelled under the signature of the Presiding Officer.

(2) If a voter after obtaining a ballot paper does not use it he shall return it to the Presiding Officer who shall cancel it under his signature.

(3) If any ballot paper issued to a voter has not been inserted by him into any ballot box and if such ballot paper is found anywhere in or near the polling station, it shall be cancelled under the signature of the Presiding Officer.

(4) All such spoilt and cancelled ballot papers shall be kept in separate cover marked—

"Spoilt and cancelled ballot papers Nos.....for election of Commissioner".

and the cover shall be sealed by the Presiding Officer.

37. Voting after the closing hour of poll.—No person shall be given any ballot paper or be permitted to vote after the hour fixed for the close of the poll except the persons who at that hour are present within the building, room, tent or enclosure in which the polling station is situated and have not voted but are waiting to vote.

38. Procedure on the conclusion of the poll.—(1) On the conclusion of the poll in a polling station, the Presiding Officer shall, in the presence of the candidates or their election agents or polling agents, satisfy that the seals affixed to the ballot boxes are intact.

- (2) The Presiding Officer shall—
- (a) open the ballot box or boxes and count the entire lot of ballot papers taken out therefrom; and
 - (b) open the packet labelled "challenged ballot papers" and include the ballot papers therein in the count.
- (3) For the purpose of counting ballot papers, the Presiding Officer shall separate the ballot papers which are unambiguously marked in favour of a contesting candidate from the following invalid ballot papers which bear—
- (i) no official mark; or
 - (ii) any writing or any mark other than the official mark or any mark made with any stamp other than the rubber stamp supplied for the purpose or to which a piece of paper or any other object of any kind has been attached; or
 - (iii) no mark with the rubber stamp indicating the contesting candidate for whom the voter has voted; or
 - (iv) more than one mark; or
 - (v) any mark from which it is not clear for whom the voter has voted, provided that a ballot paper shall be deemed to have been marked in favour of a contesting candidate if the whole or more than half of the area of the mark made with the rubber stamp appears clearly within the space containing symbol of that candidate; and where such mark is divided equally between two such spaces, the ballot paper shall be deemed not to show clearly for whom voter has voted.

39. **Counting of votes and declaration of result.**—(1) When the ballot papers in the ballot box or boxes have been scrutinised, the Presiding Officer shall, in the presence of the contesting candidates or their election agents or polling agents, if present, count separately the valid votes cast in favour of each contesting candidate and shall prepare—

- (a) Where there is only one polling station in a ward, a statement in Form I and declare to be elected the contesting candidate in favour of whom the highest number of votes have been cast; and in the case of an equal number of votes being recorded in favour of two or more contesting candidates all of whom cannot be declared elected, selection shall be made from such contesting candidates by lot in such manner as the Presiding Officer may deem fit and the contesting candidate or candidates thus selected shall be declared to be duly elected; and
- (b) Where there are more polling stations than one in a ward, a statement in Form J and shall send it to the Returning Officer without delay for consolidation of the result of count.

(2) The Presiding Officer shall supply duly attested copies of the statement in Form I showing the result of the count to such of the contesting candidates or their election agents or polling agents as are present and as may desire to have such statement.

(3) Immediately on receipt of the statements in Form J under clause (b) of sub-rule (1) from all the polling stations the Returning Officer shall consolidate in Form 'K' the valid votes including the challenged votes cast in

favour of each of the contesting candidates in each of the polling stations in a ward as per statements in Form 'J' in the presence of the contesting candidates or their election agents or polling agents at the time fixed for the purpose and shall declare to be elected the contesting candidate in favour of whom the highest number of votes have been cast; and in the case of equal number of votes being recorded in favour of two or more contesting candidates, all of whom cannot be declared elected, selection shall be made from such contesting candidates by lot in such manner as the Returning Officer may deem fit and the contesting candidate thus selected shall be declared to be duly elected.

(4) The Returning Officer shall supply duly attested copies of the statement in Form 'K' showing the consolidated results of the count to such of the contesting candidates or their election agents or polling agents as may desire to have such statement.

40. Papers to be sealed in packets.—(1) The Presiding Officer shall enclose and seal into separate packets the following papers connected with election of Commissioners :—

- (a) the valid ballot papers in favour of contesting candidates;
- (b) the invalid ballot papers under sub-rule (3) of rule 38 ;
- (c) spoilt and cancelled ballot papers;
- (d) a statement showing the result of the count;
- (e) the unissued ballot papers together with their counterfoils ;
- (f) the challenged ballot papers together with the challenged votes list;
- (g) copies of marked voters' list; and
- (h) the counterfoils of the issued ballot papers.

(2) The Presiding Officer shall obtain on each packet sealed by him under sub-rule (1) the signature of such of the contesting candidates or their election agents or polling agents as are present and as may desire to sign it.

(3) The Presiding Officer shall prepare a ballot paper account separately in Form L.

(4) The Presiding Officer shall send the packets and account prepared by him and such other records as may have been received by him to the Returning Officer without delay under proper escort.

41. Publication of result.—After the result of election have been declared, the Returning Officer shall prepare a list in Form M showing the names and addresses of all the contesting candidates declared elected and forward the list to the Election Commission who shall cause it to be published in the official Gazette.

42. Retention of documents.—The Returning Officers shall subject to such direction as may be given in this behalf by the Election Commission, retain the documents received by him under sub-rule (4) of rule 40.

43. Inspection and copies of documents.—(1) The documents retained by the Returning Officer under rule 42 except the ballot papers, shall be open to inspection during office hours on payment of three taka for each document.

(2) Copies of the documents mentioned in sub-rule (1) may be obtained on payment of three taka for every hundred words or fraction thereof.

(3) Every application for inspection of documents or supply of copies shall be accompanied by court-fee stamps of the requisite value.

44. **Disposal of Papers.**—On the expiry of three months from the date of declaration of the result of an election or, if an election petition has been filed under rule 49 as soon as possible after the disposal of the petition, the documents retained under rule 42 shall be disposed of in such manner as may be directed by the Election Commission.

PART III

ELECTION DISPUTES

45. **Election petitions.**—(1) No election shall be called in question except by an election petition under sub-rule (2).

(2) Any candidate may make an election petition challenging the election at which he was a candidate.

46. **Parties to an election petition.**—A candidate making an election petition shall join as respondents to his election petition—

- (a) all contesting candidates; and
- (b) any other candidate against whom any allegation, if any, of any corrupt or illegal practice is made.

Explanation.—In this rule, “corrupt or illegal practice” means a “corrupt practice” or an “illegal practice” within the meaning of Part IV of these rules.

47. **Appointment of Tribunals.**—(1) For the trial of election petitions, the Election Commission shall, by notification in the Official Gazette, appoint an Officer to be an Election Tribunal for such area as may be specified in the notification.

(2) Where the person constituting an Election Tribunal is succeeded by another, the trial of a petition shall continue before the person so succeeding, and any evidence already recorded shall remain upon the record and it shall not be necessary to re-examine the witnesses who have already been examined.

48. **Power to transfer petition.**—The Election Commission, either of its own motion or on an application made in this behalf by any of the parties, may, at any stage, transfer an election petition from one Tribunal to another Tribunal and the Tribunal to which the petition is so transferred shall proceed with the trial of the petition from the stage at which it was transferred:

Provided that the Tribunal to which an election petition is so transferred may, if it thinks fit, recall and re-examine any of the witnesses already examined.

49. **Manner of filing petition.**—(1) An election petition shall be presented to the Tribunal within thirty days next after the publication of the names of the returned candidates in the official Gazette under rule 41.

(2) The election petition shall be presented to the Tribunal either by the candidate in person or by a person duly authorised by him in writing in this behalf.

(3) Every petition under sub-rule (1) shall be accompanied by a receipt showing a deposit under the head mentioned in sub-rule (5) of rule 13 of one thousand Taka in a Government Treasury or Sub-Treasury or in any branch of the Sonali Bank in favour of the Returning Officer as security for the costs of the petition.

(4) At any time during the trial of the election petition, the Tribunal may call upon the petitioner to deposit an additional amount as security and the additional amount thus required shall be deposited by the petitioner in the same manner as provided in sub-rule (3); and the Returning Officer shall refund the balance of the deposit after deducting the cost, if any, awarded by the Tribunal.

(5) An election petition shall set forth clearly the grounds on which the petition is filed and the relief sought.

50. **Relief.**—The petitioner may claim as relief any of the following declaration :—

- (a) that the election of any returned candidate is void and that the petitioner or some other candidate has been duly elected; or
- (b) that the election as a whole is void.

51. **Signature and verification of petition.**—Every election petition shall be signed by the petitioner and verified in the manner provided for the verification of plaints in the Code of Civil Procedure, 1908 (Act V of 1908).

52. **Procedure before Tribunal.**—Subject to the provisions of these rules, every election petition shall be tried, as nearly as may be, in accordance with the procedure for the trial of suits under the Code of Civil Procedure, 1908 (Act V of 1908) :

Provided that the Tribunal may—

- (a) make a memorandum of the substance of the evidence of each witness as his examination proceeds unless it considers that there is special reason for taking down the evidence of any witness in full; and
- (b) refuse to examine a witness if it considers that his evidence is not material or that he has been called on a frivolous ground for the purpose of delaying the proceedings.

53. **Power of the Tribunal.**—The Tribunal shall have all the powers of a civil court trying a suit under the Code of Civil Procedure, 1908 (Act V of 1908) and shall be deemed to be a civil court within the meaning of sections 480 and 482 of the Code of Criminal Procedure, 1898 (Act V of 1898).

54. **The trial of petition.**—(1) A Tribunal shall, upon receipt of an election petition, give notice thereof to all the respondents.

(2) The Tribunal shall after giving the petitioner and the appearing respondents, if any, an opportunity of being heard and taking such evidence as may be produced before it, make such orders as it may think fit :

Provided that the Tribunal shall not declare the election of any returned candidate or election as a whole void unless it is satisfied that the result of the election has been materially affected by reason of the failure of any person to comply with, or the contravention of, these rules.

55. **Withdrawal and abatement of election petition.**—(1) An election petition may be withdrawn by a petitioner at any time during the course of the trial.

(2) An election petition shall abate on the death of the petitioner.

56. **Cost.**—The Tribunal may, while making an order under rule 54, also make such order as to cost as it may think fit, and when such costs are payable by the petitioner they shall be paid, as far as possible, out of the security deposit made by the petitioner; and if any cost payable by the petitioner is not claimed within sixty days of the Tribunal's Order, the entire amount of security deposit shall, on application, be refunded to the petitioner or to his legal representative.

PART IV

OFFENCES, PENALTIES AND PROCEDURE

57. **Corrupt practice.**—A person is guilty of corrupt practice punishable with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred Taka, or with both, if he—

- (1) is guilty of bribery, personation or undue influence;
- (2) makes or publishes a false statement—
 - (a) concerning the personal character of a candidate or any of his relations calculated to adversely affect the election of such candidate for the purpose of promoting or procuring the election of another candidate unless he proves that he had reasonable grounds for believing, and did believe, the statement to be true;
 - (b) relating to the symbol of a contesting candidate, whether or not such symbol has been allocated to such candidate; or
 - (c) regarding the withdrawal of a candidate;
- (3) calls upon or persuades any person to vote, or to refrain from voting, for any contesting candidate on the ground that he belongs to a particular religion, community, race, caste, sect or tribe;
- (4) knowingly, in order to support or oppose a contesting candidate, lets, lends, employs, hires, borrows or uses any vehicle or vessel for the purpose of conveying to or from the polling station any voter except when—
 - (a) a person conveys himself or any member of the household to which he belongs to or from the polling station; or
 - (b) a voter conveys himself or several voters convey themselves to or from the polling station; or

- (5) causes or attempts to cause any person present and waiting to vote at the polling station to depart without voting.

58. **Illegal practice.**—A person is guilty of illegal practice punishable with fine which may extend to five hundred Taka, if he—

- (1) obtains or procures, or attempts to obtain or procure, the assistance person in the service of the Republic to further or hinder the election of a candidate;
- (2) votes or applies for a ballot paper for voting at an election knowing that he is not qualified for, or is disqualified from, voting;
- (3) votes or applies for a ballot paper for voting more than once in the same polling station;
- (4) votes or applies for a ballot paper for voting in more than one polling station for the same election;
- (5) removes a ballot paper from a polling station during the poll; or
- (6) knowingly induces or procures any person to do any of the aforesaid acts.

59. **Bribery.**—A person is guilty of bribery, if he, directly or indirectly, by himself or by any other person on his behalf,—

- (1) receives or agrees to receive or contracts for any gratification for voting or refraining from voting, or for being or refraining from being a candidate at, or for withdrawing from, an election;
- (2) gives, offers or promises any gratification to any person—
 - (a) for the purpose of inducing—
 - (i) a person to be, or to refrain from being, a candidate at an election;
 - (ii) a voter to vote, or refrain, from voting, at an election; or
 - (iii) a candidate to withdraw from an election; or
 - (b) for the purpose of rewarding—
 - (i) a person for having been, or for having refrained from being, a candidate at an election;
 - (ii) an elector for having voted, or refrained from voting, at an election; or
 - (iii) a candidate for having withdrawn from an election.

Explanation.—In this rule, “gratification” includes a gratification in money or estimable in money and all forms of entertainment or employment for reward.

60. **Personation.**—A person is guilty of personation, if he votes, or applies for a ballot paper for voting, as some other person whether that other person is living or dead or fictitious.

61. **Undue influence.**—A person is guilty of undue influence, if he—

- (1) in order to induce or compel any person to vote or refrain from voting, or to offer himself as a candidate, or to withdraw his candidature, at an election, directly or indirectly by himself or by any other person on his behalf,—
 - (a) makes or threatens to make use of any force, violence or restraint;
 - (b) inflicts or threatens to inflict any injury, damage, harm or loss;
 - (c) calls down or threatens to call down divine displeasure of any saint or pir;
 - (d) gives or threatens to give any religious sentence; or
 - (e) uses any official influence or Governmental patronage; or
- (2) on account of any person having voted or refrained from voting, or having offered himself as a candidate, or having withdrawn his candidature, does any of the acts specified in clause (1)
- (3) by abduction, duress or any fraudulent device or contrivance,—
 - (a) impedes or prevents the free exercise of the franchise by a voter; or
 - (b) compels, induces or prevails upon any voter to vote or refrain from voting.

Explanation.—In this rule, “harm” includes social ostracism or ex-communication or expulsion from any caste or community.

62. **Prohibition of meeting and processions.**—No person shall convene, hold or attend any public meeting, and no person shall promote or join in any procession within the area of any ward during a period of forty-eight hours ending at midnight following the conclusion of the poll for any election in that ward.

(2) Any person who contravenes the provisions of sub-rule (1) shall be punishable with rigorous imprisonment which may extend to one month, or with fine which may extend to two hundred Taka, or with both.

63. **Prohibition of canvassing in or near polling station.**—A person is guilty of an offence punishable with fine which may extend to one hundred Taka, if he, within a radius of four hundred yards of the polling station, on the polling day—

- (1) canvasses for votes;
- (2) solicits the vote of any voter;
- (3) persuades any voter not to vote at the election for a particular contesting candidate; or
- (4) exhibits, except with the permission of the Returning Officer and at a place reserved for the contesting candidate or his election agent beyond the radius of one hundred yards of the polling station, any notice, sign, banner or flag designed to encourage the voters to vote, or discourage the voters from voting, for any contesting candidate.

64. **Disorderly conduct near polling station.**—A person is guilty of an offence punishable with imprisonment for a term which may extend to three months, or with fine which may extend to two hundred and fifty Taka, or with both, if he, on the polling day—

- (1) uses, in such manner as to be audible within the polling station, any gramophone, megaphone, loudspeaker or other apparatus for reproducing or amplifying sounds ;
- (2) persistently shouts in such manner as to be audible within the polling station ;
- (3) does any act which—
 - (a) disturbs or causes annoyance to any voter visiting a polling station for the purpose of voting ; or
 - (b) interferes with the performances of the duty of a Presiding Officer, Assistant Presiding Officer, Polling Officer or any other person performing any duty at a polling station ; or
- (4) abets the doing of any of the aforesaid acts.

65. **Tampering with papers.**—(1) Except as provided in sub-rule (2), a person is guilty of an offence punishable with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred Taka, or with both, if he—

- (a) intentionally defaces or destroys any nomination paper, ballot paper or official mark or a ballot paper ;
- (b) intentionally takes out of the polling station any ballot paper or puts into any ballot box any ballot paper other than the ballot paper he is authorised under these rules to put in ;
- (c) without due authority—
 - (i) supplies any ballot paper to any person ;
 - (ii) destroys, takes, opens or otherwise interferes with any ballot box or packet of ballot papers in use for the purpose of election ; or
 - (iii) breaks any seal affixed in accordance with the provisions of these rules ;
- (d) forges any ballot paper or official mark ;
- (e) causes any delay or interruption in the beginning, conduct or completion of the procedure required to be immediately carried out on the close of the poll.

(2) A Returning Officer, Assistant Returning Officer, Presiding Officer, Assistant Presiding Officer or any other officer or clerk on duty in connection with the election, who is guilty of an offence under sub-rule (1) shall be punishable with imprisonment for a term which may extend to one year, or with fine which may extend to one thousand Taka, or with both.

66. **Interference with the secrecy of voting.**—A person is guilty of an offence punishable with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred Taka, or with both, if he—

- (a) interferes or attempts to interfere with a voter when he records his vote; or
- (b) in any manner obtains or attempts to obtain in a polling station information as to the candidate for whom a voter is about to vote or has voted; or
- (c) communicates at any time any information obtained in a polling station as to the contesting candidate for whom a voter is about to vote or has voted.

67. **Failure to maintain secrecy.**—A Returning Officer, Assistant Returning Officer, Presiding Officer, Assistant Presiding Officer, or Polling Officer, or any contesting candidate, election agent or polling agent attending a polling station or any person attending at the counting of votes is guilty of an offence punishable with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred Taka, or with both, if he—

- (a) fails to maintain or aid in maintaining the secrecy of voting;
- (b) communicates, except for any purpose authorised by any law, to any person before the poll is closed any information as to the official mark; or
- (c) communicates any information obtained at the counting of votes as to the contesting candidate for whom any vote is given by any particular ballot paper.

68. **Officials not to act for or against candidates.**—A Returning Officer, Assistant Returning Officer, Presiding Officer, Assistant Presiding Officer, Polling Officer or any other officer or clerk performing any duty in connection with an election, or any member of a police force, is guilty of an offence punishable with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred Taka, or with both, if he is in the conduct or management of an election or maintenance or order at a polling station,—

- (a) persuades any person to give his vote;
- (b) dissuades any person from giving his vote;
- (c) influences in any manner the voting of any person; or
- (d) does any other act calculated to influence the result of the election.

69. **Breaches of official duty in connection with election.**—A Returning Officer, Assistant Returning Officer, Presiding Officer, Assistant Presiding Officer or Polling Officer or any other person employed by any such officer in connection with his official duties imposed by or under these rules, is guilty of an offence punishable with fine which may extend to one hundred Taka, if he, wilfully and without reasonable cause, commits breach of any such official duty by act or omission.

70. **Assistance by Government servants.**—A person in the service of the Republic is guilty of an offence punishable with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred Taka, or with both, if he misuses his official position in a manner calculated to influence the result of the election.

71. **Prosecution of offences by public officers.**—No court shall take cognizance of an offence under sub-rule (2) of rule 65, rule 67, rule 68, rule 69 or rule 70, except upon a complaint in writing made by order of, under authority from, the Election Commission.

(2) The Election Commission shall, if it has reason to believe that any offence specified in sub-rule (1) has been committed, cause such enquiries to be made or prosecution to be instituted as it may think fit.

72. **Limitation for certain prosecution.**—No prosecution for an offence under rule 57 or rule 58 shall be commenced except—

- (a) within six months of the commission of the offence; or
- (b) if the election at which the offence was committed is subject to an election petition and a Tribunal has made an order in respect of such offence, within three months of the date of such order.

PART V

MISCELLANEOUS

73. **Powers of Election Commission to issue orders.**—Save as otherwise provided, the Election Commission may issue such instructions and exercise such powers, including the power to review an order passed by any officer under these rules and make such consequential orders, as may, in its opinion, be necessary for ensuring that an election is conducted honestly, justly and fairly and in accordance with the provisions of the Ordinance and these rules.

74. **Courts not to question legality.**—No court shall question the legality of any action taken in good faith by or under the authority of the Election Commission, a Returning Officer, Presiding Officer or an Assistant Presiding Officer, or, of any decision given by any of them or by any other officer or authority appointed under the Ordinance and these rules.

75. **Indemnity.**—No suit, prosecution or other legal proceeding shall lie against the Election Commission or any officer or other person in respect of anything which is in good faith done or intended to be done under or in pursuance of the Ordinance or of any rule or order made or any direction given thereunder.

SCHEDULE I

FORM A

[See rule 12 (2)]

Nomination paper for candidates for election as Commissioner.

.....Corporation, P.S.
Ward (No./Name)

1. Name of the candidate
2. Father's/Husband's name
3. Place of residence
4. Name or number of the ward in the voters' list on which the name of the candidate is included and his serial No. in that list.
5. Name of the proposer
6. Name or number of the ward in the voters' list on which the name of the proposer is included and his serial No. in that list.
7. Name of the seconder
8. Name or number of the ward in the voters' list on which the name of the seconder is included and his serial No. in that list.
9. Symbol selected by the candidate
10. Copy of receipt/Treasury Chalan showing deposit of the amount specified in rule 13 (1), is to be enclosed.
11. Signature/Left thumb impression of the proposer with date.
12. Signature/Left thumb impression of the seconder with date.

I have consented to the nomination and declare that I am not disqualified for election as Commissioner under any law for the time being in force.

Date

.....
 Signature/Left thumb impression of candidate.

(To be filled in by the Returning Officer)

Serial No.

Certificate of Delivery.

The nomination paper of.....a candidate for election as Commissioner from ward (No./Name)..... of.....(date).....at (hour)

Date

.....
Signature of Returning Officer.

(Here Perforation)

Serial No.

Acknowledgement.

The nomination paper of.....a candidate for election as Commissioner from ward (No./Name)..... of.....Corporation.....was delivered to me onat (hour)

The scrutiny of nomination will be held at (place)..... on (date).....between (hours).....

Date.....

.....
Signature of Returning Officer.

Certificate of Scrutiny

I have scrutinised the eligibility of the candidate, the proposer and seconder, and found that they are respectively qualified to stand for election; to propose and to second the nomination.

The symbol assigned to the candidate is.....

I have scrutinised the nomination paper. It is rejected on the following ground (s).....

Date.....

.....
Signature of Returning Officer.

Strike off inappropriate alternatives.

FORM B
 [See rule 13 (3)]
 (Form of Deposit Register).

Serial No.	Candidate's name.	Sl. Nos. of nominations filed.	Amount deposited.	Particulars of the Bank or Treasury receipt or, if received in cash, of the receipt issued in Form C.	Signature of Returning Officer.	Disposal of the cash Deposit (and remarks if any).
1	2	3	4	5	6	7

FORM C
 [See rule 13 (4)]
 Receipt

(This portion to be issued to the depositor)

Sl. No.	Sl. No.
Name of ward	Received the sum of Taka
..... (in words) in cash
Sum received	from
.....	on behalf of
Deposited by	candidate for election as Commissioner
Sl. No. in the Deposit Register	of
.....	Corporation and entered in the Deposit
Candidate's name	Register under.
Date	Sl. No.
.....	Date

Signature of Returning Officer.

Signature and seal of the Returning Officer.

FORM D

[See rule 18]

List of validly nominated candidates for election of Commissioners of.....
..... Corporation.

From Ward No.(Name)

Serial No.	Name of candidate.	Name of father/husband.	Address.
(1)	(2)	(3)	(4)
1			
2			
3			
4			
5			
etc.			

Place

Date

.....
Returning Officer.

FORM E

[See rule 21]

Return of uncontested election of Commissioner

..... Corporation.

I declare that—

Mr./Mrs./Missson/wife/daughter

of(address)

.....has been duly elected
uncontested as Commissioner from Ward No.....

(name).....of

P.S. Corporation.

Date

.....
Signature of
Returning Officer.

FORM F

[See rule 22 (1)]

List of contesting candidates for election of Commissioners of
..... Corporation.

From Ward No.(Name)

Serial No.	Name of the contesting candidates in Bengali alphabetical order.	Address of the contesting candidates.	Symbol allocated.
(1)	(2)	(3)	(4)

1
2
3
4
5
etc.

Notice is hereby given that the poll shall be taken between the hours of..
..... on (date)

Place

Date

.....
Returning Officer.

FORM G

[See rule 28]

Counterfoil of ballot paper for election of Commissioner

Ballot paper for election of Commissioner.

Serial No.

Symbol

Number or Name of Ward

Symbol

Serial number of voter on the voters' List.....

Symbol

Symbol

FORM H

[See rule 35(2)]

Challenged Votes list

Election of Commissioner of Corporation.
 From Ward No. (name)
 Polling Station

Serial No.	Name of the voter.	Number or Name of ward in which the voter is enrolled.	Serial Number of the voter on the voters' list.	Signature or thumb impression of the person challenged.
1	2	3	4	5

Address of the person challenged.	Name of identifier, if any.	Name and address of challenger.	Order of the Presiding Officer.
6	7	8	9

Certified that a sum of Five Taka has been received on account of each challenged vote and the total amount of Taka has been deposited with the Returning Officer.

Place

Date

Signature of Presiding Officer.

FORM I

[See rule 39(1)]

Statement of valid votes cast in favour of contesting candidates for election as Commissioner (where there is only one polling station in a ward).

Ward No.(name).....

P.S. Corporation.

Sl. No.	Name of candidate.	Symbol of candidate.	Number of valid votes polled including challenged votes			Number of invalid votes.
			Valid votes.	Challenged votes.	Total	
1	2	3	4(a)	4(b)	4(c)	5
1						
2						
3						
4						
5						

Total number of valid votes polled (including challenged votes).....

Total number of invalid votes

I declare that—

Mr./Mrs./Miss., son/wife/daughter of (address)

..... has been duly elected Commissioner.

Date

Place

.....
Signature of Presiding Officer.

FORM J

[See rule 39(2)]

Statement of valid votes cast in favour of contesting candidates for election as Commissioners (where there are more than one polling stations in a ward).

 Corporation.
 P.S. Polling Station
 Ward No. (Name)

Sl. No.	Names of contesting candidates.	Symbol of contesting candidates.	Number of valid votes polled including challenged votes.			Number of invalid votes.
			Valid votes.	Challenged votes.	Total.	
1	2	3	4(a)	4(b)	4(c)	5
1						
2						
3						
4						
5						
etc.						

Date

.....
 Signature of Presiding Officer.

FORM K

[See rule 39(4)]

Consolidated Statement of the Results of the count furnished by Presiding Officers in respect of election of Commissioners.

..... Corporation.
 Ward No. (Name)
 Polling Station (1)
 (2)
 (3)

Sl. No.	Polling Station.	Number of valid votes including challenged votes cast in favour of						Total per polling station.		
		'A'	'B'	'C'	'D'	'E'	'F'	Valid.	Invalid,	Total.
		*	*	*	*	*	*			
1	2	3	4	5	6	7	8	9	10	11

GRAND TOTAL

I declare that Mr./Mrs./Miss.....son/wife/daughter
 of(address)
has been duly elected as Commissioner.

Date

Place Returning Officer.

* Write the names of the contesting candidates.

FORM L

Ballot Paper Account

[See rule 40(3)]

..... Corporation.
Election of Commissioner of Ward No.(name)

Name of Polling Station

- (1) Serial numbers of ballot papers received for use
at the 'polling station'.
- (2) Serial numbers of unused ballot papers left over
at the close of poll.
- (3) Total number of ballot papers received (*vide* item 1)
- (4) Total number of ballot papers left unused (*vide* item 2)
- (5) Number of ballot papers used (subtract item 4
from item 3).
- (6) Number of ballot papers spoilt and cancelled
- (7) Number of ballot papers which should be in the
ballot boxes (subtract item 6 from item 5)
- (8) Number of ballot papers taken out of the ballot
boxes and counted.
- (9) Number of invalid ballot papers not counted

Dated

.....
Signature of Presiding Officer.

FORM M

[See rule 41]

List of contesting candidates declared elected as Commissioners.
 Corporation.

Serial No.	Name, father's name and address of the contesting candidates declared elected (as in nomination paper).	Number/Name of Ward from which elected.	Remarks.
------------	---	---	----------

Date

 Signature of Returning Officer.

SCHEDULE II

List of Symbols of candidates for Election as Commissioner.

[See rule 15(1)]

- | | |
|-----------------|---------------|
| 1. Aeroplane .. | 8. Fish |
| 2. Chair | 9. Ladder |
| 3. Candle | 10. Lock |
| 4. Cow | 11. Plough |
| 5. Dholak | 12. Pineapple |
| 6. Elephant | 13. Pitcher |
| 7. Scales | 14. Bicycle |

By order of the
 Chief Martial Law Administrator
 MOHAMMAD SIDDIQUER RAHMAN
 Secretary.