

21/09/2020
22/9
Sst. Anu
[Authoritative English Text of this Department Notification No. UD-A(3)-2/2020 Urban Development Department dated----- as required under clause (3) of Article 348 of the Constitution of India.]

Government of Himachal Pradesh
Department of Urban Development

UD- A(3)-2/2020

Shimla-2

the

18th Sept, 2020

NOTIFICATION

In exercise of the powers conferred by Section 304 of the HP Municipal Act, 1994 (Act No. 13 of 1994) the Governor, Himachal Pradesh, in consultation with State Election Commission, is pleased to propose the following amendments in Himachal Pradesh Municipal Election Rules, 2015 and the same are hereby published in the Rajpatra (e-gazette) Himachal Pradesh for information of the general public as required under the sub-section (5) of the section 279 of the Act ibid;

If any interested person(s) likely to be affected by these draft rules, has any objection(s) or suggestion(s) with regard to these rules, he/she may send the same to the Secretary, Urban Development to the Government of Himachal Pradesh within a period of 10 days from the date of publication of the said rules in the Rajpatra (e-gazette) Himachal Pradesh;

The objection(s) or suggestion(s) if any, received within the stipulated period shall be taken into consideration by the State Government before finalising the said draft rules, namely:-

Short title and commencement	1	(1) These Rules may be called the Himachal Pradesh Municipal Election (Amendment) Rules, 2020. (2) These Rules shall come into force from the date of publication in Rajpatra/ e-Gazette, Himachal Pradesh
Amendment of Rule 6	2	In rule 6 of Himachal Pradesh Municipal Election Rules, 2015 (herein after referred to as the said "rules") in sub rule (2), the words "ten days" shall be substituted with the words "seven days"
Amendment of Rule 7	3	In rule 7 of the said rule, the words " <u>ten</u> days" shall be substituted with the words " <u>seven</u> days"
Amendment of Rule 8	4	In rule 8 of said rule, the words " <u>ten</u> days" appearing before the words "of the passing of the orders" shall be substituted with the words " <u>seven</u> days" and the words " <u>ten</u> days" appearing before the words "and communicate the

		orders " shall be substituted with the words "five days".
Amendment of Rule 9	5	In rule 9 of the said rules, in sub-rule (1) the words "45 days" shall be substituted with the words "30 days"
Amendment of Rule 24	6	<p>In rule 24 of the said rules in sub-rule (4);</p> <p>i) for the words "within three days" following words shall be substituted: <i>"till the last date fixed for filing of objections"</i></p> <p>ii) for Clause (a) the following shall be substituted namely;</p> <p><i>" (a) Prepare a list of the names and other particulars of such electors"; and</i></p> <p>iii) In clause (b) the words and sign <i>"after getting permission from the Commission"</i> shall be deleted.</p>
Amendment of Rule 38	7	<p>In Rule 38 of the said rules, after sub-rule (1) the following new sub-rule (1A) may be inserted, namely:-</p> <p><i>"(1A) A proposer shall propose only one candidate for one post. Proposal once made shall not be withdrawn or cancelled;</i></p> <p><i>"Provided that every candidate filing his nomination papers shall take an oath of affirmation and allegiance to the Constitution of India in writing in Form-20A before the Returning Officer or any other Officer authorised by the State Election Commission and shall attach the same with his nomination papers.</i></p> <p><i>Explanation.- For the purpose of these rules a person who is unable to write his name shall be deemed to have signed an instrument or any other papers if he has placed his thumb-impression on such instrument or paper in the presence of the Returning Officer. Such an officer on being satisfied as to his identity shall attest the thumb impression."</i></p>
Amendment in Form-1 annexed with Rule 6	8	The words "10 days" appearing in the last line of first paragraph of the Form-1 shall be substituted with the words <i>"seven days"</i> and the words "ten days" appearing in the second line of second paragraph of the Form-1 shall be substituted with the words <i>"seven days"</i>
Amendment of Form-20, 25 & 35	9	In Form No. 20, 25 & 35 appended to the said rules space for affixing a photograph of the contesting candidate may be specified.
Insertion of Form-20A	10	After Form 20 of the said rules, a new Form may be inserted, namely:-

	<p style="text-align: center;">"FORM-20A [(See Rule 38(1A))] FORM OF OATH OR AFFIRMATION TO BE MADE BY A CANDIDATE FOR ELECTION TO THE NAGAR PANCHAYAT/ MUNICIPAL COUNCILS</p> <p>" I, having been nominated as a candidate to fill a seat in the Nagar Panchayat /Municipal Council of district..... do swear in the name of God and solemnly affirm that I will bear true faith and allegiance to the Constitution of India as by law established and that I will uphold the sovereignty and integrity of India".</p>
--	--

By Order

Rajneesh
Secretary (UD) to the
Government of Himachal Pradesh

Endst. UD- A(3)-1/2020

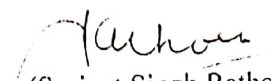
Shimla-2

the th

18/9/2020

Copy to:-

1. The Addl LR-cum-Deputy Secretary (law/legn) to the GOHP Shimla-2.
2. Secretary, State Election Commission Himachal Pradesh Shimla-2.
3. Additional LR-cum-Additional Secretary (law/legn) to the GOHP Shimla-2.
4. Director Urban Development Department Palika Bhawan Shimla-2.
5. All the Deputy Commissioners Himachal Pradesh .
6. The Director, (Public Relations) for wide publicity through news/ print media.
Any objections/ suggestions received on official e-mail ID of the Department
i.e udsecy-hp@nic.in shall also be taken into account by the Department.
7. Senior Law Officer (Language) Himachal Pradesh Secretariat Shimla-2.
8. All EOs/ Secretaries in Urban Local Bodies in Himachal Pradesh .
9. Guard File.


(Surjeet Singh Rathore) 18.09
Joint Secretary(UD) to the
Government of Himachal Pradesh