

IN pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of notification no. 1762/XIV-27-Si.-4-67(W)-96 T.C.-I, dated September 3, 2014 :

No. 1762/XIV-27-Si.-4-67(W)-96 T.C.-I

Dated Lucknow, September 3, 2014

IN exercise of the powers under section 51 of the Uttar Pradesh Participatory Irrigation Management Act, 2009 (UP Act no. 4 of 2009), the Governor is pleased to make the following rules with a view to amending the Uttar Pradesh Participatory Irrigation Management Rules, 2010.

THE UTTAR PRADESH PARTICIPATORY IRRIGATION MANAGEMENT
(FIRST AMENDMENT) RULES, 2014

Short title and
Commencement

1. (1) These rules may be called the Uttar Pradesh Participatory Irrigation Management (First Amendment) Rules, 2014.

(2) They shall come into force with effect from the date of their publication in the *Gazette*.

Amendment of
rule 5

2. In the Uttar Pradesh Participatory Irrigation Management rules 2010, hereinafter referred to as the said rules, in rule 5 for sub-rule (1) set out in Column I below the sub-rule set out in Column in II shall be *substituted* namely:—

COLUMN-I

Existing sub-rules

(1) A kulaba command shall be divided in six sub-commands having approximately equal number of land holders.

COLUMN-II

Sub-rule as hereby substituted

(1) A kulaba command shall be divided in six sub-commands having approximately equal number of land holders provided that where there are less than six land-holders in a kulaba command such kulaba command shall be divided into such kulaba sub-commands as the number of land-holders therein.

Amendment of
rule 7

3. In the said rules, in rule 7 for sub-rule (4) set out in Column I below the sub-rule as set out in Column II shall be *substituted* namely:—

COLUMN-I

Existing sub-rules

(4) If there is no representation of persons belonging to the Scheduled Castes or Scheduled Tribes or of women or panchayats of appropriate level i.e. village panchayat situated at the tail end of alpika, in the managing committee, then one person against each unrepresented category shall be co-opted by the managing committee from amongst the members of the general body or panchayats of appropriate level i.e. village panchayat situated at the tail end of alpika as the case may be.

COLUMN-II

Sub-rule as hereby substituted

(4) If there is no representation of persons belonging to the Scheduled Castes or Scheduled Tribes or of women or panchayats of appropriate level i.e. gram panchayat situated at the tail end of alpika, in the managing committee, then one person against each unrepresented category shall be co-opted by the managing committee **till the end of one month from the date of declaration of results of rajwaha samiti** from amongst the members of the general body or panchayats of appropriate level i.e. gram panchayat situated at the tail end of alpika as the case may be.

4. In the said rules, in rule 9 *for* sub-rule (4) set out in Column I below the sub-rule as set out in Column II shall be *substituted* namely:— Amendment of Rule 9

COLUMN-I

Existing sub-rules

(4) If there is no representation of persons belonging to the Scheduled Castes or Scheduled Tribes or of women or panchayats of appropriate level i.e. kshetra panchayat situated at the tail end of rajwaha, in the managing committee, then one person against each unrepresented category shall be co-opted by the managing committee from amongst the members of the general body or panchayats of appropriate level i.e. kshetra panchayat situated at the tail end of rajwaha as the case may be.

COLUMN-II

Sub-rule as hereby substituted

(4) If there is no representation of persons belonging to the Scheduled Castes or Scheduled Tribes or of women or panchayats of appropriate level i.e. kshetra panchayat situated at the tail end of rajwaha, in the managing committee, then one person against each unrepresented category shall be co-opted by the managing committee till the end of one month from the date of declaration of results of rajwaha samiti from amongst the members of the general body or panchayats of appropriate level i.e. kshetra panchayat situated at the tail end of rajwaha as the case may be.

5. In the said rules, in rule 11 *for* sub-rule (4) set out in Column I below the sub-rule as set out in Column II shall be *substituted* namely:— Amendment of Rule 11

COLUMN-I

Existing sub-rules

(4) If there is no representation of persons belonging to the Scheduled Castes or Scheduled Tribes or of women or panchayats of appropriate level i.e. Jila panchayat situated at the tail end of shakha, in the managing committee, then one person against each unrepresented category shall be co-opted by the managing committee from amongst the members of the general body or panchayats of appropriate level i.e. Jila panchayat situated at the tail end of shakha as the case may be.

COLUMN-II

Sub-rule as hereby substituted

(4) If there is no representation of persons belonging to the Scheduled Castes or Scheduled Tribes or of women or panchayats of appropriate level i.e. Jila panchayat situated at the tail end of shakha, in the managing committee, then one person against each unrepresented category shall be co-opted by the managing committee till the end of one month from the date of declaration of results of shakha samiti from amongst the members of the general body or panchayats of appropriate level i.e. Jila panchayat situated at the tail end of shakha as the case may be.

6. In the said rules, in rule 22 *for* sub-rule (1) set out in column I below the sub-rule as set out in column II shall be substituted namely:— Amendment of Rule 22

COLUMN-I

Existing sub-rules

(1) In a meeting of general body at kulaba, alpika, rajwaha or shakha level, the quorum shall be 1/5th of the total number of members of the general body present and voting.

COLUMN-II

Sub-rule as hereby substituted

(1) One fifth of the total numbers of members of the general body shall form the quorum in a meeting of the general body of kulaba, alpika, rajwaha or shakha level.

Amendment of
rule 29

7. In the said rules, in rule 29 for sub-rule (1) set out in Column I below the sub-rule as set out in Column II shall be *substituted* namely :—

COLUMN-I

Existing sub-rules

(1) The distributary level water users' association shall enter into an agreement with the Irrigation Department in accordance with Annexure A for the bulk supply of water and related issues :

Provided that unless a distributary level water users' association is constituted, the alpika samiti shall be deemed to be the distributary level water users' association.

COLUMN-II

Sub-rule as hereby substituted

(1) The distributary level water users' association shall enter into an agreement with the Irrigation Department in accordance with Annexure A for the bulk supply of water and related issues :

Provided that unless a distributary level water users' association is constituted, the alpika samiti shall be deemed to be the distributary level water users' association. The agreement between deemed distributary level water users' association and irrigation department shall deemed to be terminated on the date at which a new agreement between newly constituted distributary level water users' association and irrigation department is made.

Amendment of
rule 40

8. In the said rules, in rule 40 for sub-rule (v) set out in Column I below the sub-rule as set out in Column II shall be *substituted* namely:—

COLUMN-I

Existing sub-rules

(v) to maintain journal register in Form 19.

COLUMN-II

Sub-rule as hereby substituted

(v) to maintain **general** register in Form 19.

Amendment of
Annexure A

9. In the said rules, in Annexure A, in the Agreement, -(a) for clause (7) set out in Column I below the clause as set out in Column II shall be *substituted* namely:—

COLUMN-I

Existing Clause

(7) that the first party shall provide a copy of roster and supply water at the supply point in accordance with the roster to the second party.

COLUMN-II

Clause as hereby substituted

(7) that the first party shall provide a copy of roster or regulation order as amended from time to time and supply water at the supply point in accordance with the roster or upto date regulation order to the second party.

(b) for clause (15) set out in Column I below the clause as set out in Column II shall be *substituted* namely:—

COLUMN-I

Existing Clause

(15) that the second party shall open an account in a scheduled bank or post office in its name. Funds obtained from the Government shall be deposited into the said account. The account shall be operated jointly by the Competent Canal Officer and the Treasurer of the second party. The cash book, cheque book and accounts of expenditure with appropriate vouchers and receipts shall be maintained by the Treasurer of the second party.

COLUMN-II

Clause as hereby substituted

(15) that the second party shall open an account in a scheduled bank or post office in its name. Funds obtained from the Government shall be deposited into the said account. The account shall be operated jointly by the Competent Canal Officer and the Treasurer of the second party. The cash book, cheque book and accounts of expenditure with appropriate vouchers and receipts shall be maintained by the Treasurer of the second party. The funds from this account may be transferred to such account which is jointly operated by secretary and treasurer of the second party.

10. In the said rules, in Annexure B, in the Agreement,- (a) for clause (6) set out in Column I below the clause as set out in Column II shall be substituted:—

Amendment of
Annexure B

COLUMN-I

Existing Clause

(6) that the first party shall provide a copy of roster and supply water at the supply point in accordance with the roster to the second party.

COLUMN-II

Clause as hereby substituted

(6) that the first party shall provide a copy of roster or regulation order as amended from time to time and supply water at the supply point in accordance with the roster or upto date regulation order to the second party.

(b) for clause (13) set out in Column I below the clause as set out in Column II shall be substituted namely:—

COLUMN-I

Existing Clause

(13) that the second party shall open an account in a scheduled bank or post office in its name. Funds obtained from the Government shall be deposited into the said account. The account shall be operated jointly by the Competent Canal Officer and the Treasurer of the second party. The cash book, cheque book and accounts of expenditure with appropriate vouchers and receipts shall be maintained by the Treasurer of the second party.

COLUMN-II

Clause as hereby substituted

(13) that the second party shall open an account in a scheduled bank or post office in its name. Funds obtained from the Government shall be deposited into the said account. The account shall be operated jointly by the Competent Canal Officer and the Treasurer of the second party. The cash book, cheque book and accounts of expenditure with appropriate vouchers and receipts shall be maintained by the Treasurer of the second party. The funds from this account may be transferred to such account which is jointly operated by secretary and treasurer of the second party.

11. In the said rules, in Annexure C,-(a) for clause 4 set out in Column I below the clause as set out in Column II shall be substituted:—

Amendment of
Annexure C

COLUMN-I

Existing Clause

4. The Election Officer shall appoint the following officer for the purpose of conducting elections of water users' association:—
- (a) The Returning Officer who shall be an Executive Engineer;
 - (b) The Assistant Returning Officer who shall be an Assistant Engineer or Deputy Revenue Officer;
 - (c) The Sector Magistrate who shall be an Assistant Engineer or Deputy revenue officer or Junior engineer or Zileदार;
 - (d) The Presiding Officer who shall be a Senior Clerk or Seenchparvekshak;
 - (e) The Polling Officer who shall be a Seenchpal or Junior Clerk or fourth class employee of the division.

COLUMN-II

Clause as hereby substituted

- 4.(1) The Election Officer shall appoint the following officer for the purpose of conducting elections of water users' association:—
- (a) The Divisional Election Officer who shall be an Executive Engineer of the irrigation department
 - (b) The Returning Officer who shall be an Executive Engineer of the irrigation department.
 - (c) The Electoral Registration Officer who shall be an Executive Engineer of the irrigation department.
- (2) The Divisional Election Officer shall appoint the following officers for the purpose of conducting elections of water users' association:-
- (a) Assistant Returning Officer and Sector Magistrate who shall be a Government employee not below the rank of Junior engineer of the irrigation department;

COLUMN-I
Existing Clause

COLUMN-II

Clause as hereby substituted
(b) Presiding Officer and polling Officer who shall be the Government employee not below the rank of Seenchpal of the irrigation department.

(b) for clause 7 set out in Column I below the clause as set out in Column II shall be *substituted* namely:—

COLUMN-I
Existing Clause

7. The Election Officer may take necessary actions for deployment of employees of the department other than irrigation department as Sector Magistrate, Presiding Officer, polling officer, vehicle, if he thinks necessary for the purpose of conducting election in transparent and fare manner. The concerned District Magistrate shall provide all kind of assistant to the election officer for the conduct of transparent and fare election.

COLUMN-II

Clause as hereby substituted
7. The Election Officer shall take necessary actions for the arrangement of polling premises, vehicle and deployment of employees of the State Government as Sector Magistrate, Presiding Officer, polling officer if he thinks necessary for the purpose of conducting election in transparent and fair manner. The concerned District Magistrate shall provide all kind of assistance to the Divisional Election Officer for the conduct of transparent and fair election.

(c) for clause 12 set out in Column I below the clause as set out in Column II shall be *substituted* namely:—

COLUMN-I
Existing Clause

12. Any alteration or correction desired by land holders in electoral roll of kulaba sub-command shall be made within 15 days of its publication.

COLUMN-II

Clause as hereby substituted
12. Any alteration or correction desired by land holders in electoral roll of kulaba sub command shall be made within 30 days of its publication.

(d) for clause 13 set out in Column I below the clause as set out in Column II shall be *substituted* namely:—

COLUMN-I
Existing Clause

13. All valid alteration or corrections shall be incorporated in the electoral roll of kulaba sub-command and shall finally be published by Returning Officer with prior approval of Election officer.

COLUMN-II

Clause as hereby substituted
13. All valid alteration or corrections shall be incorporated in the electoral roll of kulaba sub-command and shall be published by Electoral Registration Officer.

(e) for clause 18 set out in Column I below the clause as set out in Column II shall be *substituted* namely:—

COLUMN-I
Existing Clause

18. On the issue of the notice under rule 16 the Deputy Election Officer shall give public notice for the election of water users' association in Hindi language by affixing notice at conspicuous places of the local area concerned.

COLUMN-II

Clause as hereby substituted
18. On the issue of the notice under rule 16 the **Divisional** Election Officer shall give public notice for the election of water users' association in Hindi language by affixing notice at conspicuous places of the local area concerned.

(f) for clause 21 set out in Column I below the clause as set out in Column II shall be substituted namely:—

COLUMN-I

Existing Clause

21. Counting shall be commenced on the date fixed by the Deputy Election Officer at the divisional office and results shall be declared accordingly by the Returning Officer.

COLUMN-II

Clause as hereby substituted

21. Counting shall be commenced at such place or places as may be decided by the Deputy Election Officer and results shall be declared accordingly by the Returning Officer.

(g) for clause 26 set out in Column I below the clause as set out in Column II shall be substituted namely:—

COLUMN-I

Existing Clause

26. A candidate shall not be deemed to be duly nominated for election of office of the members of managing committee unless he has deposited or cause to be deposited as security deposit to the Returning Officer or Assistant Returning Officer in cash at the time of submission of nomination paper. The security deposit shall be as:-

- (i) for the Member of managing committee of Kulaba Samiti- Rs. 1000.
- (ii) for the Member of managing committee of Alpika Samiti- Rs. 1500.
- (iii) for the Member for managing committee of Distributary Samiti- Rs. 2000.
- (iv) for the Member of managing committee of Branch- Rs.2500.

Such security deposits shall be reduced to 25% for candidates belonging to the Scheduled Castes or Scheduled Tribes or person of below poverty line.

COLUMN-II

Clause as hereby substituted

26. A candidate shall not be deemed to be duly nominated for election of office of the members of managing committee unless he has deposited or cause to be deposited as security deposit to the Returning Officer or Assistant Returning Officer in cash at the time of submission of nomination paper. The security deposit shall be as:-

- (i) for the Member of managing committee of Kulaba Samiti- Rs. 200.
- (ii) for the Member of managing committee of Alpika Samiti- Rs. 1000.
- (iii) for the Member for managing committee of Distributary Samiti- Rs. 2000.
- (iv) for the Member of managing committee of Branch- Rs.2500.

The amount of Such security deposits shall be 25% for candidates belonging to the Scheduled Castes or Scheduled Tribes or person of below poverty line

(h) for clause 33 set out in Column I below the clause as set out in Column II shall be substituted namely:—

COLUMN-I

Existing Clause

33. The Returning officer shall examine the nomination papers and decide on all the objections which may be made to any nomination and may either on such objection or on his own notion after summary enquiry as he thinks necessary, reject any nomination on any of the following grounds :—

COLUMN-II

Clause as hereby substituted

33. The Returning Officer or the Assistant Returning Officer as the case may be shall then examine the nomination papers and shall decide on all the objections which may be made to any nomination and may either on such objection or on his own notion after summary enquiry as he thinks necessary, reject any nomination on any of the following grounds :—

(i) for clause 34 set out in Column I below the clause as set out in Column II shall be substituted namely:—

COLUMN-I

Existing Clause

34. **Returning officer** shall endorse on such nomination paper his decision of accepting or rejecting the same and if the nomination paper is rejected, he shall record it in writing giving brief statement of his reasons for such rejection.

COLUMN-II

Clause as hereby substituted

34. **Returning officer or Assistant Returning Officer as the case may be** shall endorse on such nomination paper his decision of accepting or rejecting the same and if the nomination paper is rejected, he shall record it in writing giving brief statement of his reasons for such rejection.

(j) for clause 35 set out in Column I below the clause as set out in Column II shall be substituted:—

COLUMN-I

Existing Clause

35. Immediately after all nomination have been scrutinized and decision regarding accepting or rejecting the same have been recorded, the **Returning officer** shall prepare a list of valid nominated candidates and affix it on the notice board in Form E4.

COLUMN-II

Clause as hereby substituted

35. Immediately after all nomination have been scrutinized and decision regarding accepting or rejecting the same have been recorded, the **Returning Officer or Assistant Returning Officer as the case may be** shall prepare a list of valid nominated candidates and affix it on the notice board in Form E4.

(k) for clause 36 set out in Column I below the clause as set out in Column II shall be substituted namely:—

COLUMN-I

Existing Clause

36. A candidate may withdraw his candidature by giving a notice in Form E5 to the Returning or Assistant returning officer at any time after the submission of nomination paper and not later than 5:00 PM of the third day succeeding the day appointed for scrutiny of the nomination.

COLUMN-II

Clause as hereby substituted

36. A candidate may withdraw his candidature by giving a notice in Form E5 to the Returning Officer or the Assistant Returning Officer.

(L) for clause 38 set out in Column I below the clause as set out in Column II shall be substituted namely:—

COLUMN-I

Existing Clause

38. A candidate who has withdrawn his nomination, his security deposits shall be to him immediately.

COLUMN-II

Clause as hereby substituted

38. A candidate who has withdrawn his nomination, his security deposits shall be returned to him immediately.

(m) for clause 40 set out in Column I below the clause as set out in Column II shall be substituted namely:—

COLUMN-I

Existing Clause

40. If poll is found to be necessary, the Deputy Election Officer shall assign to each candidate a distinctive symbol.

COLUMN-II

Clause as hereby substituted

40. If poll is found to be necessary, the **Returning Officer or Assistant Returning Officer as the case may be** shall assign to each candidate a distinctive symbol as decided by the Chief Election Officer.

(n) for clause 43 set out in Column I below the clause as set out in Column II shall be substituted namely:—

COLUMN-I*Existing Clause*

43. If there is only one validly nominated candidate. The Deputy Election Officer shall forthwith declare such candidate as duly elected and send the same to the Election officer.

COLUMN-II*Clause as hereby substituted*

43. If there is only one validly nominated candidate. The **Divisional Election Officer** shall forthwith declare such candidate as duly elected and send the same to the Deputy Election Officer and Election officer. The Security deposit of such candidate shall be returned to him immediately.

(o) for clause 47 set out in Column I below the clause as set out in Column II shall be substituted namely:—

COLUMN-I*Existing Clause*

47. Where the election is to be conducted, the Deputy Election Officer shall forthwith appoint one presiding officer at each polling station. He shall also provide, for each presiding officer, such number of polling officer as may be necessary. He may also appoint some identifying officer.

COLUMN-II*Clause as hereby substituted*

47. Where the election is to be conducted, the **Divisional Election Officer** shall forthwith appoint one presiding officer at each polling station. He shall also provide, for each presiding officer, such number of polling officer as may be necessary. He may also appoint some identifying officer.

(p) for clause 51 set out in Column I below the rule as set out in Column II shall be substituted namely:—

COLUMN-I*Existing Clause*

51. **Presiding officer** shall provide at each polling station sufficient number of ballot boxes, together with copies of the electoral roll and such other papers and articles necessary for election to mark the ballot paper stationary and Forms as may be necessary.

COLUMN-II*Clause as hereby substituted*

51. **Divisional Election Officer** shall provide at each polling station sufficient number of ballot boxes, together with copies of the electoral roll and such other papers and articles necessary for election to mark the ballot paper stationary and Forms as may be necessary.

(q) for clause 78 set out in Column I below the clause as set out in Column II shall be substituted namely:—

COLUMN-I*Existing Clause*

78. The **election Officer** shall make adequate arrangements for the safe transport of all ballot boxes, packets and other papers and for their safe custody until commencement of the counting of votes.

COLUMN-II*Clause as hereby substituted*

78. The **Divisional Election Officer** shall make adequate arrangements for the safe transport of all ballot boxes, packets and other papers and for their safe custody until commencement of the counting of votes.

(r) for clause 79 set out in Column I below the clause as set out in Column II shall be *substituted*:—

COLUMN-I

Existing Clause

79. The Returning Officer shall, at least three days before the date of counting fixed the time and place or places where the counting of votes will be done and shall give notice of the same in writing to each candidate or his election agent. Votes shall be counted under the supervision of the Returning Officer. The Returning Officer shall appoint such number of counting assistants as may be necessary to assist him in counting of votes. Each candidate, election agent of each candidate, and one representative of each candidate authorized in writing by the candidate shall have a right to be present except such person or persons as the Returning Officer may appoint to assist him in counting of votes. No person shall be appointed to assist in counting the votes who has been employed by or on behalf of any candidate or any person whatsoever connected with the election of a candidate.

COLUMN-II

Clause as hereby substituted

79. The Returning Officer shall, at least three days before the date of counting **shall issue notice about date, time and place/places fixed for the counting** in writing to each candidate or his election agent. Votes shall be counted under the supervision of the Returning Officer. The Returning Officer shall appoint such number of counting assistants as may be necessary to assist him in counting of votes. Each candidate, election agent of each candidate, and one representative of each candidate authorized in writing by the candidate shall have a right to be present except such person or persons as the Returning Officer may appoint to assist him in counting of votes. No person shall be appointed to assist in counting the votes who has been employed by or on behalf of any candidate or any person whatsoever connected with the election of a candidate.

(s) for clause 105 set out in Column I below the clause as set out in Column II shall be *substituted* namely:—

COLUMN-I

Existing Clause

105. The Returning officer shall publish on notice board in the office of the water users' associations concerned a notification signed by him stating the name the candidate duly elected.

COLUMN-II

Clause as hereby substituted

105. The **Divisional Election officer** shall publish a notification on notice board in signed by him his office stating the name the candidate duly elected.

(t) for clause 106 set out in Column I below the clause as set out in Column II shall be *substituted* namely:—

COLUMN-I

Existing Clause

106. The Deputy Election Officer shall, after declaring the results forward a copy of the results to the Election Officer concerned and shall hand over the packets of ballot papers, whether counted, rejected. These packets shall not be opened and their contents shall not be inspected or produced except under the orders of the Election Officer to decide election disputes.

COLUMN-II

Clause as hereby substituted

106. The Deputy Election Officer shall, forward a copy of the results to the Election Officer and issue the direction that these packets shall not be opened and their contents shall not be inspected or produced except under the orders of the Election Officer to decide election disputes.

(u) for clause 107 set out in Column I below the clause as set out in Column II shall be substituted namely:—

COLUMN-I

Existing Clause

107. The Election Officer shall retain packets and the marked copies of the voters' list for a year and shall then cause them to be destroyed when he deems fit.

COLUMN-II

Clause as hereby substituted

107. The **Divisional** Election Officer shall retain packets and the marked copies of the voters' list for a year and shall then cause them to be destroyed in accordance with the direction given by the Election officer.

12. After clause 109 of the Annexure-C, the following clause shall be inserted namely,-

Insertion of New Clause 110

110. (1) The election of a member of a water users' association at any level shall be called in question by an application presented to the Divisional Election Officer of Irrigation Department within 90 days from the declaration of results on the ground that—

Elections disputes

(a) the election has not been a free election by reason that the corrupt practice of bribery or undue influence has extensively prevailed at the election, or

(b) that the result of the election has been materially affected—

(i) by the improper acceptance or rejection of any nomination; or

(ii) by failure to comply with the provisions of the Act or the rules framed thereunder.

(2) The following shall be deemed to be corrupt practices of bribery or undue influence for the purposes of this clause—

(a) Bribery, that is to say, any gift, offer or promise by a candidate or by any other person with the connivance of a candidate of any gratification to any person whomsoever, with the object, directly or indirectly of inducing a person to stand or not to stand as, or withdraw from being a candidate at any election or an elector to vote or refrain from voting at an election; or as a reward to—

(i) a person for having so stood or not stood or having withdrawn his candidature; or

(ii) an elector for having voted or refrained from voting.

(b) Undue influence, that is to say, any direct or indirect interference or attempt to interfere on the part of a candidate or of any other person with the connivance of the candidate with the free exercise of any electoral right:

Provided that without prejudice to the generality of the provisions of this clause any such person as is referred to therein who—

(i) threatens any candidate, or any elector, or any person in whom a candidate or any elector is interested, with injury of any kind including social ostracism and ex-communication or expulsion from any cast or community; or

(ii) induces or attempts to induce a candidate or an elector to believe that he or any person in whom he is interested will become or will be rendered an object of divine displeasure or spiritual censure, shall be deemed to interfere with the free exercise of the electoral right of such candidate or elector within the meaning of this clause.

(3) The application under sub clause (1) may be presented by any candidate at the election or any elector and shall contain such particulars as may be decided by the Divisional Election Officer of Irrigation Department.

(4) (a) The Divisional Election Officer of Irrigation Department on receiving application under sub clause (1) shall—

- (i) hear the applicant and may either reject the application or
 (ii) set aside the election, or declare the election to be void or declare the applicant to be duly elected or may grant any other relief.

(b) Any party aggrieved by an order of the Divisional Election Officer under sub clause (4) may, within thirty days from the date of the order, may file an appeal in the competent court.

Amendment of
Form E1

13. In the said rules, for Form E1 set out in column I below the Form as set out in column II shall be *substituted* namely:—

COLUMN-I

Existing form

FORM E 1

[See clause 16 of the procedure for
conducting election]

**NOTICE FOR THE ELECTION OF
THE MEMBER OF THE
MANAGING COMMITTEE OF
THE WATER USERS'
ASSOCIATION**

in the division.....

It is hereby notified that elections to the members of the managing committee of the Water users' association at (level) shall be conducted as per the following:

- (i) Nomination papers shall be presented:
- (a) On (date)
- (b) Time....between.....to.....
hours
- (ii) Date of scrutiny of nomination papers
- (iii) Date of withdrawal of candidature
- (iv) Date of polling
- (v) Date of counting of votes
- (vi) Declaration and publication of results.

COLUMN-II

Form as hereby substituted

FORM E 1

[See clause 16 of Annexure C]

**NOTICE FOR THE ELECTION OF THE
MEMBER OF THE MANAGING
COMMITTEE OF THE WATER USERS'
ASSOCIATION**

in the division.....

Notice

It is hereby notified that elections to the members of the managing committee of the Water users' association at (level) shall be conducted on the dates mentioned as follows:

- Submission of nomination paper On.....to...
(Date) (Time)
- Scrutiny of nomination papers On.....to...
(Date) (Time)
- Allotment of symbol On.....to.....
(Date) (Time)
- Withdrawal of candidature On... ..to.....
(Date) (Time)
- Date of polling On.....to.....
(Date) (Time)
- Date of counting of votes On.....to....
(Date) (Time)
- Declaration of results

Election Officer

Election Officer

14. In the said rules, for Form E2 set out in Column I below the Form as set out in Column II shall be substituted namely:—

Amendment of Form E2

COLUMN-I
Existing form
FORM E 2

[See rule 23 of the procedure for conducting election]

Water users' association -----

NOMINATION PAPER

1. Name of parent channel.....
(alpika/rajwaha/shakha)
2. Name of channel.....(kulaba no./alpika/rajwaha/shakha)
3. Name of reach/sub-command.....
4. Full name of the candidate
5. Father's or husband's name
6. Serial number of candidate in the Electoral Roll
7. Age
8. Sex
9. Occupation and Address

Signature of candidate

This nomination paper was presented to me -----(person) at ----
----(date and hour) -----

Signature of the returning officer/assistant returning officer

COLUMN-II
Form as hereby substituted
FORM E 2

[See clause 23 of Annexure C]

Water users' association -----

Serial no.....

NOMINATION PAPER

1. Name of parent channel
- (alpika/rajwaha/shakha)
2. Name of channel.....(kulaba no./alpika/rajwaha/shakha)
3. Name of reach/sub-command.....
4. Full name of the candidate
5. Category of candidate (SC/ST)
6. Father's or husband's name
7. Address of candidate
8. Serial number of candidate in the Electoral Roll
9. plot number of candidate in kulaba command
10. Age
11. Sex
12. Occupation and Address

Signature of candidate

13. Name of proposer
14. Father's name of proposer
15. Address of proposer

Signature of proposer

Candidate's Declaration

I hereby declare that:-

- I am eligible and willing to stand for election;
- My age as shown above is correct;
- I am not a candidate from any other subcommand/reach;
- I am eligible to be elected to an office of the gram panchayat.

Signature of candidate

This nomination paper was presented to me -----(person) at ----(hour)
---- on----- (date)

Signature of the returning officer/assistant returning officer

.....
Candidate's copy Serial no..

1. Name of candidate
2. Name of parent channel
3. Name of channel/kulaba number
4. Name of reach/subcommand
5. Date, time and place of scrutiny
6. Plot no of candidate
7. Serial no of candidate

This nomination paper was presented to me ---
----- (person) at ----- (hour) --- on----(date)

Signature of the returning officer/
assistant returning officer

Amendment of
Form E315. In the said rules, for Form E3 set out in Column I below the Form as set out in Column II shall be *substituted* namely:—**COLUMN-I***Existing form*
FORM E 3[See rule 33 of the procedure for
conducting election]**LIST OF NOMINATION RECEIVED
ON(DATE) FOR THE
MEMBERS OF MANAGING
COMMITTEE OF**

| Sl.no. of nomination paper | Name of the Candidate | Father's Name | Age | Occupation & Address | Voters List No. of Candidate | | |
|----------------------------|-----------------------|---------------|-----|----------------------|------------------------------|---|---|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| | | | | | | | |

The nomination papers will be taken up for scrutiny atAM/PM onthedateat (Place)

Date

Place

Signature of the Returning
Officer/Assistant Returning Officer**COLUMN-II***Form as hereby substituted*
FORM E 3[See rule 33 of the
Annexure C]**LIST OF NOMINATION RECEIVED
ON(DATE) FOR THE
MEMBERS OF MANAGING
COMMITTEE OF**

| Sl. no. of nomination paper | Name of the Candidate | Father's Name | Age | Occupation & Address | Serial number of candidate in voter list | Name of canal/ kulaba number | Reach of canal/ kulaba sub-command number | Category of candidate |
|-----------------------------|-----------------------|---------------|-----|----------------------|--|------------------------------|---|-----------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |
| | | | | | | | | |

The nomination papers will be taken up for scrutiny atAM/PM onthedateat (Place)

Date

Place

Signature of the Returning
Officer/Assistant Returning OfficerAmendment of
Form E416. In the said rules, for Form E4 set out in Column I below the Form as set out in Column II shall be *substituted* namely:—**COLUMN-I***Existing form*
FORM E 4

[See rule 37 of the procedure for conducting election]

LIST OF VALIDLY NOMINATED CANDIDATES

Name of division

Election to the Member of the managing committee of

| Sl. No. Allotted | Name of parent channel | Name of channel/ kulaba number | Reach/ Sub-command | Name of candidate | Address of the candidate |
|------------------|------------------------|--------------------------------|--------------------|-------------------|--------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 |
| 1. | | | | | |

Returning Officer

COLUMN-II*Form as hereby substituted*
FORM E 4

[See rule 37 of the Annexure C]

LIST OF VALIDLY NOMINATED CANDIDATES

Name of division

Election to the Member of the managing committee of

| Sl. No. Allotted | Name of parent channel | Name of channel/ kulaba number | Reach /Sub-command | Name of candidate | Address of the candidate | Category of candidate |
|------------------|------------------------|--------------------------------|--------------------|-------------------|--------------------------|-----------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| 1. | | | | | | |

Returning Officer /Assistant Returning Officer

17. In the said rules, for Form E5 set out in Column I below the Form as set out in Column II shall be substituted namely:— Amendment of Form E5

COLUMN-I
Existing form
FORM E 5

[See rule 38 of the procedure for conducting election]

NOTICE OF WITHDRAWAL

Election to the member of the Managing Committee of

To,
The Returning officer,
I.....a candidate validly nominated at the above election do hereby give notice that I withdraw my candidature.

Place
Date

Signature of candidate

This notice was delivered to me at my office at(hours) on(date) by.....(name)

Date

Returning Officer

COLUMN-II
Form as hereby substituted
FORM E 5

[See rule 38 of the Annexure C]

NOTICE OF WITHDRAWAL

Election to the member of the Managing Committee of

To,
The Returning/Assistant Returning officer,
I.....S/o.....resident ofis a validly nominated candidate for kulaba subcommand number/reach....of kulaba number/canaloff-taking from.....in the above election do hereby give notice that I withdraw my candidature.

Place
Date

Signature of candidate

This notice was delivered to me at my office at(hours) on(date) by.....(name)

Date

Returning Officer /Assistant Returning Officer

RECEIPT FOR NOTICE OF WITHDRAWAL
(To be handed over to the person delivering the notice)

This notice of withdrawal of candidature bya candidate at the election to the member of the Managing Committeeas delivered to me by theat my office at(hour) on(date)

Date

Returning Officer

RECEIPT FOR NOTICE OF WITHDRAWAL
(To be handed over to the person delivering the notice)

This notice of withdrawal of candidature bya candidate at the election to the member of the Managing Committeeas delivered to me by theat my office at(hour) on(date)

Date

Returning Officer /Assistant Returning Officer

By order,
DEEPAK SINGHAL,
Pramukh Sachiv.
Sinchai Avam Jal Sansadhan Vibhag.

पी०एस०यू०पी-ए०पी० 293 राजपत्र (हि०)-2014-(769)-599 प्रतियां (कम्प्यूटर/ट्रे०/आफसेट)।
पी०एस०यू०पी-ए०पी० 3 सा० सिंचाई-2014-(770)-500 प्रतियां (कम्प्यूटर/ट्रे०/आफसेट)।