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NOTIFICATION

No.B.12024/1/2016-SEC/VC/MADC/Petition, the 19th May, 2017. **WHEREAS**, in exercise of the powers conferred under sub-rule (1) of Rule 3 and Rule 36 & 37 of the Mara Autonomous District Council (Election to Village Council) Rules, 2014 read with Section 3 of the Mara Autonomous District Council (Village Council) Act, 1974, as amended from time to time, the State Election Commission had called upon 73-Chapi-II Village Council Constituency, to elect members of Village Council on 16th November, 2016. Accordingly, election to 4 (four) members of Village Council under 73-Chapi-II 3 (three) General seats and 1 (one) Reserved seat for women was held on 15th September, 2016.

WHEREAS, counting of votes was held immediately after the poll was over, and in exercise of the powers conferred under Rule 73 and Rule 75 of the Mara Autonomous District Council (Election to Village Councils) Rules, 2014, the Returning Officer of 73-Chapi-II VC constituency published Election Result forthwith as under:

73-Chapi-II

1. KT Vachosa, MNF
2. KT Cholua, INC
3. Lt. Hietlai MNF
4. K.Neikhai (Reserved) MNF

AND WHEREAS, Pu HC. Hlauchhei and Pu K.Beihrosa, Congress candidates for By-Election to 73-Chapi-II Constituency, 2016, having grievances, submitted an election petition on 27th December, 2016 under Rule 84 of the Mara Autonomous District Council (Election to Village Councils) Rules, 2014 and paid Rs. 300/- as petition fee on the following points:

- 1) MDC for Chapi was allowed into the counting hall.
- 2) Opportunity to inspect invalid votes by candidates was not given.
- 3) Dissatisfaction in the counting of votes and its subsequent re-count.

THEREFORE, in exercise of the powers conferred under Rule 86 of the Mara Autonomous District Council (Election to Village Councils) Rules, 2014, the State Election Commission, Mizoram vide No.B.12024/1/2016-SEC/VC/MADC/Petition, dt.18.1.2017 constituted an Election Tribunal for 73-Chapi-II Village Council to hear, examine and dispose of the aforesaid Election Petition.

AND WHEREAS, the Election tribunal heard all concerned officials in connection with the By-Election to 73-Chapi-II Village Council Constituency including the Petitioner, the other Candidates and counting agents and thoroughly examined all Election documents and conducted a recount three times. The result of the recount established that Pu K.Hietlei, MNF and Pu KT. Vatlung, MNF secured equal votes and established that the latter offered the seat to Pu K. Hietlei, MNF candidate. The Election Tribunal, in exercise of the powers conferred under Rule 89 of the Mara Autonomous District Council (Election to Village Councils) Rules, 2014 accepted and affirmed the Executive Body of 73-Chapi-II Village Council Constituency already formed.

NOW, THEREFORE, the State Election Commission, in exercise of the powers conferred under sub-rule (4) of Rule 89 of the Mara Autonomous District Council (Election to Village Councils), Rules, 2014 hereby notify the decision of the Election Tribunal in that, the result of 73-Chapi-II Village Council Constituency by the Returning Officer is to be maintained STATUS QUO.

Teresy Vanlalhruaii,
Secretary,
State Election Commission,
Mizoram.