

# **RTI DISCLOSURE**

*UNDER SECTION 4(1)(b) OF THE*  
**RIGHT TO INFORMATION ACT, 2005**

**CHIEF ELECTORAL OFFICER**  
**NAGALAND, KOHIMA**

**PUBLICATION UNDER  
RIGHT TO INFORMATION ACT, 2005**

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# **RTI DISCLOSURE UNDER SECTION 4 (1) (b) OF THE RIGHT TO INFORMATION ACT, 2005**

## **1. Introduction**

### **1.1. Background, objective and purpose of this Hand Book.**

The Right to Information Act, 2005 (Central Act 22 of 2005) has been enacted to provide for setting out a practical regime of the right to information for citizens to secure access to information under the Control of Public Authorities, in order to promote transparency and accountability in the working of every Public Authority. This publication under section 4(1) (b) of the Right to Information Act sets out the obligations of public authorities concerned with electoral administration.

### **1.2. Intended users of this book.**

Members of public, political parties, officers and staff concerned with electoral administration will be the users of this Hand Book.

### **1.3. Organization of the Information**

The organization of the information in this Hand Book is given Chapter-wise in the index.

### **1.4. Contact person**

Public Information Officer, i.e. Joint Chief Electoral Officer and Assistant Public Information Officer, i.e. Deputy Chief Electoral Officer, Election Department, Nagaland, Kohima.

### **1.5. Procedure and Fee Structure for getting information**

(GO No.AR-3/Gen-147/2005(A) dated 30.11.2005)

(a) Every application for obtaining information under sub-section (1) of the section 6 of the Act shall be accompanied by an application fee of Rs.10/- by way of cash or Demand Draft or Bankers Cheque payable in the Head of Account “0070-Other Administrative Services” . The applicant may also remit the fee under the above head of account in the Govt. Treasury through a Treasury Challan and produce the Challan to the Public Information Officer as an evidence for having remitted the fee.

(b) For providing the information under sub-section (1) of Section 7 of the Act, a fee shall be charged by way of cash against proper receipt or by Demand Draft or Bankers Cheque payable in the above head of account, at the following rates :-

- (i) Rupees two for each page (in A-4 or A-3 size paper) created or copied;
- (ii) Actual charge or cost price of a copy in larger size paper;
- (iii) Actual cost or price for samples or models; and
- (iv) For inspection of records, no fee for the first hour, and a fee of rupees five for each fifteen minutes in (or fraction thereof) thereafter.

(c) For providing the information under sub-section (5) of Section 7, the fee shall be charged by way of cash against proper receipt or by Demand Draft or Bankers Cheque payable in the head of account, at the following rates –

- (i) for information provided in diskette or floppy Rs. 50/- per diskette or floppy:  
and
- (ii) for information provided in printed form, at the price fixed for publication or rupees two per page of photo copy for extracts from the publication.

Persons below the poverty line are exempted from the payment of fee mentioned in the above para for seeking information under the Right to Information Act, 2005. The list of persons below the poverty line as approved by the Village Council and Local Bodies will be the basis for claiming concessions and the certified extract of the list will be sufficient to avail this concession.

## **2. Particulars of Organization, functions and duties**

**2.1 Name & Address** The Chief Electoral Officer & Ex-Officio Secretary to Government of Nagaland Election Department.

### **2.2 Legal standing and creation**

Under Article 324 of the Constitution, the superintendence, direction and control of the preparation of the electoral rolls for, and the conduct of, all elections to the Parliament and to the Legislature of every State and the elections in the offices of President & Vice-President are vested in the Election Commission which consists of the Chief Election Commissioner and Election Commissioners. At the state level, the election work is supervised subject to the superintendence, direction and control of the Election Commission, by the Chief Electoral Officer (appointed by the Election Commission) and the officers and staff working under him.

The Chief Electoral Officer is normally appointed from all India Service in the cadre of Secretary & above. Chief Electoral Officer is, therefore, designated as Chief Electoral Officer and Ex-Officio Secretary to Government. Field administration at the district level is run by the District Election Officers (DEOs) (generally the Deputy Commissioners). The Deputy Commissioners are also designated as Electoral Registration Officers (EROs) for preparation & maintenance of electoral rolls). Generally officers in the level of ADC/ Sub-Divisional Officers (Civil) are appointed as Asstt. Electoral Registration Officers (AEROs), Returning Officers (ROs) & Asstt. Returning Officers (AROs) (for conduct of elections) and other officials like Presiding and Polling Officers) also for the conduct of elections. The office of the Chief Electoral Officer was set up in Nagaland for the general elections in 1963, in accordance with Section 13A of the Representation of the People Act, 1950, for carrying out the following :

### **2.3. Functions and duties**

Under the Article 324 of the Constitution of India, and Section 13 of R.P Act 1950 Power and duties has been vested to the CEO, DEO, EROs subject to superintendents, duties and control of Election Commission of India.

(i) Conduct of elections/bye-elections to

- the 60 Assembly Constituencies in Nagaland Legislative Assembly
- the lone Lok Sabha seat allocated to Nagaland

Note : These two elections are direct elections where the people of the country directly participate.

- the lone Rajya Sabha seat allocated to Nagaland.
- The Office of the President of India
- The Office of the Vice-President of India

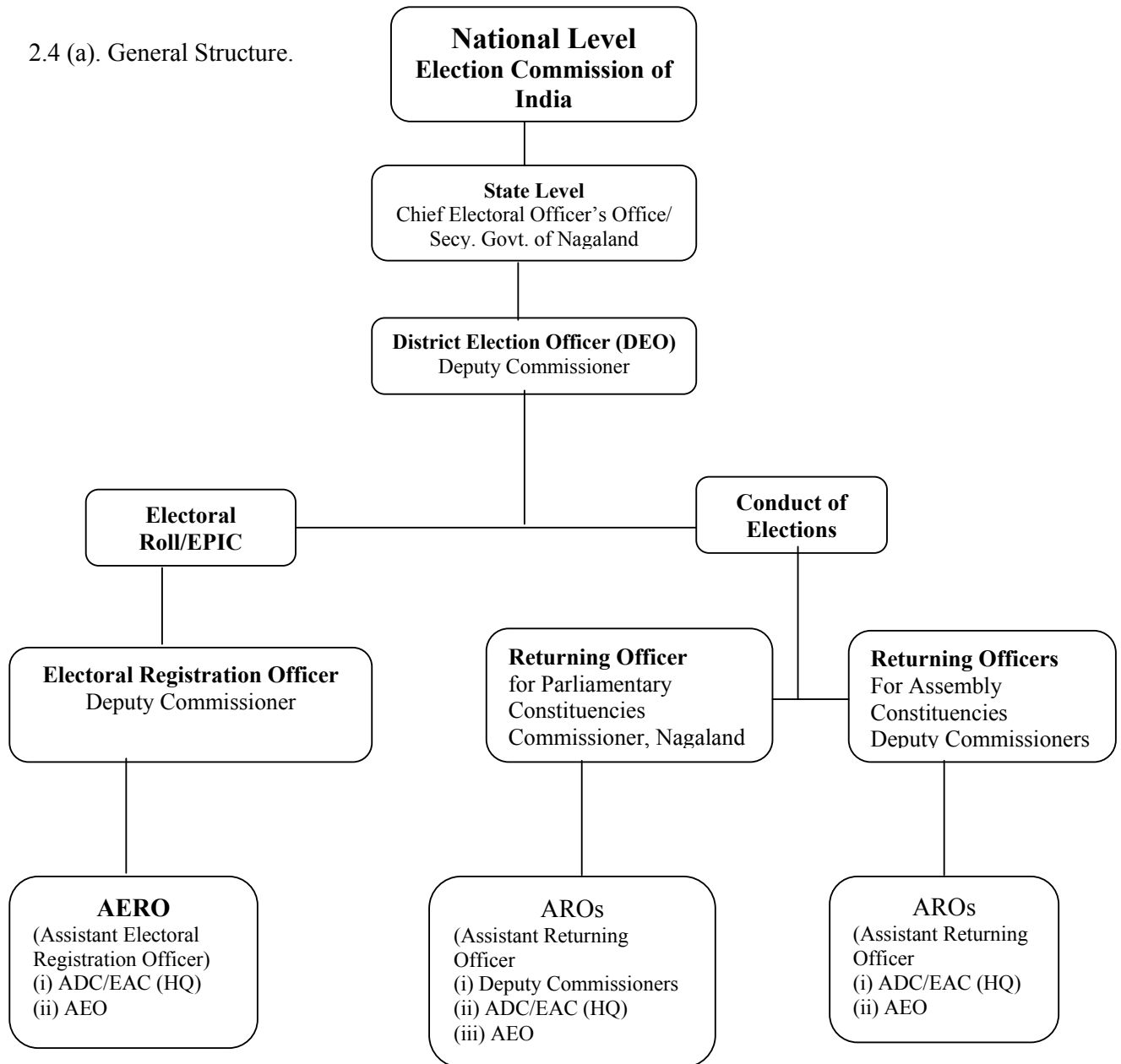
Note : The elections of these offices are indirect elections through their elected representative in Parliament and in Nagaland Legislative Assembly.

(ii). It is the duty of all election related officers to ensure that the elections are conducted in a free and fair manner and in accordance with all relevant Acts, Rules and executive directions of the Election Commission of India.

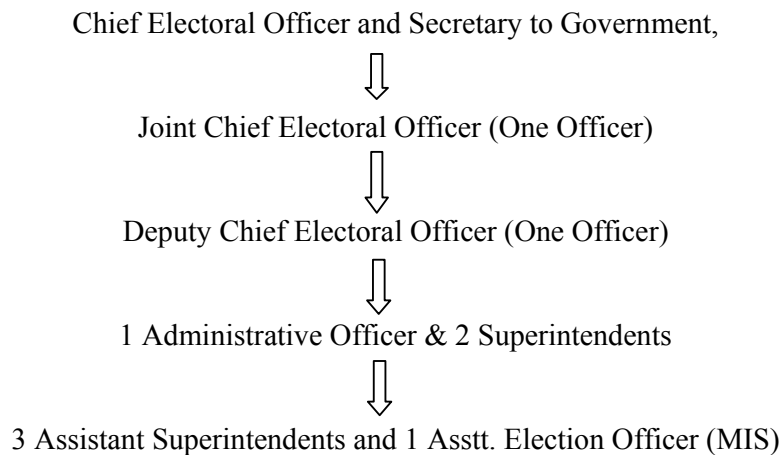
(iii). Preparation of an error free electoral roll

## 2.4. Structure

2.4 (a). General Structure.



#### **2.4 (b) Structure of the State Level Department.**



#### **2.4 (c) Structure at the District Level**

All District Election Officers, Returning Officers and Assistant Returning Officers are notified by Election Commission of India in consultation with the State Government.

District Election Officers	:	12 Nos.
Addl. Deputy Commissioners or Extra Assistant Commrs. (HQ)		
are Asstt. Returning Officers and Asstt. Electoral Registration Officers	:	12 Nos.
Assistant Election Officers as Asstt. Returning Officers and Asstt. Electoral Registration Officers (Permanent Election Cadre)	:	11 Nos.

#### **2.5. Working hours for Office**

The working hours for all Offices are from 9:30 hours to 16:30 hours.

(Note : Applications/petitions under the Right to Information Act/Rules will be accepted during office hours on the working days only).

#### **2.6. Grievance Redressal Mechanism**

The representations/genuine grievances relating to the subject of elections from the citizens of Nagaland are received in the Office of the Chief Electoral Officer and also in the Office of the District Election Officers and Electoral Registration Officers during working hours on all working days.

### **3. Powers and duties of Officers and employees**

#### **Nature of duties.**

#### **(a) Electoral Registration Officers**

The Electoral roll for each Assembly Constituency shall be prepared and revised by an Electoral Registration Officer who shall be an Officer of Government or of a local authority as the Election Commission may, in consultation with the Government of the State in the Constituency is situated, designate or nominate in this behalf.

- (i) Annual updation of electoral rolls with qualifying date as 1<sup>st</sup> of January of each year.
- (ii) Preparation and issue of Electoral Photo Identity Cards.
- (iii) Grievance Redressal related to Electoral Rolls and EPICs.

#### **(b) Assistant Electoral Registration Officers:**

The Election Commission has appointed ADCs and EAC (HQ) in the District HQs and AEOs as Assistant Electoral Registration Officers to assist any Electoral Registration Officer in the performance of his functions and he shall, subject to the control of the Electoral Registration Officer, be competent to perform all or any of the functions of the Electoral Registration Officer.

#### **(c) District Election Officers**

For each district in a State, other than a Union Territory, the Election Commission of India shall, in consultation with the Government of that State, designate or nominate a **District Election Officer** who shall be an officer of Government to co-ordinate and supervise, under the superintendence, direction and control of the Chief Electoral Officer, all work in the district or in the area within his jurisdiction in connection with the preparation, revision and correction of the electoral rolls for the Parliamentary and all Assembly Constituencies within the district. The District Election Officer shall co-ordinate and supervise all work in the district or in the area within his jurisdiction in connection with the conduct of all elections to Parliament and the Legislature of the State. The District Election Officer shall also perform such other functions as may be entrusted to him by the Election Commission and the Chief Electoral Officer.

- (i) functioning as appellate authority for certain decisions taken by Electoral Registration Officer in regard to claims and objections.
- (ii) Grievance redressal related to elections.
- (iii) Certain duties related to conduct of elections.
- (iv) Co-ordinating and facilitating EROs' work

### **Duties of District Election Officers with relation to election:**

- (1) Selection (and, at the appropriate time, setting up) of polling stations, with previous approval of the Election Commission,
- (2) Formation of polling parties and appointment of Presiding Officer and Polling Officers for each polling station.
- (3) Imparting intensive training to the polling personnel (including those on reserve duty)
- (4) Building awareness about the use and working of Electronic Voting Machine among the general public, political parties, candidates and media.
- (5) Printing of postal ballot papers for service voters and their dispatch to the service voters.
- (6) Scrutiny of accounts of election expenses of contesting candidates and submission of returns to the Commission.
- (7) Safe custody of all voting machines, election papers and election materials after the completion of election and during the period specified for the purpose.

#### **(d) Returning Officers**

For every constituency, for every election to fill a seat or seats in the Lok Sabha, Legislative Assembly, Council of States etc, the Election Commission shall, in consultation with the Government of the State, designate or nominate a **Returning Officer** who shall be an officer of Government or of a local authority.

The Returning Officer is primarily responsible for conduct of elections from his constituency. His functions (as well as those of the District Election Officer) are:

- Drawing up the programme and detailed arrangements for the poll;
- Procurement of election materials;
- Selection and setting up of polling stations;
- Appointment and training of polling personnel (including reserve);
- Receipt of nomination papers, security deposit, intimation from parties about candidates;
- Handing over a copy of instructions for lodging account of Election Expenses and Register, etc.
- Scrutiny of nomination papers;
- Allotment of symbols;
- Publication of notice of nominations, list of validly nominated candidates and contesting candidates;
- Printing of postal ballot papers and dispatch to service voters;
- Meetings/contact with candidates, political parties to ensure free, fair and smooth elections and enforcement of model code of conduct;

- Ensuring the presence of polling parties for the conduct of poll and supply of ballot papers and other election materials;
- Supervision of poll and sending reports to Election Commission;
- Transport and storage of ballot boxes after poll under security arrangements
- Fixing place of counting and actual counting
- Declaration of result
- Safe custody of election papers and materials after counting
- Scrutiny of accounts of election expenses of contesting candidates and submission of their returns to the Commission
- Overall supervision of election work

**(e) Assistant Returning Officer**

The Election Commission has appointed Addl. Deputy Commissioners/Extra Assistant Commissioners (HQ) and Assistant Election Officers as **Assistant Returning Officers** to assist any Returning Officer in the performance of his functions. Every 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. However the Assistant Returning Officer cannot perform any of the functions of the Returning Officer relating to scrutiny of nominations unless the Returning Officer is unavoidably prevented from performing the said function.

**(f) Presiding and Polling Officers**

The District Election Officer shall appoint a **presiding officer** for each polling station and such **polling officer or officers** as he thinks necessary but he shall not appoint any person who has been employed by or on behalf of, or has been otherwise working for, a candidate in or about the election. A polling officer shall, if so directed by the presiding officer, perform all or any of the functions of a presiding officer. If the presiding Officer, owing to illness or other unavoidable cause, is obliged to absent himself from the polling station, his functions shall be performed by such polling officer as has been previously authorized by the district election officer to perform such functions during any such absence.

The general duty of the presiding officer at a polling station is to maintain order and to ensure that the poll is fairly taken. He enjoys full legal power to control the proceedings in the polling station under his charge. The duty of the polling officers at a polling station is to assist the presiding officer in the performance of his functions. The polling party generally consists of a Presiding Officer and, at a single election, 3 polling officers if the number of electors attached to a

polling station is 1200 or less and 4 polling officers if the number of electors is more than 1200. At a simultaneous election, the polling party consists of a Presiding Officer and 5 Polling Officers.

**(g) Duties of Chief Electoral Officer's Office.**

In accordance with the provisions of the Representation of the People Act, 1950, for each State, an officer of Government is designated or nominated in consultation with that Government by the Election Commission of India as the Chief Electoral Officer to supervise under the superintendence, direction and control of the Election Commission of India, the preparation, revision and correction of all electoral rolls in that State. The **Chief Electoral Officer** of each State shall, subject to the superintendence, direction and control of the Election Commission, supervise the conduct of all elections in the State under the Representation of the People Act, 1951.

- i). Facilitating and coordinating all the above works, at the State level so that all the instructions/directions of the Election Commission of India, are carried out without any omission or commission.
- ii). Functioning as the appellate authority to certain decisions of the Electoral Registration Officers/District Election Officer.

**4. Procedure followed in decision-making process including channels of supervision and accountability & the norms set for discharge of functions.**

The discharge of functions and duties mentioned above, are governed by the various election laws rules & orders contained in the Manual of Election Law (2 Volumes) and the various Handbooks listed out later.

The major areas of decision-making relevant to the public and the norms followed in those areas are set out below. The channels of supervision and enforcing accountability generally follow the hierarchy specified in the organizational structure setout earlier.

## **5. Conditions of registration.**

### **A. Inclusion in the electoral roll and the right to vote**

#### **(i) Eligibility for inclusion in the electoral roll.**

- (1) Should have completed 18 years as on the qualifying date – 1<sup>st</sup> January of that year
- (2) Should be a citizen of India
- (3) Should be ordinarily resident in the area from where application is made
- (4) Should not be of unsound mind (If he/she is of unsound mind and stands declared by a competent court then not eligible to be register as voter)
- (5) Should not have been disqualified from voting under provisions of any law relating to corrupt practices and other offences in connection with election i.e. 171E, 171F of IPC & Section 8A(1), 125, 135, 136(2)(a) of Representation of People Act, 1951.

#### **(ii) Eligibility to vote**

- (1) Name should find place in the correct part of the electoral roll
- (2) Name should not be included in the electoral roll in same/any other part, of same/any other constituency within the territory of India.
- (1) Right to vote is not exercisable if the elector is confined in a prison (under a sentence of imprisonment or transportation or otherwise) or in the lawful custody of the police except for those under preventive detention.
- (2) There should be no disqualification under 4 or 5 in the criteria for inclusion in the electoral roll given above.

#### **(iii) Service voters**

Service voters can be enrolled in the place where they would have been ordinarily resident had they not been in service i.e. place of permanent address. They can exercise their franchise either through postal ballot or proxy method. Their application for inclusion in the relevant part of the roll and also information regarding appointment of proxy voter should be forwarded to CEO/DEO/ERO through proper channel (the head of their department).

The relevant forms are available with the service heads. If no intimation regarding the appointment of proxy is received by the Returning Officer latest by the last date of filing nominations, prior to the conduct of elections, the postal ballot will be automatically sent to them.

- The ECI has permitted proxy voting for the Classified Service Voters, viz. Army, Navy, Air Force and Para Military Forces. The proxy should be a registered elector of the same constituency.

- Wives of such service voters are not entitled for this facility.
- CSV for the Classified Service Voter (CSV) will be indicated in the last part of the Electoral Roll against their names.
- A sub-list of such CSV will be sent to the polling station concerned.
- For proxy person, indelible ink should be marked in the left middle finger.
- A proxy voter can cast two votes – one his or her own vote against his or her own identity and another for the person for whom he/she is appointed as proxy.

**(iv) Voting by postal ballot paper**

Facility of voting by Postal Ballot Paper is available to following categories of voters

- ✓ Special voters
- ✓ Service Voters
- ✓ Wife of a special/service voters
- ✓ Voters on Election Duty/Cooks-Peon-Drivers on duty
- ✓ Electors subjected to preventive detention
- ✓ Police personnel on election duty
- ✓ Polling Personnel
- ✓ Candidates' polling agents, except Service Personnel, others should apply in Form 12 to the Returning Officer at least 7 days before actual date of the poll for postal ballot paper.

For Service Voters, the Postal Ballot Papers will be dispatched within 48 hours from the withdrawal of candidature to their destination.

**(B) Deletion from the electoral roll**

(i) Reasons

1. Not ordinarily resident/shifted residence.
2. Name available in more than one place
3. Death
4. Under aged as on the qualifying date.
5. Attracting disqualification under 4 and/or 5 of A of the criteria for inclusion.
6. Not a citizen of India/is a citizen of another country.

### A. Inclusion in the Electoral Rolls

Statutory Authority for deciding	Action to be taken by applicant	Purpose	Who can submit	Documents to be submitted alongwith application	Time during which and places where application can be submitted	Minimum statutory period for passing orders	Any bar on receiving Form	Procedure followed	Provision for Appeal
1	2	3	4	5	6	7	8	9	10
Electoral Registration Officer	Submission of fully filled in Form 6 (Form 6 can be obtained from Office of ERO, ADCs, SDO(C), EACs and Designated Locations.	Inclusion in the electoral roll	The elector concerned or any member of his/her family, but Form 6 should be signed by elector himself /herself.	1. Proof of residence 2. Proof of age for those between 18-20 years. Also for shifted cases, old address must be furnished so also EPIC number if EPIC was issued earlier.	1. Any time of the year in EROs'/ AEROs' Offices. 2. Period for submitting claims during summary revision every year (October-November) usually in EROs/, AEROs' offices and designated centers (like Post Offices, polling station building etc.	After 7 <sup>th</sup> day of receipt of application	From the last date of filing nominations till the completion of election process in the assembly or parliamentary Constituency to which the relevant part belongs Applications will not be received in bulk.	1.Receipt of Form 2.Publication of list of Claims received in Form-9 3.Field verification by verifying officials or summary enquiry if necessary 4.Check by higher officials 5. Passing of orders by ERO 6.Preparation of manuscript 7. Data entry and publication of final roll in EROs' & AEROs' offices and designated centers as per the schedule drawn by the Election Commission of India.	Appeal against the decision of the electoral Registration Officer on the disposal of claims and objections during the revision period lies with District Election Officers. During non revision period, appeal against the decision of Electoral Registration Officer lies with CEO.

During Intensive revision of rolls, fresh enumeration is done door-to-door and no claim forms are received during the period of door-to-door verification before draft publication of fresh rolls.

## B. Deletion in the Electoral Rolls

Statutory Authority for deciding	Action to be taken by applicant	Purpose	Who can submit	Documents to be submitted alongwith application	Time during which and places where application can be submitted	Minimum and Maximum time period for passing orders	Any bar on receiving Form	Procedure followed	Provision for Appeal
1	2	3	4	5	6	7	8	9	10
Electoral Registration Officer	Submission of fully filled in Form 7 (Form 7 can be obtained from Office of ERO, ADCs, SDO(C), EACs and Designated Locations.	Deletion in the electoral roll	1. Self 2. Objector whose name is already included in the roll 3. ERO has suo moto powers of deletion if he/she is otherwise satisfied	1. Proof of shifting or death or underage, if any	1. Any time of the year in EROs'/AEROs' Offices. 2. Period for submitting claims during summary revision every year (October-November) usually in EROs/, AEROs' offices and designated centers.	7 days minimum after sending notice to appear for enquiry.**	From the last date of filing nominations till the completion of election process in the assembly or parliamentary Constituency to which the relevant part belongs. No bulk applications can be presented.	1. Receipt of Form 2. Publication of list of application in Form 10 3. Notice to be issued 4. Passing of orders by Electoral Registration Officer 5. Preparation of manuscript	Appeal against the decision of the electoral Registration Officer on the disposal of claims and objections during the revision period lies with District Election Officers. During non revision period, appeal against the decision of Electoral Registration Officer lies with CEO.

2 During intensive revision of rolls, house-to-house enumeration is done and no claim forms are received during the period of door-to-door verification before draft publication of fresh rolls.

\*\* A notice to be issued to the voter to appear for enquiry within 7 days with necessary documents. If the voter do not turn up for enquiry Electoral Registration Officer can take action to delete the name.

**C. Correction of Particular(s) relating to an entry in the roll**

<b>Statutory Authority for deciding</b>	<b>Action to be taken by applicant</b>	<b>Purpose</b>	<b>Who can submit</b>	<b>Documents to be submitted alongwith application</b>	<b>Time during which and places where application can be submitted</b>	<b>Minimum and Maximum time period for passing orders</b>	<b>Any bar on receiving Form</b>	<b>Procedure followed</b>	<b>Provision for Appeal</b>
1	2	3	4	5	6	7	8	9	10
Electoral Registration Officer	Form 8 mutatis mutandis	Correction of particular(s) relating to an entry in the roll	Only the person whose particular(s) of entry need to be corrected	Sufficient proof of the correction of particular(s) / details	1. Any time of the year in EROs' / AEROs' Offices. 2. Period for submitting claims during summary revision every year (October-November) usually in EROs/, AEROs' offices and designated centers.	--	--	Electoral Registration Officer to pass orders during the disposal period.	--

**D. Transposition of entries from one part to another part of the electoral roll within the same Assembly Constituency**

<b>Statutory Authority for deciding</b>	<b>Action to be taken by applicant</b>	<b>Purpose</b>	<b>Who can submit</b>	<b>Documents to be submitted alongwith application</b>	<b>Time during which and places where application can be submitted</b>	<b>Minimum and Maximum time period for passing orders</b>	<b>Any bar on receiving Form</b>	<b>Procedure followed</b>	<b>Provision for Appeal</b>
1	2	3	4	5	6	7	8	9	10
Electoral Registration Officer	Form 8A mutates mutandis	--	The person concerned	Sufficient proof for shift in residence	1. Any time of the year in EROs'/ AEROs' Offices. 2. Period for submitting claims during summary revision every year (October-November) usually in EROs/, AEROs' offices and designated centers.	--	--	Electoral Registration Officer to pass orders during the disposal period.	--

## **6. Election of President and Vice President.**

### **6.1 Election as President**

No person shall be eligible for election as President –

- (a) unless he is a citizen of India;
- (b) unless he has completed the age of 35 years ; and
- (c) unless he is qualified for election as a member of the House of the People.
- (d) if he holds any Office of profit under the Government of India or the Government of any State or under any local or other authority subject to the control of any of the said Governments.

Explanation – A person shall not be deemed to hold any office or profit by reason only that he is the President or the Vice-President of the Union or the Governor of any State or is either for the Union or for any State.

### **6.2 Election as Vice-President**

The qualifications for election as Vice-President are the same as for the President except that the Vice-President should be qualified for election as a member of the Council of States (instead of the House of the People).

## **7. Disqualification for Members of Parliament and State Legislature**

“Disqualified” means disqualified for being chosen as, and being, a member of either House of Parliament or of the Legislative Assembly of a State.

## 7.1 Disqualification on conviction for certain offences

According to Section 8 of the Representation of the People Act, 1951

(1) A person convicted of an offence punishable under –

(a)	Indian Penal Code	
	Section 153A	Offence of promoting enmity between different groups on ground of religion, race, place of birth, residence, language, etc. and doing acts prejudicial to maintenance of harmony or
	Section 171E	Offence of bribery or
	Section 171F	Offence of undue influence or personation at an election or
	Sub-section (1) or (2) of Section 376 or 376A or 376B or 376C or 376D	Offence relating to rape or
	Section 498A	Offence of cruelty by husband or relative of a husband or
	Sub-section (2) or (3) of Section 505	Offence of making statement creating or promoting enmity, hatred or ill – will between classes or offence relating to such statement in any place of worship or in any Assembly engaged in the performance of religious worship or religious ceremonies; or
(b)	The Protection of Civil Right Act, 1955	Which provides for punishment for the preaching and practice of “untouchability” and for the enforcement of any disability arising therefrom; or
(c)	Section 11 of the Customs Act, 1962	Offence of importing or exporting prohibited goods; or
(d)	Sections 10 to 12 of the Unlawful Activities (Prevention) Act, 1967	Offence of being a member of an association declared unlawful offence relating to contravention of an order made in respect of a notified place; or
(e)	The Foreign Exchange (Regulation) Act, 1973; or	
(f)	The Narcotics Drugs and Phychotropic Substances Act, 1985; or	

(g)	The Terrorists and Disruptive Activities (Prevention) Act, 1987	
	Section 3	Offence of committing terrorist acts or
	Section 4	Offence of committing disruptive activities; or
(h)	Section 7 of the Religious Institutions (Prevention of Misuse) Act, 1988	Offence or contravention of the provision of Section 3 to 6; or
(i)	The Representation of the People Act, 1951	
	Section 125	Offence of promoting enmity between classes in connection with the election or
	Section 135	Offence of removal of ballot papers from polling papers from polling stations or
	Section 135A	Offence of booth capturing or
	Clause (a) of sub-section (2) of Section 136	Offence of fraudulently defacing or fraudulently destroying any nomination paper; or
(j)	Section 6 of the Places or Worship (Special Provisions) Act, 1991	Offence of conversion of a place of worship; or
(k)	Prevention of Insults to National Honour Act, 1971	
	Section 2	Offence of insulting the Indian National Flag or the Constitution of India or
	Section 3	Offence of preventing singing of National Anthem.

shall be disqualified for a period of 6 years from the date of such conviction. (The quantum of punishment is immaterial).

(2) A person convicted for the contravention of -

- (a) any law providing for the prevention of hoarding of profiteering; or
- (b) any law relating to the adulteration of the food or drugs; or
- (c) any provisions of the Dowry Prohibition Act, 1961; or

(3) A person convicted of any offence and sentenced to imprisonment for not less than 2 years (other than an offence referred to in sub-section (1) or sub-section (2) above), shall be disqualified from the date of such conviction and shall continue to be disqualified for a further period of 6 years since his release.

(4) Notwithstanding anything in sub-section (1) or sub-section (2) or sub-section (3), a disqualification under either sub-section shall not, in the case of a person who on the date of the conviction is a member of Parliament or the Legislature of a State, take effect until 3 months have elapsed from the date or, if within that period an appeal or application for revision is brought in respect of the conviction or the sentence, until that appeal or application is disposed of by the court.

## **7.2 Disqualification on ground of corrupt practices**

According to section 8A of the Act, the case of every person found guilty of a corrupt practice by an order under section 99 of the Representation of the People Act, 1951 (made by the High Court at the conclusion of the trial of an Election Petition in case where a charge is made in an Election Petition of any corrupt practice having been committed at an Election) , shall be submitted, as soon as may be, after such order takes effect, by such authority as the Central Government may specify in this behalf, to the President for determination of the question as to whether such person shall be disqualified and if so, for what period. Provided that the period for which any person may be disqualified shall in no case exceed 6 years from the date on which the order made in relation to him under Section 99 takes effect.

(The Central Government has specified –

- (a) In relation to an Election to the House of the People or the Council of States, the Secretary-General of the House of the People , and
- (b) In relation to an election to the Legislative Assembly of a State, the Secretary of the Legislative Assembly of a State, as the authority for the above purpose).

Before giving his decision on any question indicated above, the President/Governor shall obtain the opinion of the Election Commission and shall act according to such opinion.

## **7.3 Disqualification for dismissal for corruption or disloyalty**

According to Section 9 of the Act, a person who having held an office under the Government of India or under the Government of any State has been dismissed for corruption or for disloyalty to the State shall be disqualified for a period of 5 years from the date of such dismissal. For this purpose, a certificate issued by the Election Commission to the effect that a person having held office under the Government of India or under the Government of any State has or has not been dismissed for corruption or for disloyalty to the State shall be conclusive proof of that fact. Provided that no certificate to the effect that a person has been dismissed for corruption or for disloyalty to the State shall be issued unless an opportunity of being heard has been given to the said person.

#### **7.4 Disqualification for Government contracts, etc.**

According to Section 9A of the Act, a person shall be disqualified if, and so long as, there subsists a contract entered into by him in the course of his trade business with the appropriate Government for the supply of goods to, or for the execution of any works undertaken by, that Government.

#### **7.5 Disqualification for office under Government Company**

According to Section 10 of the Act, a person shall be disqualified if, and so long as, he is a managing agent, manager or secretary of any company or corporation (other than a co-operative society) in the capital of which the appropriate Government has not less than 25% share.

#### **7.6 Disqualification for failure to lodge account of election expenses**

According to Section 10A of the Act, if the Election Commission is satisfied that a person-

(a) has failed to lodge an account of election expenses within the time and manner required by or under the Act, and

(b) has no good reason or justification for the failure, the Election Commission shall, by order published in the official gazette, declare him to be disqualified and any such person shall be disqualified for a period of 3 years from the date of the order.

(According to Section 77 –

- (1) Every Candidate at an election shall, either by himself or by his election agent, keep a separate and correct account of all expenditure in connection with the election incurred or authorized by him or by his election agent between the date on which he has been nominated and the date of declaration of the result thereof, both dates inclusive
- (2) The account shall contain particulars such as expenditure incurred on vehicles, meetings, publicity, etc.,
- (3) The total of the said expenditure shall not exceed ceiling limit of Rs.25 lakhs in the case of Parliament and Rs.5 lakhs in the case of Legislative Assembly.

According to Section 78 of the Act, every contesting candidate at an election shall, within 30 days from the date of election of the returned candidate or, if there are more than one returned candidate at the election and the dates of their election are different, the later of those two dates, lodge with the District Election Officer (Returning Officer in the case of a constituency in a Union Territory) an account of his election expenses which shall be a true account of the account kept by him or his election agent under Section 77).

### **7.7 Removal or reduction of period of disqualification**

The Election Commission may, for reasons to be recorded, remove any disqualification except under Section 8A or reduce the period of such disqualification

### **8. Nomination of candidate**

For nomination, a candidate has to make deposit as indicated below:-

	<u>General</u>	<u>S.C</u>	<u>S.T</u>
Rajya Sabha	Rs. 5000/-	Rs.2500/-	Rs.2500/-
Lok Sabha	Rs.10000/-	Rs.5000/-	Rs.5000/-
Assembly	Rs. 5000/-	Rs.2500/-	Rs.2500/-

### **8.1 Refund of deposit**

The deposit amount will be returned if the candidate receives more than one-sixth of the total number of valid votes polled.

Under Section 33 of the Representation of the People Act, 1951, in respect of candidates set up by recognized political parties, it should be subscribed by the elector of the constituency as proposer. In this case of candidate not set up by recognized political party, it should be subscribed by 10 Electors of this constituency as proposers.

### **8.2 Documents to be submitted along with nomination :**

1. Affidavit (Stamp paper value Rs.20/-).
2. Affidavit in Form 26.
3. Form A & B in case of recognized and registered political parties.
4. Certified copy of Electoral Roll if he is a voter of another constituency.

### **8.3 Registration of new political party :**

New political party can be registered with the Election Commission of India under Section 29A of the Representation of the People Act, 1951 in the prescribed proforma. The proposal should be sent to the Secretary, Election Commission of India, Nirvachan Sadan, Ashoka Road, New Delhi 110 001.

### **8.4 Election Petition**

Any election can be called in question only through the Election Petition which should be filed before the High Court within 45 days from the date of declaration of results.

**9. List of Elected Members of the 11<sup>th</sup> Nagaland Legislative Assembly, 2008.**

<b>A/C No.</b>	<b>A/C Name</b>	<b>Name of the Winning Candidate</b>	<b>Name of the Party.</b>
1	Dimapur – I	Shri: K.L. Chishi	Indian National Congress
2	Dimapur – II (ST)	Shri: S.I. Jamir	Indian National Congress
3	Dimapur – III (ST)	Shri: Azheto Zhimomi	Indian National Congress
4	Ghaspani – I (ST)	Shri: Y. Hewoto Awomi	Indian National Congress
5	Ghaspani – II (ST)	Shri: K. Hollohon	Independent
6	Tening (ST)	Shri: Tarie	Indian National Congress
7	Peren (ST)	Shri: T.R. Zeliang	Nagaland Peoples Front
8	Western Angami (ST)	Shri: Kiyanielie Peseyie	Nagaland Peoples Front
9	Kohima Town (ST)	Dr. Neikiesalie Nicky Kire	Nagaland Peoples Front
10	Northern Angami – I (ST)	Dr. Shurhozelie	Nagaland Peoples Front
11	Northern Angami – II (ST)	Shri: Neiphi-u Rio	Nagaland Peoples Front
12	Tseminyu (ST)	Shri: R.Khing	Nagaland Peoples Front
13	Pughoboto (ST)	Shri: Joshua	Indian National Congress
14	Southern Angami – I (ST)	Shri: Vikho-o Yhoshu	Nagaland Peoples Front
15	Southern Angami – II (ST)	Shri: K.V.Pusa	Indian National Congress
16	Pfutsero (ST)	Shri: Neiba	Nagaland Peoples Front
17	Chizami (ST)	Shri: Deo Nukhu	Indian National Congress
18	Chazouba (ST)	Shri: Chotisuh Sazo	Independent
19	Phek (ST)	Shri: Kuzholuzo	Nagaland Peoples Front
20	Meluri (ST)	Shri: Yitachu	Nagaland Peoples Front
21	Tuli (ST)	Shri: L. Temjen Jamir	Nagaland Peoples Front
22	Arkakong (ST)	Shri: Nuklutoshi	Nagaland Peoples Front
23	Impur (ST)	Shri: Nungsangyapang	Indian National Congress
24	Angetyongpang (ST)	Shri: T. Sentichuba	Indian National Congress
25	Mongoya (ST)	Dr. Ngangshi K. Ao	Independent
26	Aonglenden (ST)	Shri: Nungshizenba	Indian National Congress
27	Mokokchung (ST)	Shri: C. Apok Jamir	Indian National Congress
28	Koridang (ST)	Shri: Imkong L. Imchen	Nagaland Peoples Front
29	Jangpetkong (ST)	Shri: I. Imkong	Indian National Congress
30	Alongtaki (ST)	Shri: Sakusangba	Nagaland Peoples Front

<b>A/C No.</b>	<b>A/C Name</b>	<b>Name of the Winning Candidate</b>	<b>Name of the Party.</b>
31	Akuluto (ST)	Shri: Kheto	Indian National Congress
32	Atoizu (ST)	Shri: Doshehe Y. Sema	Nagaland Peoples Front
33	Suruhoto (ST)	Shri: Shetoyi	Independent
34	Aghunato (ST)	Shri: Tokheho	Indian National Congress
35	Zunheboto (ST)	Dr. K.C. Nihoshe	Independent
36	Satakha (ST)	Shri: G. Kaito	Nagaland Peoples Front
37	Tyui (ST)	Shri: Yanthungo	Bharatiya Janata Party
38	Wokha Town (ST)	Dr. Chumben Murry	Nationalist Congress Party
39	Sanis (ST)	Shri: Ralanthung	Nagaland Peoples Front
40	Bhandari (ST)	Shri: Wochumo Kithan	Nagaland Peoples Front
41	Tizit (ST)	Shri: Aloha	Indian National Congress
42	Wakching (ST)	Shri: M.C.Konyak	Bharatiya Janata Party
43	Tapi (ST)	Shri: Lanpha	Indian National Congress
44	Phomching (ST)	Shri: Kongam	Indian National Congress
45	Tehok (ST)	Shri: C.L. John	Nagaland Peoples Front
46	Mon Town (ST)	Shri: Chingwang	Indian National Congress
47	Aboi (ST)	Shri: Nyeiwang Konyak	Nagaland Peoples Front
48	Moka (ST)	Shri: E.E.Pangteang	Nagaland Peoples Front
49	Tamlu (ST)	Shri: P. Dako Phom	Independent
50	Longleng (ST)	Shri: S. Pangnyu Phom	Nationalist Congress Party
51	Noksen (ST)	Shri: H.Chuba	Indian National Congress
52	Longkhim Chare (ST)	Shri: S.K. Sangtam	Indian National Congress
53	Tuensang Sadar-I (ST)	Shri: P.Chuba	Indian National Congress
54	Tuensang Sadar-II (ST)	Shri: Kejong	Indian National Congress
55	Tobu (ST)	Shri: Naiba	Nagaland Peoples Front
56	Noklak (ST)	Shri: P.Longon	Nagaland Peoples Front
57	Thonoknyu (ST)	Shri: S.Heno	Nagaland Peoples Front
58	Shamator - Chessore (ST)	Shri: R. Tohanba	Nagaland Peoples Front
59	Seyochung - Sitimi (ST)	Shri: C. Kiphili Sangtam	Independent
60	Pungro – Kiphire (ST)	Shri: Torechu	Nagaland Peoples Front

### 10. LIST OF RETURNING OFFICERS & ASST RETURNING OFFICERS

Sl. No.	Name of the Assembly Constituency	Returning Officer	Asst. Returning Officer	Asst. Returning Officer
1 2 3 4 5	Dimapur – I Dimapur – II Dimapur - III Ghaspani – I Ghaspani – II	Deputy Commissioner, Dimapur	Additional Deputy Commissioner, Dimapur	Assistant Election Officer, Dimapur
6 7	Tening Peren	Deputy Commissioner, Peren	Extra Assistant Commissioner, Peren	Assistant Election Officer, Peren
8 9 10 11 12	Western Angami Kohima Town Northern Angami – I Northern Angami – II Tseminyu	Deputy Commissioner, Kohima	Additional Deputy Commissioner, Kohima	Assistant Election Officer, Kohima
13	Pughoboto	Additional Deputy Commissioner, Pughoboto	Extra Assistant Commissioner, (HQ),Pughoboto	
14 15	Southern Angami – I Southern Angami – II	Deputy Commissioner, Kohima	Extra Assistant Commissioner, (HQ), Kohima	Assistant Election Officer, Kohima
16 17 18 19 20	Pfutsero Chizami Chazouba Phek Meluri	Deputy Commissioner, Phek	Additional Deputy Commissioner, Phek	Assistant Election Officer, Phek
21 22 23 24 25 26 27 28 29 30	Tuli Arkakong Impur Angetyongpang Mongoya Aonglenden Mokokchung Koridang Jangpetkong Alongtaki	Deputy Commissioner, Mokokchung	Additional Deputy Commissioner, Mokokchung	Assistant Election Officer, Mokokchung

<b>Sl. No.</b>	<b>Name of the Assembly Constituency</b>	<b>Returning Officer</b>	<b>Asst. Returning Officer</b>	<b>Asst. Returning Officer</b>
31	Akuluto	Deputy Commissioner, Zunheboto	Extra Assistant Commissioner, (HQ), Zunheboto	Assistant Election Officer, Zunheboto
32	Atoizu			
33	Suruhoto			
34	Aghunato			
35	Zunheboto			
36	Satakha			
37	Tyui	Deputy Commissioner, Wokha	Additional Deputy Commissioner, Wokha	Assistant Election Officer, Wokha
38	Wokha Town			
39	Sanis			
40	Bhandari			
41	Tizit	Deputy Commissioner, Mon	Additional Deputy Commissioner, Mon	Assistant Election Officer, Mon
42	Wakching			
43	Tapi			
44	Phomching			
45	Tehok			
46	Mon Town			
47	Aboi			
48	Moka			
49	Tamlu	Deputy Commissioner, Longleng	Extra Assistant Commissioner, (HQ), Longleng	Extra Assistant Commissioner, (HQ), Longleng
50	Longleng			
51	Noksen	Deputy Commissioner, Tuensang	Additional Deputy Commissioner, Tuensang	Assistant Election Officer, Tuensang
52	Longkhim Chare			
53	Tuensang Sadar-I			
54	Tuensang Sadar-II			
55	Tobu	Deputy Commissioner, Mon	Additional Deputy Commissioner, Mon	Assistant Election Officer, Mon
56	Noklak	Deputy Commissioner, Tuensang	Additional Deputy Commissioner, Tuensang	Assistant Election Officer, Tuensang
57	Thonoknyu			
58	Shamator - Chessore			
59	Seyochung - Sitimi	Deputy Commissioner, Kiphire	Extra Assistant Commissioner, (HQ), Kiphire	Assistant Election Officer, Kiphire
60	Pungro – Kiphire			

**11. Rules, Regulations, Instruction, Manuals and Records for Discharging Functions**

<b>Sl. No.</b>	<b>Name of the act, rules, regulations manual etc.</b>	<b>Brief gist of the contents/reference no. if any</b>	<b>Price, if any (Rs.)</b>
1.	Manual of Election Law, Volume-I	<ol style="list-style-type: none"> <li>1. Extract from the Constitution</li> <li>2. Extract from the Indian Penal Code (45 of 1860)</li> <li>3. The Representation of the People Act, 1950 (43 of 1950)</li> <li>4. The Representation of the People Act, 1951 (43 of 1951)</li> <li>5. Extracts from the Government of National Capital Territory of Delhi Act, 1991 (1 of 1992)</li> <li>6. The Delimitation Act, 2002 (33 of 2002)</li> <li>7. The Scheduled Castes and Scheduled Tribes Orders (Amendment) Act, 1976 (108 of 1976)</li> <li>8. Officers before whom candidates may make or subscribe oath or affirmation.</li> <li>9. The Constitution (Scheduled Castes) Order, 1950</li> <li>10. The Constitution (Scheduled Castes) Union Territories) Order, 1951</li> <li>11. Law relating to removal of disqualification and other information</li> </ol>	600/-*
2.	Manual of Election Law, Volume-II	<ol style="list-style-type: none"> <li>1. The Registration of Electors Rules, 1960</li> <li>2. The Conduct of Elections Rules, 1961</li> <li>3. The Election Symbols (Reservation and allotment) Order, 1968</li> <li>4. List of political parties and symbols in relation to elections in all parliamentary and assembly Constituencies other than assembly constituencies in the State of Jammu and Kashmir</li> <li>5. The Delimitation of Council Constituencies Orders</li> <li>6. Authorities specified under section 8A to accept petitions about corrupt practices</li> <li>7. Officers before whom a candidate for election to fill a seat in the Legislative Assembly of a Union Territory shall make and subscribe oath or affirmation</li> </ol>	* for both volumes

3.	Handbook for Candidates	Salient provisions of Election law and procedures for standing as a candidate for a election	100/-
4.	Handbook for Polling Agents	Salient provisions of Election law and procedures in relation to discharge of duty as Polling agent at polling station for a election	50/-
5.	Handbook for Counting Agents	Salient provisions of Election law and procedures in relation to discharge of duty as Counting agent at Counting Centre for a election	50/-
6.	Political parties and election symbols	It is the list of Political parties, Registered and un-registered at National/State levels and list of symbols allotted to the parties	75/-
7.	List of persons disqualified under Section 8A, 10A & 11A(2) Representation of People Act, 1951	Consist list of persons disqualified by the Commission under different sections for violating election laws.	200/-
8.	Electoral Rolls Assembly Constituencies Extract of Electoral Rolls	Name of the electors, polling station-wise Assembly Constituency-wise (page-wise)	Re.1 per page Rs. 5/-

All the books above are available at the Election Commission of India, Nirvachan Sadan+, Ashoka Road, New Delhi 110 001 and can be purchased at this office. The contents of these booklets are also available at the website of Election Commission of India ([www.eci.gov.in](http://www.eci.gov.in)). The books Hand Books for candidates, Hand Book for Polling Agents and Hand Books for Counting Agents are also available with the District Election Officers for sale during election time. The copies of Electoral Rolls are available with the respective Electoral Registration Officers.

**12. A Statement of the Categories of Documents that are held by it under its control**

<b>Sl. No.</b>	<b>Nature of record</b>	<b>Details of information available</b>	<b>Unit/Section where available</b>	<b>Retention period</b>
1	Electoral Rolls	Name of the electors Polling-Station wise, AC-wise	At the office of the concerned Electoral Registration Officers	As per the directions of Election Commission of India
2	Election related records	Nomination papers along with affidavits, results in Form 20, 21C, 21D, 21E etc.	At the office the District Election Officers	As per the directions of the Election Commission of India and also on the basis of the orders from any court.

**13. Designation and office phone numbers of all officers in the Election Department.**

**(i) Office of the Chief Electoral Officer, Public (Elections) Department**  
**Phone Numbers / Fax Numbers**

<b>Sl. No.</b>	<b>Name and e.mail address</b>	<b>Office</b>	<b>Fax</b>
1	Chief Electoral Officer <a href="mailto:ceo_nagaland@eci.gov.in">ceo_nagaland@eci.gov.in</a>	0370-2290456	2290460 2290406
2	Joint Chief Electoral Officer <a href="mailto:jtceo_nagaland@eci.gov.in">jtceo_nagaland@eci.gov.in</a>	0370-2290452	2290460 2290406
3	Deputy Chief Electoral Officer	0370-2290442	2290460 2290406
4	Admn. Officer		
5	Superintendent Public (Elections-I) Department		
6	Superintendent Public (Elections-II) Department		

**(ii) TELEPHONE NUMBERS OF DISTRICT ELECTION OFFICERS, RETURNING OFFICERS & AROS**

Sl. No	Name of Officers	Designation	District	STD Code	TELEPHONE Nos.			
					Office	Residence	Fax	Mobile
1	Shri: Moangwati Aier	DC & RO	Dimapur	03862	226530	225100	230613	9436615909
	Shri: Sedevikho Khro	ADC & ARO	Dimapur	03862	227877	240907		9436002127
	Shri: Ruokuovituo Khezhie	AEO & ARO	Dimapur	03862	230567	234637	230567	9856217150
2	Shri: N. Messen	DC & RO	Peren	03862	267220	267225	268560	9436200334
	Shri: R.T. Wapang Ao	AEO & ARO	Peren	03862	231388		231388	9436016724
3	Shri: Sachopra	DC & RO	Kohima	0370	2290355	2240713	2290355	9436009601
	Shri: Zeneituo	ADC & ARO	Kohima	0370	2290360			9436010356
	Shri: Vekho Vero	AEO & ARO	Kohima	0370	2290340	2291591	2290340	9436004066
4	Shri: Y.Limomo	ADC & RO	Pughoboto	0370	2236006	2236012	2236006	9436078309
5	Shri: N. Hangsing	DC & RO	Phek	03865	223037	223038	223045	9436011300
	Shri: O.Issaac Jamir	ADC & ARO	Phek	03865	223047	223049		9436602154
	Shri: Awa Lorin	AEO & ARO	Phek	03865	223605		223605	9436241365
6	Shri: C. Merio Tsanglao	DC & RO	Mokokchung	0369	2226231	2226163	2226055	9436040660
	Smt: R.Asenla Keitzar	ADC & ARO	Mokokchung	0369	2226238	2226237	2226055	9436006586
	Shri: R. Mhathung	AEO & ARO	Mokokchung	0369	2226397	2226797	2226397	9436650362
7	Shri: Zachive Thele	DC & RO	Zunheboto	03867	220325	220335	220387	9436061717
	Shri: H.S.Thuhton Konyak	ADC & ARO	Zunheboto	03867	220329	220364		9436018140
	Smti: Alila Chang	AEO & ARO	Zunheboto	03867	220201		220201	9436203941
8	Shri: Wepretso Mero	DC & RO	Wokha	03860	242010	242021	242010	9436433785
	Shri: Athel S.Lotha	ADC & ARO	Wokha	03860	222027	222254		9436438419
	Shri: R.Toshimeren	AEO & ARO	Wokha	03860	222033		222033	9436001957
9	Shri: Dinesh Kumar, IAS	DC & RO	Mon	03869	221246	221235	221625	9436433788
	Shri: Chunremo Odyuo	ADC & ARO	Mon	03869	221210	221226		9436263934
	Shri: N. Moa Aier	AEO & ARO	Mon	03869	221389	221389	221389	9436006527
10	Shri: C.K. Nihekhu Sema	DC & ARO	Longleng	0369	236271	236211	236271	9436438663
	Shri: Joybell	AEO & ARO	Longleng	0369		236215		9436203843
11	Shri: Y.L. Jami	DC & RO	Tuensang	03861	220333	220123	220791	9436264978
	Smti: Chubala Anar	ADC & ARO	Tuensang	03861	220203	220204		9436005189
	Shri: Khekugha Sema	AEO & ARO	Tuensang	03861	220262	220766	220262	9436019453
12	Shri: Yantsowo Lotha	DC & RO	Kiphire	03863	225551	225552	225551	9436006678
	Shri: Roland Merry	AEO & ARO	Kiphire	03863	225556			9436645326

**14 (a). Monthly remuneration received by each of the officers and employees in the Office of the Chief Electoral Officer**

<b>Sl. No</b>	<b>Name of the Govt. Official and the Post Held</b>		<b>Scale of Pay</b>	<b>Gross Amount</b>
<i>1</i>	<i>2</i>		<i>3</i>	<i>4</i>
1	Shri. C.J. Ponraj	Chief Electoral Officer		
2	Shri: Seyieneizo Angami	Joint Chief Electoral Officer	14300-400-18300	36267
3	Shri: Teisovilhau Tungoe	Deputy Chief Electoral Officer	12000-375-16500	32455
4	Smti: Y. Sentila	Administrative Officer	10000-325-15200	24275
5	Shri: Mewelo Medo	Superintendent	8500-275-11800-300-14200	20404
6	Shri: S. Mar Aier	Superintendent	8500-275-11800-300-14200	19241
7	Shri: S. Kipgen	Asstt. Superintendent	6500-200-10500	20906
8	Miss: Ketousie-ü Khruomo	Asstt. Election Officer (MIS)	6500-200-10500	16526
9	Smti: L. Zusenkala	Asstt. Superintendent	6500-200-10500	14694
10	Smti: Dzuvineinuo	Asstt. Superintendent	6500-200-10500	15024
11	Smti: Neidenuo	U.D.A	5000-150-8000	14006
12	Shri: Dilo Koza	U.D.A	6500-200-10500	16964
13	Shri: Mhiesivilhou	L.D.A	5000-150-8000	13350
14	Smti: Thejasenuo	L.D.A	4125-100-4725-125-6475	11270
15	Smti: Kedolhouriano	Computer Operator-cum-LDA	4125-100-4725-125-6475	10722
16	Smti: Esther Kipgen	Computer Operator-cum-LDA	4125-100-4725-125-6475	10722
17	Shri: Kuovizol Savi	L.D.A	4125-100-4725-125-6475	10448
18	Smti: M.Temjenna	L.D.A	4125-100-4725-125-6475	10230

<i>1</i>	<i>2</i>		<i>4</i>	<i>5</i>
19	Miss: Thenuvikou	L.D.A	4125-100-4725-125-6475	10010
20	Miss: Khrietsinuo	L.D.A	4125-100-4725-125-6475	10010
21	Shri: Neiphretso Medo	L.D.A	4125-100-4725-125-6475	9572
22	Smti: Asangla	Steno Gr. II	5000-150-8000	16634
23	Shri: Jenhilo	Steno Gr. II	5000-150-8000	14336
24	Shri: Ponathung	Steno Gr. II (Jr.)	5000-150-8000	10448
25	Shri: Chujang	Telex Operator	4125-100-4725-125-6475	12520
26	Smti: Imnasenla	Typist Sr.Gr.	8500-275-11800-300-14200	18078
27	Smti: Pangertula	Typist Sr.Gr.	6500-200-10500	15650
28	Shri: Limatoshi	Driver Gr.I	4500-125-7000	12361
29	Shri: Imtindungba	Driver Gr.I	4000-100-6000	11050
30	Shri: Mon Bahadur Rana	Driver Gr.II	2750-70-3800-75-4400	7503
31	Shri: Rohmingliana	Driver Gr.II	2750-70-3800-75-4400	7043
32	Shri: N.Orenbomo Kinghen	Driver Gr.II	2750-70-3800-75-4400	6735
33	Shri: S.M.Aliba	Duftry	2750-70-3800-75-4400	9931
34	Shri: Kodonyi	Peon	2750-70-3800-75-4400	9632
35	Shri: Zevolhoulie	Peon	2750-70-3800-75-4400	9140
36	Shri: Yankhyingro	Peon	2610-60-3150-65-3540	8176
37	Shri: Binay Thapa	Night Chowkidar	2610-60-3150-65-3540	7913
38	Shri: Khrie-u	Peon	2550-55-2660-60-3200	6452
39	Shri: Vilakuolie	Peon	2750-70-3800-75-4400	6189
40	Miss: Akenyu	Sweeper	2550-55-2660-60-3200	6320

**14 (b). Monthly remuneration received by each of the officers and employees in the Office of the District Election Officer**

Sl. No	Name of the Govt. Official and the Post Held	Scale of Pay	Gross Amount	
<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	
<b>DEO, DIMAPUR</b>				
1	Shri: Ruokuovituo Khezhe	Asstt. Election Officer Gr-I	10000-325-15200	24848
2	Shri: Thungchamo	H.A (Sr)	6000-175-7750-200-9750	15156
3	Shri: T.Wapang Walling	UDA	4125-100-4725-125-6475	10996
4	Shri: Rongsenyanger	LDA	3050-75-3950-80-4590	8750
5	Smti: Vebalu Tunyi	LDA	3050-75-3950-80-4590	6944
6	Smti: Shürhisieno Savino	Typist	3050-75-3950-80-4590	9276
7	Shri: Niephu	Driver Gr-I	4000-100-6000	9518
8	Smti: Apinuo	Peon	2610-60-3150-65-3540	7425
9	Shri: Hangpao	Peon	2610-60-3150-65-3540	7485
10	Smti: Kevedue	Sweeper (Fixed)	2000/- pm (fixed)	2000

<b>DEO, PEREN</b>				
1	Smti: Alila Chang	Asstt. Election Officer Gr.III	6500-200-10500	16809
2	Shri: R.Pamei	H.A	6000-175-7750-200-9750	15540
3	Smti: Tekatula	UDA	4125-100-4725-125-6475	12209
4	Shri: Aro	LDA	4125-100-4725-125-6475	10010
5	Smti: Ngauble	LDA	3050-75-3950-80-4570	7602
6	Smti: Ekiemle	Typist	3200-85-4900	10645
7	Shri: Sani Khalu	Driver	4000-100-6000	9518
8	Shri: Daurai	Peon	2750-70-3800-75-4400	9632
9	Shri: Paukang	Peon	2550-55-2660-60-3200	6901
10	Shri: Rangyichang	Sweeper	2000 (Fixed)	2000

<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	
<b>DEO, KOHIMA</b>				
1	Shri: Vekho Vero	Asstt. Election Officer Gr-I	10000-325-1500	24848
2	Shri: Meren Ao	H.A	6000-175-7750-200- 9750	14774
3	Shri: Chanthungo Kikon	UDA	4125-1004725-125- 6475	10448
4	Shri: Khrielievi Mor	LDA	3050-75-3950-80-4590	8587
5	Smti: Imlienla	LDA	3050-75-3950-80-4590	8587
6	Smti: Kikruhenuo Sorhie	LDA	3050-75-3950-80-4590	7766
7	Smti: Kapochu-u	Typist	3200-85-4900	11203
8	Shri: Kelhoukhrielie	Driver	2750-70-3800-75-4400	7503
9	Shri: Saphrelie	Peon	2550-55-2660-60-3200	6482
10	Shri: Ezekiel Nguillie	Peon	2550-55-2660-60-3200	6219
11	Smti: Khrieibu-u	Sweeper	2000 (Fixed)	2000

<b>DEO, PUGHOBOTO</b>				
1	Shri: T.Phochibemo	H.A(Sr.)	6000-175-7750-200- 9750	13624
2	Shri: Temjentoshi	UDA	4125-100-4975-125- 6475	10230
3	Shri: Wondango	LDA	4125-100-4975-125- 6475	9673
4	Smti: Vikhuly	Typist	3050-75-3750-80-4590	8105
5	Shri: Asapu	Peon	2750-70-3800-75-4400	8022
6	Shri: Kiyelho	Peon	2750-70-3800-75-4400	8022
7	Smti: Vikhile	Sweeper	2000 (Fixed)	2000

<b>DEO, PHEK</b>				
1	Shri: Awa Lorin	Asstt. Election Officer Gr-II	8500-275-1180-300- 14200	18660
2	Shri: Zapose Shijoh	H.A	6000-175-7750-200- 9750	13161
3	Shri: Chiekhuzo Viro	UDA	4125-100-4725-125- 6475	14006
4	Smti: Tsonulu	LDA	3200-85-4900	11004
5	Shri: Tsanbemo Jami	LDA	4125-100-4725-125- 6475	9354
6	Shri: Shevoto Hoshi	Typist	3050-75-3950-80-4590	6551
7	Shri: Thuyeshehu	Driver	2750-70-3800-75-4400	6890
8	Shri: Athipi Tunyi	Peon	2550-55-2660-60-3200	6512
9	Shri: Sheneyi Niehu	Peon	2550-55-2660-60-3200	5926
10	Shri: Puvunu Vadeo	Contingency Paid	2000 (Fixed)	2000

<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	
<b>DEO, MOKOKCHUNG</b>				
1	Shri: N.Moa Aier	Asstt. Election Officer Gr-I	10000-325-15200	24000
2	Shri: Bendangsangba	H.A (Sr)	6000-175-7750-200- 9750	14156
3	Smti: M.Atula	UDA	4125-100-4725-125- 6475	13733
4	Shri: Talichuba	LDA	3050-75-3950-80-4950	9791
5	Smti: Temsutola	LDA	3050-75-3950-80-4950	7930
6	Smti: Bendangsangla	Typist	3050-75-3950-80-4950	10152
7	Shri: Timothy	Driver	4100-100-6000	10612
8	Shri: Imdong	Peon	2725-70-3800-75-4400	9248
9	Shri: Lanusangba	Peon	2550-55-2660-60-3200	6774
10	Smti: Yangerchila	Sweeper-cum- Chowkidar	2000 (Fixed)	2000

<b>DEO, ZUNHEBOTO</b>				
1	Shri: R. Toshimeren Aier	Asstt. Election Officer Gr-III	6500-200-10500	16526
2	Shri: L.Hozhevi	H.A	6000-175-7750-200- 9750	15540
3	Smti: G.Khehoni	UDA	4125-100-4725-125- 6475	12126
4	Shri: M.Vitoho	LDA	4125-100-4725-125- 6475	10335
5	Shri: Toshikhe	Typist	3050-75-3950-80-4950	7602
6	Shri: K.Kivigho	Driver	4000-100-6000	9518
7	Shri: Kikhehe	Peon	2750-70-3800-75-4400	9488
8	Shri: Avito	Peon	2550-55-2660-60-3200	6774

<b>DEO, WOKHA</b>				
1	Shri: R.Mhathung	Asstt. Election Officer Gr-III	6500-200-10500	16809
2	Shri: P. Lithungbemo	H.A (Sr)	6000-175-7750-200- 9700	13799
3	Shri: Kivito	UDA	4125-400-4725-125- 6475	10230
4	Smti: Rosalen	LDA	3050-75-3950-80-4500	8662
5	Shri: Thungdemo	LDA	3050-75-3950-80-4500	7436
6	Shri: Elithung	Typist	3050-75-3950-80-4500	9977
7	Shri: Ahoto	Driver Gr.I	4000-100-6000	9298
8	Shri: Mhonthung	Peon	2550-55-2660-60-3200	7431
9	Shri: Wilson Kithan	Peon	2550-55-2660-60-3200	5805
10	Shri: Nsamo	Chowkider	2000 (Fixed)	2000

<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	
<b>DEO, MON</b>				
1	Shri: R.T.Wapang	Asstt. Election Officer Gr-I	10000-325-15200	26270
2	Shri: R.V.K. Nair	H.A (Sr)	6000-175-7750-200- 9750	15926
3	Smti: T.Watlong	UDA	4125-100-4725-125- 6475	12638
4	Shri: Winsha	LDA	3050-75-3950-80-4590	8750
5	Smti: P.Pophei	Typist	3200-85-4900	10104
6	Smti: Sashimenla	Adhoc Typist	3050-75-3950-80-4590	6553
7	Shri: Durga Bahadur	Peon	2750-70-3800-75-4400	9783
8	Shri: Zeiwang	Peon	2550-55-2660-60-3200	6319
9	Shri: Imlichuba	Driver	4000-100-6000	9618
10	Shri: Shamong	Sweeper	2000 (Fixed)	2000

<b>DEO, LONGLENG</b>				
1	Shri: Joybell	Asstt. Election Officer Gr.III	6500-200-10500	13600
2	Shri: H.Tongpang	HA	6875-175-9750	15157
3	Shri: K.Nyakshu	UDA	4850-125-6450	10721
4	Shri: H.Mensang	LDA	4325-100-6450	9572
5	Smti: Ajungkala	LDA	3200-75-4590	7108
6	Smti: Alimongla	Typist	4730-85-4900	10458
7	Shri: Taplie	Peon	3600-65-3540	8124
8	Shri: Ngamshi	Peon	3600-65-3540	8044
9	Shri: Shajong	Sweeper	2000 (Fixed)	2000
10	Shri: Hadi	Driver	2000 (Fixed)	2000

<b>DEO, TUENSANG</b>				
1	Shri: Khekugha	Asstt. Election Officer Gr-I	10000-325-15200	24136
2	Shri: Inashe	H.A (Sr)	6000-175-7750-200- 9750	13611
3	Shri: S. Chipong	UDA	4125-100-4725-125- 6475	10997
4	Shri: Atuo Kupfu	LDA	3050-75-3950-80-4950	8585
5	Shri: M. Mehri Chang	LDA	3050-75-3950-80-4950	8094
6	Smti: Tesesochi	Typist	3050-75-3950-80-4950	11015
7	Shri: Bendanglemba	Driver	4100-100-6000	7511
8	Shri: Pongso	Peon	2725-70-3800-75-4400	6642
9	Shri: Tochi	Peon	2725-70-3800-75-4400	5744
10	Shri: Among	Chowkider	2000 (fixed)	2000

<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	
<b>DEO, KIPHIRE</b>				
1	Shri: Roland Merry	Asstt. Election Officer Gr.III	6500-200-10500	14471
2	Shri: R. Mutsangzu	H.A	6000-175-7750-200- 9750	13536
3	Shri: S.Mangyang	UDA	4125-100-4725-125- 6475	11196
4	Smti: Piola	LDA	3050-75-3950-80-4950	10952
5	Shri: Lipimong	LDA	3050-75-3950-80-4950	8294
6	Smti: Kiutangshi	Typist	3050-75-3950-80-4950	8458
7	Shri: R.Lithsamong	Driver	4100-100-6000	10594
8	Shri: Temsuba	Peon	2725-70-3800-75-4400	6838
9	Shri: S.Salipa	Peon	2725-70-3800-75-4400	6065
10	Shri: Setsachum	Sweeper	2000 (fixed)	2000

## **15. BUDGET ALLOCATION**

Funds are broadly required for Election Department for conducting various election related activities as shown below:-

1. Funds required for conducting Elections/Bye-Elections to seat/seats of Nagaland Legislative assembly are borne by Government of Nagaland.
2. Funds required for conducting election/bye-elections to the seat of Lok Sabha are borne by Government of India.
3. In case of simultaneous elections to Nagaland Legislative Assembly and Lok Sabha, the funds are borne by Government of India and Government of Nagaland on 50:50 basis.
4. Funds required for preparation/updation of Electoral Rolls prepared & issue of Photo Identity Cards to the Electors and maintaining establishment of election office are borne by the Government of India and Government of Nagaland on 50:50 basis.

However, the information on budget of Election Department under Non-Plan and Plan Head during Financial Year 2008-2009 is as follows:

## NON-PLAN BUDGET

(Amount in Lakhs)

Major Head	BE- 2008-09	RE-2008-09	Expenditure in the last year 2007-2008
2015 - Elections			
102 : Electoral Officers	255.88	255.88	255.74
103 : Preparation and Printing of Electoral Rolls	13.39	13.39	89.07
104 : Charges for Conduct of Elections to Lok Sabha and State Legislature when held simultaneously.	-	-	-
105 : Conduct of Elections to Lok Sabha (General)	0.01	0.01	0.01
106 : Conduct of Elections to State Legislature	0.01	0.01	570.00
107: Election Tribunal	0.01	8.25	1.25
108 : Issue of Photo Identity Cards and Preparation of Photo Rolls	0.01	0.01	5.00
118 : Delimitation Commission	-	-	4.00
800(i) : Presidential Elections	-	-	2.00

**16. Details in respect of the information, available to citizen or held by the organization reduced in electronic form.**

Electoral Roll data, List of Assembly Constituencies and Polling Stations, Data on Conduct of Election – List of Contesting Candidates, Affidavits of Contesting Candidates, Votes polled, Results of election.

**17. The particulars of facilities available to citizens for obtaining information.**

**Mode of publication of electoral roll, claims and objections and polling stations.**

(i). During the period for filing claims and objections during the revision period the Electoral Registration Officer causes to be published in all designated locations on a daily basis, the following:

List of Forms 6 for inclusion consolidated in Form 9

List of Forms 7 for deletion consolidated in Form 10

List of Forms 8 for correction consolidated in Form 11

List of Forms 8A for transposition consolidated in Form 11A

for public inspection and raising of objections.

(ii) The draft as well as the final electoral rolls are published in EROs' and AEROs' offices and designated centers (mostly polling stations, post offices etc) during summary revision – draft rolls usually in November and final rolls in January/February – in order to facilitate inspection by public. The same is done during the period notified for the purpose during intensive revision. The supplementaries created during continuous revision, if any, also will be published alongwith the draft publication.

(iii) 2 copies (one hard and one soft copy) of the draft as well as the final electoral rolls will be given to all recognized political parties by the Electoral Registration Officer during revision periods.

The Returning Officer furnishes the political parties with the list of polling stations in English before every election.

(iv) Each contesting candidate shall be given a copy of the latest electoral roll by the Returning Officer, once the list of contesting candidates is finalized.

(v) The electoral rolls of all assembly constituencies are also available in the website.

**<http://ceonagaland.nic.in>**

(vi) Issue of copies of Extract of Electoral rolls/sale price of Electoral Rolls:

A certified copy of an entry of the name of person/persons in the current Electoral Roll will be issued by the Electoral Registration Officers concerned on request made by the individual.

(vii) On demand by the public/political parties, the copies of the Electoral Rolls available with the Electoral Registration Officers may be obtained on payment of the fees as detailed below:

- a) Copy of the computerized current Electoral Rolls Rs. 2.00 per page.
- b) Copies of extract of Electoral Rolls at Rs. 5/- per record.
- c) PS CD ROM containing the Electoral Rolls data Rs. 100 (by payment through Challan)

If all the Assembly Constituencies under the jurisdiction of a District Election Officer do not fit in to one CD, then that may be split into more than one CD with each CD sale price being fixed at Rs.100/-.

#### **A. Elector's Photo Identity Card (EPIC)**

After the inclusion of name in the Electoral Roll of the concerned Assembly Constituency, the elector will be eligible for issue of Photo Identity Card. For the first time, provided other formalities are completed, the card will be issued free of cost. For issue of Identity Card, in case of loss or mutilation, shifting of electors, the duplicate card can be obtained on furnishing a declaration that the card was lost and a deposit of Rs. 15/- paid by the elector. The individual has also to furnish a proof of his present residence.

#### **B. Conduct of elections**

There are 60 Assembly Constituencies and 1 Parliamentary Constituency in Nagaland. For every Constituency, for every election to fill a seat or seats of Nagaland Legislative Assembly or Parliament, the Election Commission designates or nominates the Deputy Commissioner in the District as Returning Officer and Addl. Deputy Commissioner (HQ) and Assistant Election Officer in the District as ARO. It should be the general duty of the Returning Officer at any election to do all such acts and things as may be necessary for effectually conducting the election in the manner provided by the Act and rules or orders made there under.

##### **(i) Qualifications and Disqualifications for Election**

A person shall not be qualified to be chosen to fill a seat in Parliament unless

- he is a citizen of India and
- makes and subscribes before some person (authorized in that behalf by the Election Commission of India as Oath or affirmation according to the form set out for the purpose in the 3<sup>rd</sup> Schedule.
- to contest for a seat in the Council of States, he should not be less than 30 years of age and, for the Lok Sabha not less than 25 years of age.
- He should also possess such other qualifications as may be prescribed by or under any law made by Parliament.

- A person shall not be qualified to be chosen as a representative of any State or Union Territory in the Council of States unless he is an elector for a Parliamentary Constituency in India.
- A person shall not be qualified to be chosen to fill a seat in the House of the People unless, he is a member of any of the Schedule Tribes of the State and
  - is an elector for any Parliamentary Constituency.
- A person shall not be qualified to be chosen to fill a seat in the Legislative Assembly of the State unless in the case of the seats reserved for the scheduled tribes of the State, he is a member of any of the tribes
- Is an elector for any Assembly Constituency in that State, and, in the case of any other seat (i.e. a seat which is not reserved), he is an elector for any Assembly Constituency in that State and
- A person shall be disqualified for being chosen as, and for being a member of either House of Parliament –
  - a) if he holds any office or profit under the Government of India or the Government of any State , other than an office declared by Parliament by law not to disqualify its holder;
  - b) if he is unsound mind and stands so declared by a competent court;
  - c) if he is an undischarged solvent;
  - d) if he is not a citizen of India, or has voluntarily acquired the citizenship of a foreign State or is under any acknowledgement of allegiance or adherence to a foreign State;
  - e) if he is so disqualified by or under any law made by Parliament.

Explanation – A person shall not be deemed to hold an office of profit by reason only that he is a Minister either for the Union or the State.

The provisions for qualification and disqualification for membership of the State Legislature are similar except that office of profit should have been so declared by law by the State Legislature instead of the parliament as not disqualifying its holder.

**18. List of i) Appellate Authority**  
**ii) Public Information Officers**  
**iii) Asstt. Public Information Officers**

<b>Sl. No</b>	<b>Name of Officer/ Establishment</b>	<b>Public Information Officer</b>	<b>Asst. Public Information Officer</b>	<b>Appellate Authority</b>
1	2	3	4	5
1	Chief Electoral Officer, Kohima	Jt. Chief Electoral Officer, Kohima	Dy. Chief Electoral Officer, Kohima	Chief Electoral Officer, Kohima
2	District Election Officer, Dimapur	Asst. Election Officer, Dimapur	Head Assistant, DEO Office, Dimapur	Dist. Election Officer, Dimapur
3	District Election Officer, Peren	Asst. Election Officer, Peren	Head Assistant, DEO Office, Peren	Dist. Election Officer, Peren
4	District Election Officer, Kohima	Asst. Election Officer, Kohima	Head Assistant, DEO Office, Kohima	Dist. Election Officer, Kohima
5	District Election Officer, Phek	Asst. Election Officer, Phek	Head Assistant, DEO Office, Phek	Dist. Election Officer, Phek
6	District Election Officer, Mokokchung	Asst. Election Officer, Mokokchung'	Head Assistant, DEO Office, Mokokchung	Dist. Election Officer, Mokochung
7	District Election Officer, Zunheboto	Asst. Election Officer, Zunheboto	Head Assistant, DEO Office, Zunheboto	Dist. Election Officer, Zunheboto
8	District Election Officer, Wokha	Asst. Election Officer, Wokha	Head Assistant, DEO Office, Wokha	Dist. Election Officer, Wokha
9	District Election Officer, Mon	Asst. Election Officer, Mon	Head Assistant, DEO Office, Mon	Dist. Election Officer, Mon
10	District Election Officer, Longleng	Asst. Election Officer, Longleng	Head Assistant, DEO Office, Longleng	Dist. Election Officer, Longleng
11	District Election Officer, Tuensang	Asst. Election Officer, Tuensang	Head Assistant, DEO Office, Tuensang	Dist. Election Officer, Tuensang
12	District Election Officer, Kiphire	Asst. Election Officer, Kiphire	Head Assistant, DEO Office, Kiphire	Dist. Election Officer, Kiphire
13	District Election Officer, Pughoboto	EAC (I/C Election), Pughoboto	Head Assistant, DEO Office, Pughoboto	Dist. Election Officer, Pughoboto

## **19. OTHER INFORMATION AS MAY BE PRESCRIBED**

### **(i) General information about Conduct of Elections**

The Constitution of India has vested in the Election Commission of India, the superintendence, direction and control of the entire process for conduct of elections to Parliament and Legislature of every State and to the offices of President and Vice-President of India.

Elections are conducted according to the constitutional provisions, supplemented by laws made by Parliament. The major laws are the Representation of the People Act, 1950, which mainly deals with the preparation and Revision of Electoral Rolls, the Representation of the People Act, 1951, which deals, in detail, with all aspects of conduct of elections and post-election disputes. The Supreme Court of India has held that where the enacted laws are silent or make insufficient provision to deal with a given situation in the conduct of elections, the Election Commission has the residuary powers under the Constitution to act in an appropriate manner.

For more information on election related activities, contents of Handbook published by Election Commission of India, etc. can be obtained from the website of Election Commission of India, i.e. [www.eci.gov.in](http://www.eci.gov.in).

## ii) General Information about Nagaland

(a) Number of constituencies

### Lok Sabha

<u>Type of Constituency</u>	-	<u>General</u>	-	<u>SC</u>	-	<u>ST</u>	-	<u>Total</u>
No. of Constituency	-	1	-	-	-	59	-	60

a) Legislative Assembly Seats:

<u>Type of Constituency</u>	-	<u>General</u>	-	<u>SC</u>	-	<u>ST</u>	-	<u>Total</u>
	-	1	-	-	-	59	-	60

b) Representative from Nagaland in the 14<sup>th</sup> Lok Sabha.

<u>Name of the Parliamentary Constituency</u>	<u>Name of the Member</u>	<u>Party Affiliation</u>
I. Nagaland Parliamentary	Sri: W. Wangyuh	NPF

### Rajya Sabha

c) Representative from Nagaland in the Rajya Sabha

<u>Name of the Member</u>	<u>Party Affiliation</u>
Sri: Khekiho Zhimomi	- NPF

