
**THE
AZAD JAMMU AND KASHMIR
LEGISLATIVE ASSEMBLY (ELECTIONS)
RULES 1970 (AMENDED UPTO 2016)**

**THE
AZAD GOVERNMENT OF THE STATE OF
JAMMU AND KASHMIR
LAW SECRETARIAT,
MUZAFFARABAD**

NOTIFICATION

The Azad Government of the State of Jammu and Kashmir is pleased to make the Azad Jammu and Kashmir Legislative Assembly (Elections), Rules, 1970, forming Annexure 'A' to this Notification.

Sd/-
(BASHIR AHMED),
Assistant legal Remembrancer
Azad Government of the State of Jammu and
Kashmir

No. 3451-3590/SL/70 Dated 5th September, 1970.

**THE AZAD JAMMU AND KASHMIR LEGISLATIVE
ASSEMBLY (ELECTIONS) RULES, 1970.**

In exercise of the powers conferred by section 95 of the Azad Jammu and Kashmir Legislative Assembly (Elections) Ordinance, 1970 (Ordinance of 1970) the Azad Government of the State of Jammu and Kashmir, in consultation with the Election Commissioner, is pleased to make the following rules namely:—

**THE AZAD JAMMU AND KASHMIR LEGISLATIVE
ASSEMBLY (ELECTIONS) RULES, 1970**

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| Short title extent
and
commencement. | 1. (1) These rules may be called the Azad Jammu and Kashmir Legislative Assembly (Elections) Rules, 1970.

(2) They shall come into force at once. |
| Definitions. | 2. In these rules, unless there is anything repugnant in the subject or context,—

(a) 'Form' means a form appended to these rules and includes a translation thereof into any language;

(b) 'Ordinance' means the Azad Jammu and Kashmir Legislative Assembly (Elections) Ordinance, 1970 (Ordinance of 1970); |

(c) 'Publish' with its grammatical variations, includes exhibition at a place accessible to the public; and

(d) 'Section' means section of the Ordinance.

Nomination
paper

3. A nomination paper by which a proposal is made under Section (11) shall be in Form I.

Security
deposits for
nomination

4. (1) The Returning Officer shall maintain a register in Form II in which he shall enter the particulars of every cash deposit made, with him under Section 12.

(2) Receipt of a cash deposit by the Returning Officer shall be acknowledged in Form III and the amount shall be deposited by him at a Government Treasury or Sub-Treasury.

(3) The head of account for the purpose of deposit at a Government Treasury or sub-Treasury shall be Deposits and Advance-Part II-Deposits not bearing interest-Civil Deposits in connection with election.

(4) The return of a deposit which is required to be refunded to under section 40 shall be authorized under the seal and signature of the Returning Officer.

Appeal against
Rejection of
nomination by
the Returning
Officer.

5. (1) An appeal under sub-section (5) of Section 13 may be filed by the candidate himself or by a person authorized in writing by the candidate in his behalf within four days next following the date of acceptance or rejection of the nomination; and

(2) The appeal shall be addressed to the Commissioner and may be filed with the Secretary to the Election Commissioner.

*(3) An appeal shall be in the form of the memorandum which shall state the date of acceptance or rejection of the nomination and the grounds of appeal and unless the Commissioner dispenses with this requirement, shall be accompanied by a certified copy of the order accepting or rejecting the nomination.

(4) The memorandum of appeal shall be submitted in quadruplicate.

(5) An appeal shall be disposed off either summarily or after such summary enquiry as the Commissioner may consider necessary.

(6) If the appeal is allowed, the name of the appellant shall, by order of the Commissioner, be entered by the Returning Officer in the list of validly nominated candidates.

List of validly
nominated
Candidates.

6. (1) The list of validly nominated candidates prepared under section 14 shall be drawn up in Form IV soon after the scrutiny.

(2) The Returning Officer shall publish a copy of the list of validly nominated candidates at some conspicuous place in his office.

(3) In the case of acceptance of an appeal filed under sub-section (5) of section 13; the Returning Officer shall revise the list of validly nominated candidates in accordance with the decision of the Commissioner and shall publish the list so revised at some conspicuous place in his office.

(4) A copy of the list referred to in sub-rule (1) and also a copy of the list as revised, if any, under sub-rule (3) shall be furnished to the Election Commissioner.

List of
contesting
candidates.

7. (1) The list of contesting candidates prepared under sub-section (4) of section 15 shall be drawn up in Form V.

*(2) The names on the list shall be entered in Urdu, in the alphabetical order indicating the name of each contesting candidate the symbol allotted to him.”

(3) The Returning Officer shall, on the day next following the withdrawal day, publish the list of contesting candidates at some conspicuous place in his office and furnish a copy thereof to the Election Commissioner and also to each of the contesting candidates or his election agent.

Declaration of
Results after
scrutiny.

8. (1) The result of an un-contested election shall not be declared by the Returning Officer;

(2) Where after scrutiny and the disposal of appeal, if any, against the acceptance or rejection of a nomination under section 13 or section 13-A, or where after withdrawal under section 15, there remains only one contesting candidate, the Returning Officer shall intimate this fact to the Commissioner.

(3) The Commissioner shall, if he is satisfied that the uncontested return is undisputed, declare such candidate to have been elected uncontested and publish his name in the Official Gazette.

Symbols

9. (1) A candidate may be allocated under sub-section (1) of section 19 any one of the following symbols namely: —

1	Apple	2	Bicycle
3	Boat	4	Bullock cart
5	Fez cap	6	Chair

7	Clock	8	Deer
9	Elephant	10	Hookah
11	Horse	12	Key
13	Kite	14	Knife
15	Lantern	16	Lock
17	Ladder	18	Pitcher
19	Railway Engine	20	Rose
21	Scales	22	Scissors
23	Spectacles	24	Tiger
25	Tree	26	Umbrella
27	Tonga	¹ [28	Omitted]
29	Violin	30	Walking stick
31	Wheel	32	Omitted
33	Lion	² [34	Sickle
35	Aeroplane]	³ [36	Sword
[37	Arrow		

⁴*(1) A candidate may be allocated under sub-section (1) of section 19 any one of the following symbols namely:-

1	ARROW	تیر	15	BUS	بس
2	AXE	کھاڑا	16	BUTTERFLY	تتلی
3	BAT	بلا	17	CANDLE	موم بتی
4	BELL	گھنٹی	18	CAR	کار
5	BICYCLE	سائیکل	19	CAP	ٹوپی
6	BOAT	کشتی	20	CHIRAGH (LAMP)	چراغ
7	BOTTLE	بوتل	21	CHAIR	کرسی
8	BOWL	پیالہ	22	CHARPAI	چارپائی
9	BRIDGE	پل	23	CLOCK	گھڑیال
10	BOOK	کتاب	24	COAT	کوٹ
11	BRUSH	برش	25	COMB	کنگا
12	BUCKET	باٹی	26	COW	گائے
13	BULB	بلب	27	CUP & SAUCER	پرجہ بیالی
14	BUNCH OF GRAPES	انگور کا خوشہ	28	DOVE	فانہ
29	ELEPHANT	ہاتھی	62	RAILWAY ENGINE	ریلوے انجن
30	FAN	پکھا	63	RICKSHA	رکشہ

¹ Omitted by Notification No. 5324/SL/79 dt. 13-11-79.

² Add by *ibid*.

³ Add by Notification No. 11/90 dt. 3-4-1990.

⁴ Substituted by Notification No. Ld./Legis/129-139/06 dated 13/05/06

31	FIST	مکا	64	RING	انگوٹھی
32	FISH	مچھلی	65	ROLLER OF WOOD	بیلن
33	FLOWERVASE	گلدان	66	ROSE	گلاب
34	FOOT BALL	فٹ بال	67	SCEISSORS	قچی
35	FOUNTAIN	نوارہ	68	SCOOTER	اسکوٹر
36	GARLAND	بار	69	SEWING MACHINE	سلائی مشین
37	GHULAIL	غلیل	70	SICKLE	درانق
38	GUN	بندوق	71	SPADE	بیلچہ
39	HAND PUMP	ہینڈ پمپ	72	SAW	آری
40	HAMMER	ہتھوڑا	73	SPECTACLES	عینک
41	HELICOPTER	ہیلی کاپٹر	74	SPINNING WHEEL	چرند
42	HORSE	گھوڑا	75	SUIT CASE	سوٹ کیس
43	HUKKAH	حقہ	76	STAG	بارہ سنگھا
44	INK POT WITH PEN	قلم دوات	77	TUMBLER	گلاس
45	IRON	استری	78	TABLE	میز
46	JUG	جگ	79	TABLE LAMP	ٹیل لیمپ
47	KITE	پتنگ	80	TAKHTI	تختی
48	KNIFE	چاقو	81	TAP	ٹاکا
49	TROWEL (KRANDI)	کرندی	82	TEAPOT	چائے دانی
50	LADDER	سیڑھی	83	TELEPHONE	ٹیلی فون
51	LANTERN	لائین	84	TELEVISION	ٹیلی ویژن
52	LETTER BOX	لیٹر باکس	85	TIGER	شیر
53	LOCK	ٹالا	86	TONGA	ٹانگہ
54	LOTA	لونا	87	TONGS	چٹا
55	LOUD SPEAKER	لاؤڈ سپیکر	88	TRACTOR	ٹریکٹر
56	MOUNTAIN	پہاڑ	89	TREE	درخت
57	PERSIAN WHEEL	رہٹ	90	TRUCK	ٹرک
58	PESHAWARI CHAPPAL	پشاورى چپل	91	TURBAN	گڑی
59	PICTHER	مٹکا	92	UMBRELLA	چھتری
60	PLANNER	رندہ	93	WELL	کنواں
61	RACHKET	ریکٹ	94	WHEEL	پہیہ
95	WHISTLE	سیٹی	124	KEY	چابی
96	WRIST WATCH	دستی گھڑی	125	LADY FINGER	بھنڈی

97	WAIST COAT	واسٹ	126	LEAF	پتہ
98	AEROPLANE	ہوائی جہاز	127	MANGO	آم
99	ALMIRAH	الماری	128	MAP	نقشہ
100	APPLE	سیب	129	MACH BOX	ماچس
101	BANANA	کیلا	130	OIL STOVE	تیل کا چولہا
102	BASKET	ٹوکری	131	OSTRICH	شتر مرغ
103	BED	پہنگ	132	PARROT	طوطا
104	BLACK BOARD	تخت سیاہ	133	PEACOCK	مور
105	BRICK	لینٹ	134	PEN	قلم
106	BULLOCK CART	تیل گاڑی	135	POMEGRANTE	انار
107	CAMEL	اونٹ	136	RABBIT	خرگوش
108	CAT	بلی	137	RADIO	ریڈیو
109	CORN	بھٹہ	138	REVOLVER	پستول
110	CRESCENT	چاند	139	SCREW	پیچ
111	CROWN	تاج	140	SLATE	سلیٹ
112	DOOR	دروازہ	141	SPARROW	چڑیا
113	DRUM	ڈھول	142	STAR	ستارہ
114	DUCK	بطخ	143	TORCH	بیٹری
115	EAGLE	عقاب	144	TOWER	مینار
116	EGG	انڈہ	145	TYPEWRITER	ٹائپ رائیٹر
117	FLOWER POT	گملا	146	WATER COOLER	واٹر کولر
118	GOAT	بکری	147	WRENCH	رینچ
119	GRAMOPHONE	گراموفون	148	SWORD	تلوار
120	HANGER	ہینگر	149	SCALES	ترازو
121	HEN	مرغی	150	LION	بہر شیر
122	HOCKEY	ہاکی	151	DEER	ہرن
123	HOUSE	مکان			

(2)The Commissioner may allot any one of the symbol specified in sub-rule (1) to any political party or a combination of two or more political parties who have agreed to put up joint candidates for election on an application made by it in this behalf.

Form of
ballot paper

10. (1) Every ballot paper shall be in Form VI and every postal ballot paper in Form VII.

(2) Every ballot paper shall contain the number and name of the constituency to which the ballot paper relates.

(3) The names of the contesting candidates shall be arranged on the ballot paper in the same order as shown on the list of contesting candidates prepared under rule 7.

Postal ballot
paper.

11. (1) The Returning Officer shall, as soon as practicable, send a postal ballot paper by post to each elector who is entitled to vote by postal ballot under section 27 and who has applied in accordance with sub-section (2) of that section and shall at the same time—

- (a) enter on the counterfoil of the ballot paper the name of the elector to whom the ballot paper is sent and his serial number in roll together with the name of the electoral area; and
- (b) take necessary steps to ensure that the elector is not allowed to vote at a polling station.

(2) Alongwith the ballot paper, the Returning Officer shall send to the elector—

- (a) A declaration in Form VIII;
- (b) A cover in Form IX;
- (c) A large cover addressed to himself in Form X; and
- (d) Instructions for the guidance of the elector in Form XI.

(3) Every Officer under whose care or through whom a postal ballot paper is sent shall ensure that the same is delivered to the addressee without delay.

(4) After the ballot papers have been issued to all the electors entitled to vote by postal ballot, the Returning Officer shall seal up in a packet the counterfoils of such ballot papers and record on the packet a brief description of its contents, the name of the constituency and the date on which he seals it.

Recording of
votes on postal
ballot papers.

12. (1) An elector who has received a postal ballot paper and desires to vote shall record his vote on the ballot paper by putting a cross mark with a pen or pencil within the spaces containing the name and symbol of the contesting candidate for whom he wishes to vote.

(2) In recording the vote, such an elector shall, after complying with the instruction contained in Form XI

sent to him under clause (d) of sub-rule (2) of rule 11, put the ballot paper in the cover in Form II.

(3) The elector shall sign the declaration in Form VIII in the presence of a Gazetted Officer or a Commissioned Officer to whom he is personally known or to whose satisfaction he has been identified and he shall have his signature attested by such Officer.

Assistance to illiterate or infirm electors casting vote by postal ballot.

13. (1) If an elector is illiterate or is unable through physical infirmity to record his vote on a postal ballot paper and sign the declaration in Form VIII, he shall be entitled to have his vote recorded and his declaration signed by any Gazetted Officer or Commissioned Officer.

(2) Any such elector may take the ballot paper together with the declaration and the covers received by him to any Gazetted Officer or Commissioned Officer and request such Officer to record his vote and sign his declaration on his behalf.

(3) Such Gazetted Officer or Commissioned Officer shall thereupon mark the ballot paper in accordance with the wishes of the elector in his presence and sign the declaration on behalf of the elector and complete the appropriate certificate contained in Form VIII.

Re-issue of postal ballot paper.

14. (1) When a postal ballot paper and other papers sent under rule 11 are for any reason returned undelivered the Returning Officer may re-issue them by post or deliver them or cause them to be delivered to the elector personally on a request being made by him.

(2) If any elector has inadvertently dealt with his ballot paper or any of the other papers sent to him under rule 11 in such a manner that they cannot conveniently be used, another ballot paper and such other papers shall be issued to him after he has returned the said papers and satisfied the Returning Officer of the inadvertence.

(3) The Returning Officer shall cancel the papers so returned and keep them in a separate packet and also note the serial number of all such cancelled ballot papers on the packet.

Return of postal ballot papers

15. (1) After an elector has recorded his vote and made his declaration under rule 12 or has his vote recorded and his declaration signed under rule 13, he shall return the ballot paper and his declaration to the Returning

Officer in accordance with the instructions communicated to him in Form XI.

(2) If any cover containing a postal ballot paper is received by the Returning Officer after the expiry of the time fixed under sub-section (1) of Section 36, he shall note thereon the date and time of its receipt and shall keep all such covers together in a separate packet.

Manner of marking the ballot paper.

16. (1) The mark to be put under clause (b) of sub-section (5) of section 30, on the ballot paper, at any place within the space containing the name and symbol of the contesting candidate for whom the elector wishes to vote, shall be a mark containing squares on a rubber-stamp provided for the purpose by the Presiding Officer at the Polling Station and no other mark.

(2) No other marking aid or rubber-stamp except the rubber stamp supplied for the purpose by the Presiding Officer under sub-rule (1) shall be used by the electors for marking the ballot paper.

Manner of marking ballot paper if elector is incapacitated.

17. (1) If an elector is totally blind or is physically otherwise so incapacitated as to require the help of a companion, the Presiding Officer may allow him to be accompanied by a companion of not less than twenty-one years of age; and in case the disability is such that the elector cannot mark the ballot paper himself, the person accompanying the elector may mark the ballot paper as indicated by the elector:

Provided that the person allowed accompany the elector shall not himself be a candidate or an agent of a candidate.

(2) If the ballot paper is to be marked by the companion, the Presiding Officer shall make it clear to him that he must mark the ballot paper for the candidate for the elector's choice and that he must maintain the secrecy or voting by not divulging to any one the elector's choice of candidate.

(3) The Presiding Officer shall maintain a list of electors on whose behalf the ballot paper has been marked by their companions.

Manner of inserting a ballot paper.

18. After the ballot paper has been marked by the elector or by person allowed to mark a ballot paper under rule 17, the elector or such person shall fold the ballot paper in the screened off compartment so as to conceal his

vote and insert at in the ballot box within the view of the Presiding Officer.

Tendered Votes.

19. (1) The tendered votes list referred to in sub-section (3) of section 31 shall be in Form XII.

(2) The Presiding Officer shall before issuing a ballot paper to a person referred to in sub-section (1) of section 31, obtain his signature or thumb impression on the form referred to in sub-rule (1).

Challenged Votes.

20. (1) Every candidate or his polling agent making a challenge under section 32 shall deposit a sum of two rupees in cash with the Presiding Officer for each such challenge.

(2) The challenged votes list referred to in sub-section (2) of section 32 shall be in Form XIII.

(3) The Presiding Officer shall, soon after the close of the poll, hand over against proper receipt such sum as has been deposited with him under sub-rule (1) to the Returning Officer, who shall deposit the same with a Government Treasury or sub-Treasury against the head of Account.

Stray ballot papers.

21. If any ballot paper which has been issued to an elector has not been inserted by him into the ballot box but, is found anywhere else or near the polling station it shall be cancelled and accounted for as 'Spoiled ballot paper'.

Count on close of poll.

22. The Presiding Officer shall, after taking out the ballot papers from the used ballot box or ballot boxes,—

- (a) Separate the ballot papers which are unambiguously marked in favour of a contesting candidate from those which bear.
 - (i) no official mark*and initial of the Presiding Officer; or
 - (ii) any writing or any mark other than the Official mark initial of the Presiding Officer and the prescribed mark made with the rubber-stamp supplied for the purpose to which a piece of paper or any other object of any kind has been attached; or

- (iii) no prescribed mark indicating the contesting candidate for whom the elector has voted; or
 - (iv) any mark from which it is not clear for whom the elector has voted provided that a ballot paper shall be deemed to have marked in favour of a candidate if the whole or more than half of the area of the prescribed mark appears clearly within the space containing the name and symbol of that candidate; and where the prescribed mark is divided equally between two such spaces the ballot paper shall be deemed not to show clearly for whom the elector has voted.
- (b) count separately in respect of each contesting candidate in the alphabetical order of their names as appearing on the ballot paper, the ballot papers which are unambiguously marked in favour of that candidate and put each lot in a separate packet bearing the name and symbol of the contesting candidate to whom it relates ;
 - (c) count and put in a separate packet the ballot papers mentioned in sub-clauses (i) to (iv) of clause (a);
 - (d) open the packet labeled challenged ballot papers' unambiguously marked in favour of each candidate, excluding from the count the ballot papers suffering from any of the defects mentioned in sub-clauses (i) to (iv) of clause (a);
 - (e) after the challenged ballot papers have been so counted, the Presiding Officer shall put all such ballot papers answer taken out of the packet labelled 'challenged ballot papers' into a separate packet;
 - (f) place in each packet a certificate stating the number of ballot papers put therein, and sign and seal each packet;
 - (g) obtain on each packet the signature and seal of such of the contesting candidates or their

election or polling agents as may desire to sign and seal it; and

- (h) enclose all such packets in a principal packet with a certificate specifying the number of packets enclosed in the principal packet.

Statement of the count by the Presiding Officer.

23. The statement of the count under sub-section (9) of section 35 shall be prepared in Form XIV.

Ballot paper account by the Presiding Officer.

24. The ballot paper account referred to in sub-section (10) of section 35 shall be prepared in Form XV.

Consolidation of results.

25. (1) The Returning Officer shall consolidate in Form XVI the result of the count furnished by the Presiding Officers.

(2) Before consolidating the results, the ¹[Returning Officer] shall open the packet containing the ballot papers excluded from the count by the Presiding Officer as also the Packet containing the challenged ballot paper as was excluded from the count by the Presiding Officer.

(3) If the Returning Officer finds that any ballot paper excluded from the count by the Presiding Officer should not have been so excluded he shall count it as a valid ballot paper cast in favour of the contesting candidate for whom it was cast:

Provided that in so doing the Returning Officer shall not mix up the ballot papers taken out from the packet labelled 'challenged ballot papers' but shall keep the entire lot of challenged ballot papers in a separate packet.

(4) The Returning Officer shall reject a ballot paper herein after referred to as 'rejected ballot paper' recording thereon the fact of such rejection if it suffers from any of the defects mentioned in sub-section (4) of section 35.

(5) If any contesting candidate or election agent objects to the rejection of ballot paper, the Returning Officer shall add to his endorsement the words 'rejection objected'.

(6) In consolidating the result of the count, the Returning Officer shall record the number of valid ballot paper cast in favour of each contesting candidate as shown by the Presiding Officer in the Statement of the count unless figures thereof have undergone a

¹ Subs. by Notification No. LD/469-569/98 dated 7-11-98

change as a result of recount under sub-section (5) of section 36, in which case he shall record the figures arrived at after recount.

(7) Before recording the number of valid votes in the consolidated statement against the name of each contesting candidate, the number of ballot papers, if any, which were treated by him as valid but had been excluded from the count by the Presiding Officer shall be taken into account including those treated as valid from the challenged votes.

(8) The ballot papers rejected by the Returning Officer under sub-rule (4) shall be shown separately in the consolidated statement.

(9) The consolidated statement shall be so completed that the figures in respect of one polling station are completed before the incorporation of the figures in respect of the other.

(10) The Returning Officer shall deal with the postal ballot papers in the following manners namely:—

- (i) no cover in Form X containing a postal ballot paper received by the Returning Officer after the expiry of the time fixed in that behalf shall be opened and no vote contained in any such ballot paper shall be counted ;
- (ii) the Returning Officer shall close and seal the packet referred to in sub-rule (2) of rule 15;
- (iii) all other covers in Form X containing postal ballot papers shall then be opened one after another;
- (iv) as such cover is opened the Returning Officer shall scrutinize the declaration in Form VIII contained therein and shall reject the ballot paper and make an appropriate endorsement on the cover in Form IX without opening the same—
 - (a) if that said declaration is not found in the cover in Form X; or
 - (b) if the said declaration is substantially defective; or
 - (c) if the serial number of ballot paper entered in the said declaration differs from such number endorsed on the cover in Form IX;
- (v) each cover so endorsed and the declaration received with it shall be replaced in the cover in Form X; and all such covers in Form X shall be kept in a separate

packet which shall be sealed and on which the following Particulars shall be recorded, namely:-

- (a) the name of the constituency;
 - (b) the date of counting; and
 - (c) a brief description of its contents;
- (vi) The Returning Officer shall then place all the declarations in Form VIII which he has found to be in order in a separate packet which shall be sealed before any cover in Form IX is opened and on which shall be recorded the particulars referred to in clause (v);
- (vii) all covers in Form IX containing postal ballot papers which have not already been dealt with under the foregoing provisions of this rule shall then be opened one after another and the Returning Officer shall scrutinize each ballot paper and decide the validity of the vote recorded thereby;
- (viii) a postal ballot shall be liable to rejection of the grounds mentioned in sub-section (4) of section 35, reference in that sub-section to prescribed mark being construed as reference to cross mark mentioned in sub-rule (1) of rule 12;
- (ix) the Returning Officer shall count all the valid votes given by postal ballot in favour of each contesting candidate and record the total thereof as well as the number polled by each candidate in the consolidated statement in Form XVI; and
- (x) all valid postal ballot papers shall, after they have been counted, be placed in separate packet which shall be sealed and on which shall be recorded—
- (a) the name of the constituency;
 - (b) the date of counting; and
 - (c) a brief description of the contents.

Return of
election.

26. The return of election required to be submitted to the Commissioner by the Returning Officer under sub-section (3) of section 38 shall be in Form XVII.

Public inspection
of documents.

27. (1) The documents retained by the Commissioner under section 41, except the ballot papers shall be open to public

inspection during office hours on payment of a fee at the rate of one rupee of each document.

(2) Copies of, or extracts from, the document mentioned in sub-rule (1) shall be furnished upon an application made by any person on payment of a fee at the rate of one rupee the first two hundred words or a fraction thereof and fifty paises for every additional 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.

Account of
election expenses.

28. (1) An election agent shall keep and maintain a register of receipts and expenditure in Form XVIII.

(2) The election agent shall within thirty-five days after the publication of the name of returned candidate under section 18, or section 38 submit to the Returning Officer an account of election expenses as required under section 46 in Form ¹[XVIII] giving the account of personal expenditure referred to in sub-section (2) of section 45, in Part B of that Form.

(3) All vouchers shall be kept along with the account of election expenses arranged according to the date of payment and serially numbered and such serial number shall be entered in the appropriate column of relevant account.

(4) It shall not be necessary, while rendering account to the Returning Officer, to give particulars of the payees in regard to the items of expenditure for which receipts are not required to be obtained under sub-section (5) of section 45.

Affidavits

29. The affidavits referred to in sub-section (2) of section 46 shall be sworn—

- (i) by candidate who is his own election agent, in Form XIX.
- (ii) by a candidate who employs an election agent, in Form XX; and
- (iii) by an election agent, in Form XXI.

Presentation
of election
petition.

30. An election petition may be presented by any candidate in person or by a representative authorized by him in writing in this or by registered post but not otherwise.

¹ Subs. by Notification No. LD/469-569 dated 7-11-98

Time for presentation of petition.

31. (1) An election petition shall be presented to the Commissioner within 45 days after the publication in the Official Gazette of the name of the returned candidate under section 18 or section 38.

(2) An election petition not filed within the period specified in sub-rule (1) shall be returned to the petitioner.

(3) An election petition, if sent by registered post, shall be deemed to have been filed in time if it is posted within the period specified in sub-rule (1).

Withdrawal of respondents.

32. A notice under section 71 by a respondent in an election petition shall be in Form XXII.

Supply of copies of decisions on petitions.

33. (1) Copies of orders passed by the Commissioner on an election petition presented to him and returned to the petitioner or of any interim or final order passed by a Tribunal on any election petition may be furnished to the parties to the petition by the Commissioner or the Tribunal, as the case may be, on an application in writing.

(2) The fees for the supply of copies mentioned in sub-rule (1) shall be one rupee for the first two hundred words or a fraction thereof and fifty paise for every additional hundred words or a fraction thereof.

(3) Every application for the supply of copies under sub-rule (1) shall be accompanied by court-fee stamps of the requisite value.

FORM I

[See rule 3]

Nomination for election to the Legislative Assembly

(To be filled in by the proposer)

(1) I,..... (Name of the proposer) registered as an elector at Serial No..... in the electoral roll for electoral area/ward** in Tehsil in District do hereby propose the name of whose address is as a candidate for election from *constituency.

(2) I hereby certify that I have not subscribed to any other nomination paper either as proposer or seconder.

Date

Signature of proposer

(To be filled in by the seconder)

(1) I, (Name of the seconder) registered as an elector at Serial No. in the electoral roll for electoral area/ward** in Tehsil in District do hereby second the nomination of Tehsil in District do hereby second the nomination of whose address is as a candidate for election from *** constituency.

(2) I hereby certify that I have not subscribed to any other nomination paper either as proposer or seconder.

Date

Signature of Seconder

(Declaration by the person nominated)

I,..... son/daughter/wife of
registered as an elector at Serial No.
 in the electoral roll for
 electoral area/ward** in Tehsilin
 District do hereby declare that I
 have consented to the above nomination and that I am not subject to any disqualification for
 being, or being elected as a member of the Legislative Assembly and in particular I
 solemnly declare that I believe in the Ideology of Pakistan, the Ideology of State's
 Accession to Pakistan and the integrity and sovereignty of Pakistan.

Dated

Signature or thumb impression
of the person nominated.

(To be filled in by the Returning Officer)

Serial Number of nomination paper
 this nomination paper was delivered to me at my office at
 (hour) on (date) by
 being the candidate/Proposer/Secunder.

Date

Returning Officer.

Decision of Returning Officer accepting or
rejecting the nomination paper on the day
fixed for scrutiny.

I have examined this nomination paper in accordance with the provisions of
 section 14 of the Ordinance and decide as follows

(In case of rejection, state brief reasons)

Date

Returning Officer.

RECEIPT

(To be filled in by the Returning Officer)

Serial number of nomination paper
.....The nomination paper of
.....a candidate for election from **
..... to the Legislative Assembly was
delivered to me at my office at (hours) on (date)by the
candidate/proposer/seconded.

All nomination papers will be taken up for scrutiny at
.....(hours) on (date).....
at (place).

Date

Returning Officer

Strike off the words not applicable

**In case of West Pakistan, strike the word "Electoral area"

***Here insert the number and name of member of the Constituency

FORM II

FORM OF DEPOSIT REGISTER FOR AZAD JAMMU AND KASHMIR
LEGISLATIVE ASSEMBLY CONSTITUENCY

[See Rule 4 (1)]

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

*Here enter the name and No. of Constituency.

FORM III

See rule 4 (2)

RECEIPT

Sl
Sum received
Deposited by
Sl.No. in the Deposit Register
Candidate's name

Date..... Signature of the
Returning Officer

FORM III

See rule 4 (2)

RECEIPT

Sl
Received a sum of Rs
Figures (in
words) in cash from
..... a candidate for election
as member of the Legislative Assembly
and entered in the Deposit Register under
Sl. No.

Dated

DateSignature and seal of
the Returning Officer

FORM IV

[See Rule 6 (1)]

LIST OF VALIDLY NOMINATED CANDIDATES

Election to the Legislative Assembly

From Constituency

S.No.	Name of Candidate	Name of father/ husband	Address of Candidate

Place

Date

Returning Officer.

 Insert the number and name of the constituency.

FORM V

[See Rule 7 (1)]

LIST OF CONTESTING CANDIDATES

Election to the Legislative Assembly

From Constituency

S.No.	Name of Contesting candidates in alphabetical order Determined according to Urdu language	Address of the contesting Candidate	Symbol allocated

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

Place

Date

Returning Officer.

 Insert the number and name of the constituency.

FORM VI
[See Rule 10 (1)]
BALLOT PAPER

..... (Number and Name of constituency)..... (Number and Name of constituency)

Book No	-----
Serial No	Name Symbol
Serial Number of elector on electoral roll	-----
Name of electoral area	Name Symbol
Official Seal	-----
	Name Symbol

FORM VII
 [See Rule 10 (1)]
POSTAL BALLOT PAPER

..... (Number and Name of constituency).....	Serial No. Postal Ballot Paper (Number and Name of constituency) -----
Book No	Name Symbol -----
Name of the elector.	-----
Serial Number of elector on electoral roll	Name Symbol -----
Name of electoral area	-----
Official Seal	Name Symbol

*Strike off the words Electoral area in case of West Pakistan.

FORM VIII
DECLARATION BY ELECTOR.

[See Rule 11 (2) (a)]

Election to the Legislative Assembly.

This side is to be used only when the elector
signs the declaration himself

I hereby declare that I am the elector to whom the postal ballot paper bearing
serial Number has been issued at the above election.

Date Address Signature of elector.

(Attestation of Signature)

The above has been signed in my presence by
(elector) who is personally known to me/ has been identified to my satisfaction
by..... (identifier) who is personally known to
me.

Signature of identifier, if any
Address

Signature of Attesting Officer

Date Designation
Address

(This side is to be used when the elector cannot sign himself).

I hereby declare that I am the elector to whom the postal ballot paper bearing serial number
..... has been issued at the above election.

Signature of Attesting Officer
on behalf of elector.

Date Designation
Address

CERTIFICATE

I hereby certify that,

1. The above named elector is personally known to me/has been identified to my satisfaction by (identifier) who is personally known to me;
2. I am satisfied that the elector is illiterate/suffers from (infirmity) and is unable to record his vote himself or sign his declaration.
3. I was requested by him to mark the ballot paper and to sign the above declaration; on his behalf; and
4. The ballot paper was marked and the declaration signed by me on his behalf, in his presence and in accordance with his wishes.

Signature of identifier, if any
 Address

Signature of Attesting Officer

Designation
 Address
 Date

*Strike off the words not applicable.

FORM IX
COVER.

[See Rule 11 (2) (b)]

A NOT TO BE OPENED BEFORE COUNTING
 ELECTION TO THE LEGISLATIVE ASSEMBLY

Postal Ballot Paper

Serial Number of ballot paper.

FORM X
COVER

[See Rule 11 (2) (c)]

B NOT TO BE OPENED BEFORE COUNTING

Elections	IMMEDIATE	Number and Name of
Postal Ballot Paper.		Constituency

To

The Returning Officer	Certified that this cover was accepted
.....	for delivery on (date)
.....	(affix postal seal with date).
.....	

FORM XI
INSTRUCTIONS FOR THE GUIDANCE OF ELECTORS
VOTING BY POSTAL BALLOT.

[See Rule 11 (2) (d)]

The persons whose names are printed on the ballot paper sent herewith are candidates for Constituency mentioned in the ballot paper. If you desire to vote you should record your vote with a pen or pencil by putting a cross mark within the space containing the name and symbol of the contesting candidate for whom you wish to vote. Thereafter, you should follow the instructions detailed below:-

- (a) After you have recorded your vote on the ballot paper, place the ballot paper in the smaller cover marked 'A' sent herewith. Close the cover and secure it by seal or otherwise.
- (b) You have then to sign the declaration in Form VIII also sent herewith, in the presence of a Gazetted Officer or a Commissioned Officer who is competent to attest your signature under sub-rule (13) or rule (12).
- (c) If you are unable to mark the ballot paper and sign the declaration yourself in the manner indicated above by reason of illiteracy, or infirmity, you are entitled to have your vote marked and the declaration signed on your behalf by any officer mentioned in item (b) above. Such an officer will at your request mark the ballot paper in your presence and in accordance with your wishes. He will also complete the necessary certificate in this behalf.
- (d) After your declaration has signed and your signature has been attested in accordance with item (b) above, put the declaration Form and the smaller cover marked 'A' containing the ballot paper in the larger cover marked 'B'. After closing the larger cover send it to the Returning Officer by post.
- (e) You must ensure that the cover reaches the Returning Officer before the date of the poll.
- (f) Please note that -
 - (i) if you fail to get your declaration attested or certified in the manner indicated above, your ballot paper will be rejected; and
 - (ii) if the cover reaches the Returning Officer after the date of the poll your vote will not be counted.

FORM XII

[See Rule 19 (1)]

TENDERED VOTES LIST

Election to the Legislative Assembly.

From Constituency

Polling Station

Serial No. of tendered ballot	Name of elector	Serial No. of the elector in the electoral roll	Name of the electoral area	Address of the elector	Signature or thumb impressing of the person tendering vote

Place

Date

Presiding Officer

FORM XIII
CHALLENGED VOTES LIST

[See Rule 20 (2)]

Election to the Legislative Assembly

FromConstituency
Polling Station

Serial Number of entry	Name of the Elector	Name of the electoral area in which the elector is enrolled	Serial No. of elector on the electoral roll	Signature or thumb impression of the person challenged	Address of the person challenged	Name of identifier if any	Name and address of challenger	Order of the Presiding Officer
1	2	3	4	5	6	7	8	9

240

Certified that a sum of Rs. has been received on account of challenged Votes and the amount in question has been deposited with the Returning Officer.

Place
Date

Signature of Presiding Officer.

FORM XIV

[See Rule 23]

THE STATEMENT OF THE COUNT

Polling Station

Name and No.

Constituency

Serial No.	Name of the contesting candidates	Number of votes polled by each contesting candidates	Number of challenged votes polled by each contesting candidates	Total votes polled by each contesting candidate Col.(3) & (4)	Remarks
1	2	3	4	5	6

-
- (i) Total number of votes polled by the contesting candidates (including challenged votes)
- (ii) Total number of doubtful votes excluded from the count (including the doubtful challenged votes).....
- (iii) Aggregate of (i) and (ii)

Place

Date

Signature of the
Presiding Officer.

FORM XV

[See Rule 24]

BALLOT PAPER ACCOUNT

Election to the Legislative Assembly.

FromConstituency.

Polling Station

- 1. Ballot papers received for use at the polling station from Serial No. to Total
- 2. Total number of ballot papers taken out of the ballot box or boxes and counted
- 3. Total number of tendered ballot papers
- 4. Total number of challenged ballot papers
- 5. Total number of ballot papers spoilt and cancelled
- 6. Total number of ballot papers under item number (2), (3), (4) and (1)
- 7. Number of unissued ballot papers from Serial number to Total
- 8. Total number of item numbers (6) and (7)

should be equal to the total of item No. (1)

Signature of the Presiding Officer.

FORM XVI
[See Rule 25 (1)]
**CONSOLIDATED STATEMENT OF THE RESULTS OF THE COUNT
 FURNISHED BY THE PRESIDING OFFICERS**

In respect of election to the Legislative Assembly.
 From Constituency.

Serial No.	Polling Station	Number of valid ballot papers (including challenged votes) cast in favour of						Total per Polling Station			
		A	B	C	D	E	F	Valid	Rejected	Total	Number of tendered Votes
1	2	3	4	5	6	7	8	9	10	11	12

Total No. of votes recorded at the polling station

Total votes recorded on postal ballot for the constituency.

Grand Total

Place

Date

Returning Officer.

*Write the names of the candidates.
 *Strike off the words not applicable.

FORM XVII
RETURN OF ELECTION

[See Rule (26)]

Election to the Legislative Assembly.

From

Serial No.	Name of the contesting candidates	Number of valid votes polled
------------	-----------------------------------	------------------------------

Total number of valid votes polled

Total number of rejected votes

Total number of tendered votes

I declare that—

Mr./Mrs./Miss son/wife/daughter
of of(address)
has been duly elected.

Date
Place

Returning Officer.

FORM XVIII

[See Rule 28 (1)]

RETURN OF ELECTION EXPENSES

Election to the Legislative Assembly.

From Constituency

Name of the candidate Name of the Election agent

Address of the candidate Address of the Election agent

Part A. – ACCOUNT OF ELECTION EXPENSES

The date on which expenditure was incurred or authorised	The nature of expenditure	The amount of expenditure			The date of payment	The name and address of the payee	The serial No. of vouchers in the case of amount paid	The serial No. of bills if any, in the case of amount outstanding	The name & address of the person to whom the amount outstanding is payable
		the amount paid (i)	the amount outstanding (ii)	Total of (i) & (ii)					
1	2	3	4	5	6	7	8	9	10

Part B.- ACCOUNT OF PERSONALEXPENSES OF THE CANDIDATE

The date on which expenditure was incurred	The nature of expenditure	The amount of expenditure			The date of payment	The name and address of the payee	The serial No. of vouchers in the case of amount paid	The serial No. of bill if any, in the case of amount outstanding	The name & address of the person to whom the amount outstanding is payable
		the amount paid (i)	the amount outstanding (ii)	Total of (i) & (ii)					
a	b	c	d	e	f	g	h	i	j

Part C.-ACCOUNT OF DISPUTED CLAIMS

The date on which the claim is alleged to have arisen	Name and address of the claimant	The nature of the claim	The amount of the claim is disputed	Grounds on which the
a	b	c	d	e

FORM XIX

[See Rule 29 (I)]

Affidavit to be sworn by a candidate who acts as his own election agent.

I, (name) having been a candidate in the election to the Legislative Assembly from constituency make oath and say (declare on solemn affirmation) that:

1. In the aforementioned election, I acted as my own election agent and all expenses incurred, all moneys, securities or things of value receive, all payments made, all claims settled and accounts maintained in the course of or in connection with the election were incurred, received, made, settled and maintained by me or within my knowledge and under my control and direction.

2. All information given and all entries made in the return of election expenses and all vouchers, bills and other documents lodged by me with that return are, within my knowledge and belief, true and genuine.

Signature of the candidate

Sworn/declared on solemn affirmation before me this

day of by

who is personally known to me/who has been identified by

who is personally known to me.

Signature.

FORM XX

[See Rule 29 (ii)]

Affidavit to be sworn by a candidate who employs an election agent.

I,..... (name) having been a candidate in the election to the Legislative Assembly from constituency make oath and say (declare on solemn affirmation) that:

1. In the aforementioned election, I appointed (name) of address as my election agent and all expenses (except my personal expenses) incurred, all moneys, securities, things of value received, all payments made, all claims settled and all accounts maintained in the course of or in connection with the election were incurred, received and maintained by him or made under his control and direction.

2. The information given in the statement of personal expenses in the return of election expense made by the said election agent has been supplied by me and is within my knowledge and belief true and genuine.

3. All other information in the return of election expenses is to the best of my knowledge and belief, true.

Signature of the candidate

Sworn/declared on solemn affirmation before me

this day of by who is personally known to me/who has been identified by who is personally known to me.

Signature

Strike off the words not applicable.

FORM XXI

[See Rule 29 (iii)]

Affidavit to be sworn by an Election agent.

I,..... (name)

..... (address) having acted as an election agent of a candidate at the election to the Azad Jammu and Kashmir Legislative Assembly from the constituency *make oath and say (declare on solemn affirmation) that:

1. In the aforementioned election, all expenses (other than the personal expenses of the candidate) incurred, all moneys, securities, and other things of value received, all payments made, all claims settled and all accounts maintained in the course of or in connection with the election were incurred, receive, made, settled and maintained by me or with my knowledge and under my control or direction.

2. The information given and entries made in the statement of personal expenses of the return of election expenses and vouchers, bills and documents pertaining thereto have been supplied to me by the said candidate.

3. All information given, and all entries made by me in the return of election expenses and all vouchers and bills and other documents lodged by me with that return are, within my knowledge and belief, true and genuine.

Signature of Election Agent.

Sworn/declared on solemn affirmation before me this day of by who is personally known to me/who has been identified by who is personally known to me.

Signature

*Strike off the words not applicable.

FORM XXII

[See Rule (32)]

Notice under section 72 of the Azad Jammu and Kashmir
Legislative Assembly (Elections) Ordinance, 1970

Election to the Azad Jammu and Kashmir Legislative Assembly

From Constituency

Before the Election Tribunal(place).

In the matter of Election Petition No..... of 19

..... Petitioner.

Versus

..... Respondent

I, (name) respondent, do hereby give notice
under section 72 of Azad Jammu and Kashmir Legislative Assembly (Elections)
Ordinance, 1970, that I do not intend to contest the aforesaid petition.

Place.....

Signature.....

Date

Respondent

*Strike off the words not :
