

WEST BENGAL STATE ELECTION COMMISSION
18, Sarojini Naidu Sarani
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Kolkata-700017
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No. 3311-SEC/1C-1/2006

Date: 14.08.2013

DIRECTION

In continuation of this Commission's Order No.3310-SEC/1C-1/2006 dated 14.08.2013, the Commission in view of the provision of Rule 11 of the West Bengal Municipalities(Conduct of Elections) Rules, 1995 as amended, is to state that whereas the nomination papers of candidates set up by the recognized National and State Parties are required to be subscribed by only one elector as proposer and of other candidates by 10(ten) electors as proposers, certain clarifications were sought for from the Commission regarding setting up of candidates by Political Parties. Clarifications given on these points are as under:

1) Nomination papers filed by a candidate claiming to have been set up by a recognized National or State Party subscribed by only one elector as proposer, will be rejected, if a notice in writing to that effect has not been delivered to the Returning Officer of the Constituency by an authorized office bearer of that political party by 3.00 PM on the last date for making nominations in Annexure I & II prescribed by the Commission for the purpose.

2) Sometimes a candidate may file more than one (but not more than four) nomination papers--some as candidate set up by a recognized political party and the others as candidate set up by a registered but unrecognized political party or as an independent candidate. In that case the nomination paper filed as a candidate of a recognized political party, if rejected, on the ground of the non-receipt of the said notice in Annexure I & II by 3.00 PM on the last date of filing nomination from the concerned recognized political party, or for any other reason, then the other nomination papers filed by the said candidates will be valid if the same are proposed by ten electors and are otherwise found valid on scrutiny. In such a case, he would be deemed to be a candidate set up by a registered but un-recognised political party, if such party has sent notices in Annexure I & II by 3.00 P.M.

on the last date for making nominations or otherwise he will be treated as an independent candidate.

3) If a candidate has filed nomination paper with both part I & II thereof duly filled in and he fails to bring notice in Annexure I & II from the authorized office bearer of the concerned political party, the nomination paper may be accepted if part II is properly filled in and subscribed by ten electors as proposers.

4) If a candidate, who has filed his nomination paper as a candidate claiming to be set up by a registered but un-recognised political party, fails to bring in his favour a notice from the concerned political party in Annexure I & II, his nomination paper will be accepted only if it is subscribed by ten electors as proposer but he would be deemed to be an independent candidate.

5) If nomination papers of a candidate, one nominating him as a candidate set up by a recognized political party and the other as an independent candidate, are accepted, he may be deemed to be a candidate set up by a recognized political party.

It must be noted that a State Party which is recognized in some other State but not in this State, shall be treated as registered but unrecognized political party.

It may also be noted that for the candidate set up by the recognized political party, nomination papers shall have to be subscribed by a single proposer and for other parties (registered but unrecognized and independent etc.) the nomination papers shall have to be subscribed by 10(ten) proposers.

By Order of the
State Election Commissioner,
West Bengal State Election Commission

Sd/
Secretary
West Bengal State Election Commission

No.3311/1(29)-SEC/1C-1/2006

Dated : 14.08.2013

Copy forwarded for information and necessary action to the:

- 1) District Municipal Election Officer and District Magistrate, Cooch Behar / Jalpaiguri / Uttar Dinajpur / Dakshin Dinajpur / Nadia / North 24-Parganas / South 24-Parganas / Burdwan / Birbhum.
- 2) Municipal Electoral Registration Officer and Sub-Divisional Officer, Mekhliganj / Alipurduar / Islampur / Balurghat / Kalyani / Barrackpore / Barasat / Diamond Harbour / Burdwan (Sadar) North / Suri (Sadar) /
- 3) President / Chairman / General Secretary / Secretary,

Sd/
Secretary
West Bengal State Election Commission