

CHAPTER-III CONDUCT OF ELECTION TO THE BOARD

11. Appointment of Electoral Registration Officer.- (1) The Government shall appoint an Electoral Registration Officer who shall be an Officer not below the rank of a Regional Commissioner, whose appointment shall be made not less than six months prior to the completion of the term of the Board.

(2) **Notification regarding Electoral Rolls.-** The Electoral Registration Officer shall issue notification regarding preparation of Electoral Rolls in Form No.19 within seven days from the date of his appointment which shall be published at the office of the Electoral Registration Officer, Office of the Karnataka State Board of Auqaf and in all the District Waqf Offices and such Waqf institutions as Electoral Registration Officer may think fit. Wide Publicity of the Notification shall also be given by publishing it in local dailies having circulation in the area, at least one each in Kannada, Urdu and English language.

(3) **Preparation of Electoral Roll.-** The Electoral Roll for the four Categories of Electoral Colleges under Clause (b) of sub-section (1) of section 14 shall be prepared or revised before the date of the notification of the election to the Board.

(4) **Obtaining list of Electoral Colleges by Electoral Registration Officer.-** The Electoral Registration Officer at the time of revision of Electoral Roll to the four Electoral Colleges shall obtain the list of eligible voters in case of categories specified in Sub-Clause (i) and (ii) of Clause (b) of sub-section (1) of section 14, from (i) Secretary-General of Lok Sabha and Rajya Sabha, (iii) Secretary, Karnataka Legislative Assembly and Secretary, Karnataka Legislative Council, (iv) the Secretary, Karnataka State Bar Council and from the Chief Executive Officer, (v)Karnataka State Board of Auqaf respectively.

(5) The Electoral College for the category of Mutawalli shall consist of Auqaf having an annual income of Rupees One Lakh and above for the financial year proceeding the year of election.

12. Application for Registration by Voters to the Electoral Registration Officer.- (1) The Electoral Registration Officer shall furnish the form of application in Form No.20 to all those, whose names are not included in the list obtained under sub-rule (4) of rule 11 and to all persons eligible for registration, on their request.

(2) The voters intending to get registered in the respective Electoral College shall fill up Form No.20 and Form No.20 (A) and submit them so as to reach the Electoral Registration Officer within seven days from the date of Notification under sub-rule (2) of rule 11.

(3) No person shall be entitled to seek election unless his name is in the Electoral Roll.

13. Publication of Provisional Electoral Roll.- The Electoral Registration Officer shall prepare and publish the Provisional Electoral Roll in not more than three months from the date of his appointment.

(a) The last date for filing of Claims/Objections for the Provisional Electoral Roll shall be fifteen days from the date of its publication.

(b) If any objections are received the Electoral Registration Officer shall consider them by holding summary inquiry and pass appropriate orders within fifteen days from the last date fixed for receipt of objections.

(c) The Final Electoral Roll shall be published within seven days from the completion of the process under this rule.

14. Forms and Language of Electoral Roll.- (1) The Electoral Roll in respect of the four Electoral Colleges shall be prepared in Form Nos.21A, 21B, 21C and 21D.

(2) The Electoral Roll shall be in Kannada, Urdu and English languages.

15. Electoral Roll of Ex-Muslim Members of Parliament from Karnataka, Ex-Muslim Members of State Legislature and Ex-Muslim Members of the Bar Council.- The procedure specified under rules 11 to 14 shall mutatis mutandis apply to the preparation of rolls of the Electoral Colleges specified in the second proviso to sub-section (2) of section 14. Separate Electoral Roll shall be maintained for each category there under, in Forms Nos.22A, 22B and 22C respectively.

16. Returning Officer and Assistant Returning Officer.-(1) The State Government shall appoint an Officer not below the rank of a Regional Commissioner to be the Returning Officer for conduct of Election to the Members of the Board from the four Electoral Colleges.

(2) For the purpose of polling to the election of member/s to the Board from the Electoral College of Mutawallies the State shall be made into four Revenue Divisions viz., Bengaluru, Mysuru, Belagavi and Kalburgi. The Returning Officer shall conduct such polling at the Head Quarters of said four Revenue Divisions. The Returning Officer shall appoint the Assistant Commissioner of the headquarters of the respective division, as the Presiding Officer for the purpose of such polling.

(3) There may be one or more polling booths at each of the aforesaid Revenue Divisions where election has to be conducted.

(4) The Returning Officer may also appoint Chief Executive Officer or Additional Chief Executive Officer of Karnataka State Board of Auqaf as Assistant Returning Officer.

(5) The Assistant Returning Officer shall subject to the control of the Returning Officer be competent to perform all or any of the functions of the Returning Officer.

(6) The Returning Officer shall appoint sufficient number of Presiding Officers and Polling Officers for the booths:

Provided that, no Assistant Returning Officer shall perform any of the functions of the Returning Officer which relates to the scrutiny of nominations unless the Returning Officer is unavoidably prevented from performing the said functions.

17. Notification of election by the State Government.- The State Government shall notify in Form No.23 the schedule of election to the four Electoral Colleges consisting of one or two members from each Electoral College under Clause (b) of sub-section (1) of section 14, indicating the dates of commencement and completion of election which shall not be less than thirty days.

18. Publication of Notice of Election by Returning Officer.- (1) Public Notice of election notified under rule 17 shall be published by the Returning Officer indicating clearly,-

(a) the number of persons to be elected to each of the Electoral Colleges for which election is declared;

(b) the last date for filing of nominations, shall be the seventh day after the date of publication of the Notice under this rule;

(c) the place at which such nominations are to be filed;

(d) the date of scrutiny of nominations which shall be the day next after the last date for filing nominations;

(e) the last date for withdrawal of nominations shall be the third day after the date for the scrutiny of nominations;

(f) the date on which polling shall be held being a date not earlier than the tenth day after the last date for withdrawal of nominations;

