

*[Authoritative English text of this Department Notification No. HFW-B (A)2-2/2001-III, dated 25-11-2011 as required under clause (3) of Article 348 of the Constitution of India.]*

## HEALTH AND FAMILY WELFARE DEPARTMENT

### NOTIFICATION

Shimla-2, the 25<sup>th</sup> November, 2011

**No. HFW-B (A)2-2/2001-III.-** Whereas, the draft rules titled as the Himachal Pradesh Medical Council ( Election) rules were published in the Rajpatra, Himachal Pradesh (Extra Ordinary) on 12-9-2007, vide this department notification of even number dated 16-8-2007 for inviting objections and suggestions from persons likely to be affected thereby as required under section-31 of the Himachal Pradesh Medical Council Act, 2003, within a period of 30 days from the date of publication

And whereas, no objection/suggestion has been received in this behalf from general public On the said draft rules during the stipulated period.

Now, therefore, in exercise of the powers conferred by section 31 of the Himachal Pradesh Medical Council Act, 2003, the Governor of Himachal Pradesh is pleased to make the following rules, namely:-

### RULES

#### PART-1

#### PRELIMINARY

**1. Short title and commencement.-** (1) These rules may be called the Himachal Pradesh Medical Council (Election) Rules, 2011.

(2) They shall come into force on the date of their publication in the Rajpatra, Himachal Pradesh.

**2. Definitions.** (1) In these rules, unless there is anything repugnant to the subject or Context,-

(a) "Act" means the Himachal Pradesh Medical Council Act, 2003 (Act No. 16 of 2003);

(b) "Council" means the Himachal Pradesh Medical Council constituted under section 3 of the Act;

(c) "Election" or "re-election means election or re-election to the State Medical Council;

(d) "Form" means a Form appended to these rules;

(e) "Nomination" or "re-nomination" means nomination or re-nomination to the State Medical Council;

(f) "Official Gazette" means the Rajpatra, Himachal Pradesh;

(g) "Register" means the Medical Practitioner's register maintained under section 15 of the Act;

(h) Registrar means the Registrar of Council to be appointed by the Council from time to time under section 14 of the Act; (i) "Returning Officer" means the Registrar or the Deputy Registrar, as the case may Be, acting as such under rule 3 of these rules;

(j) Section means a section of the Act; and

(k) State Government" means the Government of Himachal Pradesh.

(2) Words and expressions used herein and not defined, but defined in the Act, shall have the meanings respectively assigned to them in the Act.

## PART-II

### ELECTION TO STATE MEDICAL COUNCIL

**3. Returning Officer.**-The Registrar or the Deputy Registrar shall be the Returning Officer. The Returning Officer shall inform the State Government about the constitution of a new Council and he shall also notify in the Official Gazette and in two leading newspapers, at least sixty days prior to the expiry of the tenure of the existing Council, about the constitution of a new Council and about the proposed schedule of election.

**4. Constitution of new Council.**-The following procedure shall be followed for the purpose of constituting the new Council, namely:-

(a) The Returning Officer shall intimate to the Dean/Principal/Director of every Government Medical College established by law in the State of Himachal Pradesh, having a medical faculty to elect one member from each Government Medical College by the medical faculty thereof from amongst the permanent members of the teaching faculty. The election shall be conducted and completed by the respective College, within thirty days, at a special meeting convened under the direction of the Director, Health Services, Himachal Pradesh, wherein the Director of Health Services or his representative shall observe the election proceedings and the name of the elected members shall be intimated to the Returning officer.

(b) The Returning Officer shall intimate to the Himachal Medical Officers' Association regarding the election of one member from amongst its members to be elected to the Council. The election of such member shall be conducted and completed by the said Association within thirty days, at a special meeting convened under the directions of the Director, Health Services, Himachal Pradesh, wherein the Director of the Health Services or his representative shall observe the election proceedings and name of elected member shall be intimated to the Returning Officer. Only registered medical practitioner registered with the Council shall attend and vote in such a meeting

Explanation.- For the purposes of the clause, the Director of Health Services shall decide as to which Association is recognized and his decision shall be final.

(c) The Returning Officer shall request the State Government for nominating four members of the Council having qualifications as prescribed in the Indian Medical Council Act, 1956 (Central Act No. 102 of 1956). The State Government shall intimate the names of such four members to the Returning Officer within thirty days.

(d) The Returning Officer shall conduct the election of eight members to be elected under clause (c) of section 3 by the registered practitioners from amongst themselves in accordance with the provisions contained in Part-II of these rules.

PART-III

**PREPARATION OF ELECTORAL ROLL AND MODE OF ELECTION OF MEMBERS  
FROM REGISTERED MEDICAL PRACTITIONERS**

**5. Qualifications of Voters.-** (1) No person shall be qualified to vote or to be elected Unless.....;;-

- (i) He is a citizen of India;
- (ii) his name is entered in the register mentioned under section 15; and
- (iii) he either carries on his profession or is employed in the State of Himachal Pradesh.

(2) A voter's name shall not be removed from the electoral roll for the reason that the elector has, subsequent to the publication of the final register, ceased to hold the capacity in which he was registered as such:

Provided that a candidate for an election must continue to hold the requisite Qualification/capacity by virtue of which he is seeking election.

**6. Preparation of electoral roll.-** (1) The electoral roll for the election shall comprise All registered practitioners registered with the Council as on the date of the notice of the election issued under sub-rule (1) of rule 9.

(2) The electoral roll shall be prepared by the Registrar from the register containing the names of registered medical practitioners under section 15 and it shall contain the name, father's name, address and registration number of every elector qualified to vote for the election of a member of the Council.

3) The names of electors shall be arranged in the order in which they are registered for inviting claims or objections, by making a copy thereof available for inspection by displaying it in the office of the Council.

(4) The Returning Officer shall publish the notice stating that any objection relating to entries or omission from the said electoral roll may be preferred to the Returning Officer at his office during office hours on or before the date of hearing of objections to be specified in the notice.

**7. Forms for lodging claims and objections and manner of their disposal.-** (1) Every Claim for inclusion of a name in the roll and every objection to an entry therein shall be lodged, within a period of thirty days from the date of publication of the roll under sub-rule (3) of rule-6 of these rules, in Forms-I and II respectively.

(2) Every claim in Form-I shall be signed by the person who requires his name to be Included in the roll.

(3) Every objection in Form-II to the inclusion of a name in the roll shall be preferred by a person whose name is already included in the roll and shall be countersigned by another person whose name is also included in the roll.

(4) Every such claim or objection, as the case may be, shall be examined by the Registrar who shall record his remarks thereon, following which he may either allow or reject the claim or objection

Provided that a claim or objection shall not be rejected unless the person making it is given an opportunity of making representation against such rejection.

(5) The decision of the Registrar allowing or rejecting a claim or objection shall be final.

**8. Final publication of the roll.-** (1) The Registrar shall after disposing of the claims And objections, if any, under rule 7, prepare a list of amendments to carry out his decisions under the said rule and to carry out any clerical or printing error and other inaccuracies, in the roll subsequently discovered or brought to his notice.

(2) The Registrar shall publish the roll together with the list of amendments by making a complete copy thereof and make available for inspection by displaying it at the office of the Council and cause to be printed a sufficient number of copies of the electoral roll for supply on payment to such persons as may apply for the same.

(3) On such publication, the roll together with the list of amendments shall be the electoral roll of persons who may elect the members of the State Medical Council under clause (c) of sub- section (3) of section 3.

(4) A copy of the roll together with amendments published under sub-rule (2) shall be sent by the Registrar to the State Government.

**9. Notice of election.-** (1) Whenever an election, under clause (c) of sub-section (3) of Section 3, to the Council is to be held or a vacancy is to be filled, the Registrar shall issue a notice as per Form-II giving the following details and calling upon the electors to elect a member or members by a date to be specified in the notice:

- (a) The date of election;
- (b) Number of vacancies to be filled;
- (c) The date and time by which the candidates shall file their nominations;
- (d) Date and time of scrutiny of nomination papers;
- (e) Date and time by which a candidate can withdraw his nomination;
- (f) Date of counting of votes and declaration of results; and
- (g) Any other relevant information in regard to the election:

Provided that-

(i) The date for filling nominations shall be the seventh day after the date of publication of the said notification or, if that day is a public holiday, the next succeeding day which is not a public holiday,

(ii) The last date for withdrawal of nomination shall be the second day after the scrutiny of nomination or, if that day is a public holiday, the next succeeding day which is not a public holiday;

(iii) the date on which a poll shall, if necessary, be taken, shall be not earlier than the thirtieth day after the last date for withdrawal of nomination; and

(iv) The date, the time and the counting of votes and for declaration of results shall not be beyond the third day from the date of poll.

(2) The notice issued under sub-rule (1) shall also invite nomination papers of the candidates for election to the Council and specify the place at where the nomination papers are to be delivered.

(3) A copy of notice shall be affixed on the notice board in the office of the Registrar, as well as published in the two leading newspapers in English and Hindi.

**10. Presentation of nomination papers and requirements for valid nomination.-** (1) On or before the date appointed under sub-rule (1) of rule 9, each candidate shall send by a registered post with acknowledgement due or deliver in person to the Returning Officer, a nomination paper in Form-IV alongwith a bank draft of Rs. 1000/- as security for each nomination, payable to the Himachal Pradesh Medical Council at Shimla.

(2) Every nomination paper shall be subscribed by two electors one as the proposer and the other as the seconder and assented by the candidate proposed and seconded by them :

Provided that no elector shall subscribe as a proposer or a seconder more nomination papers than there are seats to be filled up:

Provided further that, if an elector subscribes to more number of nomination papers than there are seats to be filled up, the nomination papers first received by the Returning Officer to the number of seats to be filled up shall, if they are otherwise in order, be held to be valid, and if all such nomination papers subscribed by the same elector in excess of the number of seats to be filled up are received simultaneously, all such nomination papers shall be held to be invalid.

(3) On receipt of each nomination paper the Returning Officer shall endorse thereon the Date and the hour of its receipt.

**11. Forfeiture and refund of security deposit.-** (1) If a candidate by whom or on whose Behalf the security deposit referred to in rule 10 has been made is not elected and the number of votes polled in his favour are less than  $1/6^{\text{th}}$  of the total valid votes polled as a whole or the candidate has posted exactly  $1/6^{\text{th}}$  valid votes polled, the security deposit shall be forfeited to the Council.

(2) The security deposit in the following cases shall, by an order in writing of the President on the recommendation of the Returning Officer, be refunded to the candidate or if not made by him to the person by whom it was made or where the candidate has died to his legal representatives.

- (a) Where the nomination paper of the candidate has been rejected; or
- (b) Where the candidate has withdrawn his nomination within specified time; or
- (c) Where the candidate has died before issue of the ballot paper to the electors.

(3) The Security deposit in the following cases shall be refunded after declaration of the results of the election.-

- (a) Where the candidate though not elected does not forfeit his security deposit under sub-rule (1); or
- (b) Where the candidate is elected.

**12. Rejection of nomination paper.-** A nomination paper which is not received on or before the date appointed by the Returning Officer in that behalf shall be rejected.

**13. Scrutiny of nomination paper.-**(1) On the date and the time appointed by the Returning Officer for scrutiny of nomination papers, the candidates and the proposer and the seconder of each candidate or other representatives duly authorized by the candidates in this behalf, may attend the office of the Returning Officer who shall allow them to examine the nomination Papers of all the Candidates, which have been received by him.

2. A nomination paper shall be declared invalid,-

(a) if a proposer or a seconder has signed the nomination papers of more candidates than the number of vacancies;

(b) If the nomination paper is not signed by the candidate or by the proposer or by the seconder;

(c) If the nomination paper is not addressed to the Returning Officer by name and does not reach him under a registered cover or is not delivered to him personally by the date and time notified for the purpose;

(d) if a sum of Rs.1000/- is required to be deposited as security under rule 10 by the candidate is not received by the Returning Officer within the stipulated date and time;

(e) if it does not bear the registration number of the proposer and seconder or if the registration number is inaccurate;

(f) if the candidate has ceased to hold the requisite qualifications or capacity by virtue of which he is seeking election; and

(g) if the candidate is disqualified under sub-section (1) of section 7 of being elected as member of the Council.

(3) The Returning Officer shall examine the nomination papers thus received and decide All questions which may arise as to the validity of any nomination and his decision thereon shall be final.

**14. Withdrawal of nomination.-** (1) Any candidate may withdraw his nomination by Giving notice in writing signed by him and delivered to the Returning Officer before the date fixed under sub-rule (1) of rule 9.

(2) A candidate who has withdrawn his nomination shall not be allowed to cancel the Withdrawal or to be re-nominated as a candidate for the same election.

**15. Publication of the List of contesting candidates.-** (1) Immediately after the expiry Of the period within which candidature may be withdrawn under rule 14, the Returning Officer shall prepare and publish a list of contesting candidates in one of the leading newspapers in the State that is to say, candidates who were validly nominated and who have not withdrawn their candidature within the said period.

(2) The said list shall contain the names (in alphabetical order) and the addresses of the Contesting candidates.

(3) The said list shall be published in the Official Gazette and given wide publicity in such Manner as the Returning Officer may deem fit.

**16. Polling.-**(1) If the number of candidates filing nomination for election does not Exceed the number of members to be elected, the Returning Officer shall forthwith declare such candidates to be duly elected.

(2) If the number of such candidates exceeds the number of members to be so elected, the Returning Officer shall, not later than thirty days before the date appointed for the poll, send by registered post to every other elector a letter of intimation in Form-V together with a numbered declaration paper in Form-VI, a voting papers in Form-VII containing the names of candidates in alphabetical order and bearing the Returning Officer's initials or facsimile signature, a voting paper cover addressed to the Returning officer and an outer cover also addressed to the said officer:

Provided that the voting paper and other connected papers may also be any elector on this applying to the Returning Officer before the date appointed for the poll, if the Returning Officer is satisfied that the papers have not been sent to him.

(3) A certificate of posting shall be obtained in respect of each such letter of intimation sent to an elector.

(4) An elector who has not received the voting and other connected papers sent to him by post or who has lost them or in whose case the papers before their return to the Returning Officer have been inadvertently spoilt, may transmit a declaration in writing to that effect and request the Returning officer not later than fifteen days before the date appointed for the poll to send him fresh papers, and if the papers have been spoilt, the spoilt papers shall be returned to the Returning officer, who shall cancel them on receipt .

(5) In every case in which such fresh papers have been issued, a mark shall be placed Against the number relating to the elector's name in the roll to denote that fresh papers have been issued to him.

(6) No election shall be invalid for the reasons of non-receipt of his voting paper and other connected papers by an elector.

(7) Each elector shall have the right to vote for as many candidates as there are seats to be Filled by the election, and the vote shall be non-transferable.

(8) Every elector desirous of recording his vote shall, after filling up the declaration paper (Form-VI) and the voting paper (Form-VII) according to the direction given in the letter of intimation (Form-V) enclose the voting paper in the voting cove, stick up and enclose the said cover alongwith the declaration paper, in the outer envelope addressed to the Returning Officer and send that outer envelope by post at the elector's own cost or by hand to the Returning Officer, so as to reach him not later than the appointed time for closure of voting on the date fixed for the poll.

(9) On receipt by post, or by hand, of the envelope containing the declaration paper and The closed cover containing the voting paper the Returning Officer shall enclose on the outer envelope the date and the hour of its receipt.

(10) All envelopes received after the said day and hour shall be rejected.

**17. Opening of Cover.-** (1) The Returning Officer shall open all the outer envelopes immediately after the time is over fixed for the polling.

(2) Any candidate may be present in person or may send a representative duly authorized By him, in writing, to be present at the time when the outer envelopes are opened.

**18. Rejection of voting paper covers.-** (1) A voting paper shall be rejected by the Returning Officer, if-

(a) the outer envelope contains no declaration paper outside the voting paper cover; or

(b) the declaration paper is not the one sent by the Returning Officer, or

(C) the declaration paper is not signed by the elector, or

(d) the voting paper is placed outside the voting paper cover,; or

(e) more than one declaration paper, or voting paper cover have been enclosed in one and the same outer envelope.

(2) In each case of rejection, the word "rejection" shall be endorsed on the voting paper cover and the declaration paper. The reasons for the rejection shall also be recorded, in brief, on the voting paper cover.

(3) After satisfying himself that the electors have affixed signatures to the declaration paper, the Returning Officer shall keep all the declaration papers in safe custody pending disposal under rule 22.

**19. Scrutiny and counting of votes.-** (1) On the date appointed for the counting of votes, the voting paper covers other than those rejected under rule 18 shall be opened and the voting papers taken out and mixed together.

(2) The voting papers shall then be scrutinized and the valid votes counted.

(3) Any candidate may be present in person or may send a representative duly authorized by him, in writing, to watch the process of counting.

(4) A voting paper shall be invalid if,-

(a) it does not bear the Returning Officer's initials or facsimile signature; or

(b) a voter signs his name on the voting paper, or writes any word on it, or makes a mark on it by which it becomes recognizable as his voting paper, or

(c) no vote is recorded thereon; or

(d) it is void for uncertainty of the vote recorded; or .

(e) the number of votes recorded thereon exceeds, the number of members to be elected, or

(f) the recording of the vote has been done at a place or in the manner other than that provided for the purpose.

(5) The Returning Officer shall show the voting papers to the candidates or their authorized representatives at the time of scrutiny and counting of votes, if so requested.

(6) If any candidate or his representative makes an objection to the acceptance of a voting Paper on the ground that it does not comply with the specified requirements, or to the rejection of a voting paper by the Returning Officer, it shall be decided at once by the Returning Officer whose decision thereon shall be final.

(7) The Returning Officer shall nominate such number of persons, for counting of votes as He deems fit, in accordance with such directions as may be issued in this behalf by the State Government.

**20. Provision for recounts.-** Any candidate or his agent may, at any time during the counting of the votes, make a request in writing to the Returning Officer to recount the votes of all candidates or of any candidate, and the Returning Officer shall forthwith recount the same accordingly. The Returning Officer may also, at his discretion, recount votes either once or more often in any case in which he is not satisfied as to the accuracy of any previous count, provided that nothing shall make it obligatory on the Returning Officer to recount votes more than once

**21. Declaration of results.-** (1) When the counting of votes has been completed, the Returning Officer shall draw up a list of candidates in the order of higher votes polled in favour of each candidate and shall declare the results of the successful candidates in that order according to the number of seats to be filled up.

(2) If any candidate thus declared elected refuses to accept the election, then in the place of that candidate one of the remaining candidates to whom the next largest number of votes have been



cast shall be deemed to have been elected, and the same procedure shall be adopted as often as a vacancy is caused in this way.

3) When there is equality of votes among any two or more candidates, then the person or persons, as the case may be, who shall be deemed to have been elected shall be determined by lots to be drawn by the Returning Officer or any other officer authorized by him in such manner as he may determine.

(4) The Returning Officer shall, as soon as the result is declared, inform each successful candidate of his being elected to the State Medical Council.

**22. Voting papers to be retained.**- Upon the completion of the counting and after the result has been declared, the Returning Officer shall seal the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and shall not destroy or cause to be destroyed these records even after the expiry of the said six months without the previous concurrence of the State Government.

**23. Intimation of results of election.**-(1) The Returning Officers shall intimate the names of the elected candidates to the State Government for enabling it to fulfill its statutory obligation of publishing their names in the Official Gazette under sub-section (9) of section 3.

(2) In case of any dispute regarding the election, which may be lodged with the Returning Officer within fifteen days of declaration of the results of that election, it shall be referred to the State Government through an Officer, who shall be of rank of not below the Secretary to the Government, for its decision, under sub-section (7) of section 3, which shall be final.

#### **PART-IV**

### **ELECTION OF PRESIDENT AND VICE-PRESIDENT OF STATE MEDICAL COUNCIL**

**24. Register of members of the State Medical Council.**-The Office of the State Medical Council shall maintain a Book giving the names and other details of the members elected or nominated to it from time to time, as required under rule 5 of the Himachal Pradesh Medical Council (General) Rules, 2011.

**25. Procedure for election of President of the State Medical Council.**-(1) As soon as possible and not later than fifteen days after the constitution of the new Council, the election of the President of the Council by the Members of that Council from amongst themselves shall be held at the first meeting of the said Council after its constitution or re-constitution, as the case may be.

(2) The Registrar shall invite the members present at the meeting to make the nominations for the office of the said President. Each nomination shall be supported by another member present at that meeting as the seconder:

Provided that no member shall nominate or second more than one member for the presidency.

(3) If there is only one member so nominated, he shall be declared duly elected as the President of the Council.

(4) If however, there be more than one member duly nominated an Presidentship, the Registrar shall proceed to take ballots in the following manner, namely:-

(a) A slip of paper shall be given to every member present who shall write on it the name of one of the contestants in whose favour the member wishes to cast his vote. He shall then fold the slip and hand it over to the Registrar.

(b) On receipt of all the slips the Registrar shall count the number of votes secured by each contestant and shall declare that member who secures the largest number of votes to be duly elected as President.

(c) If there is an equality in the votes secured by two or more contestants and the Registrar may then decide the issue by taking lots in such manner as he deems fit and the Member so determined by the draw of lots shall be declared as duly elected as the President of the Council.

**26. Procedure for election of Vice- President of State Medical Council.-** (1) The President of the Council having been elected under rule 25 shall take chair and the members of the State Medical Council will propose to elect a Vice-President of the Council from amongst themselves.

(2) The procedure laid down in rule 25 shall be followed except that in case of equality of votes, the President shall have a casting vote.

**FORM-I**  
**(See rule 7)**

**CLAIM FOR INCLUSION OF A NAME IN THE ELECTORAL ROLL**

To  
The Registrar,  
Himachal Pradesh State Medical Council,  
Shimla.  
Sir,

I do hereby file under rule 7 of the Himachal Pradesh Medical Council (Election) Rules, 2011 framed under the Himachal Pradesh Medical Council Act, 2003 (Act No. 16 of 2003) my claim for inclusion of my name in the electoral roll for the ensuing election to the Himachal Pradesh Medical Council under clause © of sub-section (3) of section 3 of the said Act.

The relevant details are given below:-

Name (in block letters).....

Address:

.....  
.....  
.....

Academic qualification:

.....

Designation and official address, if any:

.....  
.....

Grounds for the claim (with proof, if any) :

.....

I declare that I am citizen of India, residing in ..... State and practicing in Medical/employed in..... State.

Place:.....

Date:.....

(Signature of claimant)

**FORM-II**  
**(See rule 7)**

**OBJECTION TO AN ENTRY IN THE DRAFT ELECTOROL ROLL**

To,

The Registrar,  
Himachal Pradesh State Medical Council,  
Shimla.

Sir,

I do hereby file under rule 7 of the Himachal Pradesh Medical Council (Election) Rules, 2011 framed under the Himachal Pradesh Medical Council Act, 2003 (Act No.16 of 2003) my objection to the following entry in the electoral roll prepared by you in connection with the ensuing election to the Himachal Pradesh Medical Council under clause (c) of sub-section (3) of section 3 of the said Act:-

1. Name of the persons (in block letters)

the entry of whose name in the electoral  
roll is objected to

.....

2. Particulars of entry objected to

.....

3. Grounds of objections to the entry

.....

.....

Place:.....

Date:.....

(Signature of the objector)

Serial No. and name of objector  
as entered in the Electoral Roll

.....

Address of the objector :

.....

.....

(Counter signature)

Place:.....

Date:.....

Serial No. and name of person countersigning as entered in the electoral  
roll.....

Address of the person countersigning

.....

.....

**FORM-III**

(See rule 9)

**Himachal Pradesh Medical Council**

**NOTICE OF ELECTION PROGRAMME**

Notice is hereby given that –

- (1) An election is to be held for election of ..... members from amongst the Registered medical practitioners entered in the register of the Council, on.....( date).
- (2) Nomination paper may be delivered by a candidate or his proposer in person or by post to the Returning Officer on or before.....
- (3) Form of nomination paper may be obtained from the Returning Officer from his office on any working day on payment of Rs..... only.
- (4) The nomination will be taken up for scrutiny on .....(date).
- (5) Notice of withdrawal of candidature may be delivered by a candidate or his proposer, duly authorized in writing by the candidate for the purpose, to the Returning Officer upto..... (hours)..... On.....( date).
- (6) Counting of votes shall be done on.....at..... ..in the office of the Returning Officer..... and marked ballot paper received upto the aforesaid date and time only shall be counted.
- (7) The result shall be declared immediately after the counting of votes.

Place:.....

Date:.....

(Name)

*Returning Officer.*

**FORM-IV**

(See rule 10)

**NOMINATION PAPER**

Election to the Himachal Pradesh Medical Council under clause (c) of sub-section (1) of section 3 of the Himachal Pradesh Medical Council Act, 2003 (Act No. 16 of 2003).

1. Name of the candidate.....
2. Father's name .....
3. Age and date of birth .....
4. Nature of qualification .....
5. Registered number (in the State  
Medical Register)  
.....
6. Page No. in the State Medical  
Register or its supplement (mentioning the year) in which the name appears.  
.....
7. Serial No. in the roll .....
8. Address: House No .....
- Block/Street No .....
- Village/Town .....
- Post Office .....
- Pin Code .....
9. Name of proposer.....
10. Signature of proposer.....
11. Registration No. of proposer in the  
State Medical Register and the  
Page No. in the said Register or its supplement  
(mentioning the year) in which the name appears.....
12. Serial No. in the roll.....
13. Name of seconder .....

14. Signature of seconder.....

15. Registration No. of seconder in  
Medical Register and the page  
No. in the said Register or its  
Supplement (mentioning the year)  
in which the name appears.....

16. Serial No. in the roll.....

Declaration by the candidate :

I hereby declare that I agree to this nomination.

(Signature of candidate)

This nomination paper was received by me at (place)..... on (date) .....  
at (time) .....

(Signature of the Returning Officer).

**Decision of the Returning Officer accepting or rejecting nomination papers**

I have examined this nomination paper in accordance with law and decide as follows:-

Place.....

Date.....

.....  
Returning Officer

**INSTRUCTIONS**

Nomination papers which are not received by the Returning Officer before  
(Hour).....on the..... Will be invalid.

**FORM-V**  
**(See sub-rules (2) & (8) of rule 16)**

**LETTER OF INTIMATION**

Sir/Madam

The persons whose names are printed in the enclosed voting paper have been duly nominated as candidates for election to the Himachal Pradesh State Medical Council under clause © of sub-section (1) of section 3 of the Himachal Pradesh Medical Council Act, 2003 (Act No. 16 of 2003). Should you desire to vote at the election, I request that you will:-

- (a) Fill up and sign the declaration paper (Form-VI);
- (b) mark your vote in the column provided for the purpose in the voting paper (Form-VII) as per instructions printed on the voting paper,
- (c) enclose the voting paper in the small cover and stick it up; and
- (d) enclose the small cover and the declaration paper in the outer envelope which is larger and on which my address is already printed and return the same to me by post at your cost or deliver it in person in my office so as to reach me not later than.....On the.....of 20.....

2. The voting paper will be rejected if-

- (a) the outer envelope enclosing the voting paper cover and the declaration paper is not sent by post or not delivered in person in my office or received later than the hour fixed for the closing of the poll;
- (b) the outer envelope contains no declaration paper outside the smaller cover, or
- (c) the voting paper is placed outside the voting paper cover, or
- (d) the declaration paper is not the one sent by the Returning Officer to the voter; or
- (e) more than one declaration paper or voting paper cover have been enclosed in one and the same outer envelope; or
- (f) the declarations not signed by the elector, or
- (g) the voting paper is invalid.

3. A voting paper will be invalid if -

- (i) it does not bear the Returning Officer's initials or facsimile signature, or
- (ii) a voter signs his name on the voting paper, or writes any word on it or makes any mark by which it becomes recognizable as his voting paper, or
- (iii) no vote is recorded thereon; or
- (iv) the number of votes recorded thereon exceeds the number to be elected, or
- (v) it is void for uncertainty of the vote exercised.

4. If a voter inadvertently spoils a voting paper, he can return it not later than fifteen days before the date appointed for the poll, to the Returning Officer who will, if satisfied of such inadvertence, issue to him another voting paper.

5. The scrutiny and counting of votes will begin on ..... (date) at.....(hour).

6. No person shall be present at the scrutiny and counting except the Returning Officer or such other person as he may appoint to assist him, the candidates or their duly authorized Representatives.

Returning Officer



**FORM-VI**

(See sub-rules (2) and (8) of rule 16)

**DECLARATION PAPER**

Election to the Himachal Pradesh Medical Council under clause (c) of sub-section (1) of section 3 of the Himachal Pradesh Medical Council Act, 2003 (Act No. 16 of 2003).

Elector's name .....

Registration number on the State

Medical Register and page number .....

in that Register or its supplement

(mentioning the year) in which the

Name appears.

**ELECTOR'S DECLARATION**

I .....(name in full and designation, if any) declare that I am an Elector for the election of members to the Himachal Pradesh Medical Council under clause (c) of sub-section (1) of section 3 of the BHimachal Pradesh Medical Council Act, 2003 ( 16 of 2003) and that I have submitted no other voting paper at this election.

Station .....

Date .....

Signature of elector.

**FORM-VII**

[See sub-rules (2) and (8) of rule 16]

**VOTING PAPER**

Serial No. of Voting paper .....\*, .....Member(s) is/are to be elected to the Himachal Pradesh State Medical Council under the Himachal Pradesh Medical Council Act, 2003 (16 of 2003).

S1.No.	Names and addresses of candidate duly nominated	Vote
1.		
2.		
3.		
4.		
5.		

Initials/facsimile signature of the Returning Officer.....

**INSTRUCTIONS**

1. Each elector has the right to vote for as many candidates as the number of members to be elected.
2. He shall vote by placing the mark 'X' opposite the name(s) of the candidate(s) whom he prefers.
- 3 The voting paper shall be invalid if-
  - (a) it does not bear the Returning Officer's initials or facsimile signature; or
  - (b) the voter signs his name or writes word or makes any mark on it, by which it becomes recognizable as his voting paper, or
  - (c)no vote is recorded thereon; or
  - (d) the mark 'X' is so placed as to render it doubtful to which candidate it is intended to apply, or if it is placed against the names of more number of candidates than required to be elected.

\_\_\_\_\_  
\*Number to be indicated.

*By order,*  
*Sd/-*  
*Secretary (Health).*