

# DENTAL COUNCIL OF INDIA

DENTAL COUNCIL (ELECTION) REGULATIONS, 1952.

(As modified upto 28-10-1983)



BY AUTHORITY

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**DENTAL COUNCIL OF INDIA**  
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## DENTAL COUNCIL OF INDIA

*Regulations made by the Central Council of India, with the approval of the Central Government, under Section 20 of the Dentists Act, 1948 (XVI of 1948), prescribing the manner in which elections under Chapter II of the Act are to be conducted.*

### CHAPTER I

#### PRELIMINARY

**1. Short title.** - These Regulations may be called the Dental Council (Election) Regulations, 1952.

**2. Definitions.** - In these regulations, unless the context otherwise requires-

(a) 'Act' means the Dentists Act, 1948 (XVI of 1948);

\* (a) (i) "Appendix" means an Appendix to these regulations;

(b) 'Council' means the Dental Council of India constituted under section 3 of the Act;

\* (b) (i) "elector", in relation to an election to the Council, means any person entitled to vote at any such election;

(ii) "electoral roll", in relation to an election to the Council, means the list of electors maintained by the Returning Officer;

(c) 'Form' means a form annexed to these Regulations.

\* (c) (i) "member" means a member of the Council;

(d) 'President' means the President of the Dental Council of India;

(e) 'Register' means a register of dentists prepared and maintained under the Act;

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\* Inserted by the Dental Council (Election) Amendment Regulations, 1975(w.e.f. 21/08/1975).

- (f) 'Returning Officer' means:-
- (i) in relation to elections under Chapter II of these Regulations, the Returning Officer appointed by the State Government ; and
  - \*(ii) in relation to an election under Chapter IV of these regulations, the Returning Officer appointed by the Central Government; and
- (g) 'Section' means a section of the Act.

## CHAPTER II

### ELECTIONS TO THE COUNCIL UNDR CLAUSE (a) OF SECTION 3.

**3. Preliminary electoral roll-**(1) Part A of the register as published with reference to sub-sections (3) and (4) of section 31 and sub-section (4) of section 32, together with the list or lists published in the official gazette by the Return-ing Of-ficer, of dentists registered under Part A subsequent to the publication of the register, shall be the preliminary elec-toral roll for the electorate specified in clause (a) of section 3 :

Provided that in the case of elections other than those held for the first time under the Act, the preliminary electoral roll shall be Part A of the register as last printed under section 45, together with the list or lists, publised by the Returning Officer, of dentists registered subsequent to the printing of the register.

(2) The Returning Officer shall prepare and publish in the official Gazette on a date to be fixed by the State Govern-ment, preliminary electoral rolls in Form 1 in Appendix I, containing the names of all the electors for the electorate specified in clause (a) of section 3.

\* Substituted by the Dental Council (Election) Amendment Regulations, 1975 (w.e.f.21/08/1975).

(3) The Returning Officer shall simultaneously publish a notice in the official Gazette specifying the mode in which the time within which claims and objections relating to the entries or omissions in the preliminary rolls shall be preferred.

(4) On or after the date fixed for the receipt of the claims and objection, the Returning Officer shall pass orders in writing on each claim or objections and revise the preliminary electoral rolls in accordance with such orders, and the rolls, as revised, shall be publised in the Official Gazette as the final electoral rolls.

### **4. Fixation of dates for various stages of election.-**

The Returning Officer shall appoint and shall notify in the Official Gazette and in such other manner as he thinks fit, the date, time and place for:-

- (a) the receipt of nomination papers and their scrutiny;
- (b) the despatch of voting papers to the electors;
- (c) the poll; and
- (d) the scrutiny and counting of votes.

**5. Nomination of candidates.-** Every candidate for election shall be nominated by means of a nomination paper in Form II in Appendix I which shall be supplied free of cost by the Returning Officer to any elector applying for the same.

**6. Nomination papers.-**(1) Every nomination paper shall be signed by two electors as proposer and seconder and sent by post or otherwise so as to reach the Returning Officer on or before a date fixed by him, which shall not be less than four weeks before the date appointed for the poll;

Provided that no elector shall sign more nomination papers than there are seats to be filled up;

Provided further that if more than the prescribed number of nomination papers are signed by the same elector, the prescribed number of nomination papers first received by the Returning Officer shall, if otherwise in order, be held to be

valid, and if more than the prescribed number of nomination papers signed by the same elector are received simultaneously by the Returning Officer, all such nomination papers shall be held to be invalid.

(2) On receipt of each nomination paper, the Returning Officer shall forthwith endorse thereon the date and hour of receipt.

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

**8. Fees payable by candidates.**-On or before the date appointed for the receipt of nomination papers each candidate wishing to stand for election shall pay the Returning Officer a fee of fifty rupees in cash, and no candidate shall be deemed to be duly nominated unless such fee has not been paid.

(2) The fee so paid shall be credited to the Council and shall not in any circumstance be refunded.

**9. Scrutiny of nomination papers.**-(1) On the date and at the time appointed by the Returning Officer for scrutiny of nomination papers the candidates and the proposer and seconder of each candidate 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 as aforesaid.

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

**10. Withdrawal of candidature.**-(1) Any candidate may withdraw his candidature by notice in writing signed by him and delivered to the Returning Officer not later than

twenty-one clear days before the date appointed for the poll. A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to be renominated as a candidate for the same election.

(2) The Returning Officer shall, on receiving a notice of withdrawal, cause it to be published in the Official Gazette.

**11. Poll.**-(1) If the number of candidates who stand duly nominated does not exceed the number of members to be elected, the Returning Officer shall after the expiry of the time for withdrawal of candidature declare such candidate or candidates to be duly elected.

(2) If the number of such candidates exceeds the numbers of members to be elected, the Returning Officer shall forthwith publish their names and addresses in the Official Gazette and shall further cause their names to be entered in alphabetical order in the voting papers in Form iv in Appendix I.

(3) If a poll is found necessary, the Returning Officer shall, two weeks before the date appointed therefore, send by post to each elector a letter of intimation in Form V in Appendix I together with a numbered declaration paper in Form III in the said Appendix, a voting paper in Form IV in the said Appendix containing the names of the candidates in alphabetical order and bearing the Returning Officer's initials or facsimile signature, a voting paper cover addressed to him (the Returning Officer) and an outer cover also addressed to him. 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 to that effect signed by himself and require the Returning Officer to send him fresh papers and if the papers have been spoilt, the spoilt paper shall be returned to

the Returning Officer who shall cancel them on receipt. In every case in which fresh papers are issued a mark shall be placed against the number relating to the elector's name in the electoral roll to denote that fresh papers have been issued.

(5) No election shall be invalidated by reason of an elector not receiving his voting paper, provided that a voting paper has been issued to him in accordance with these regulations.

**12. Votes to be sent by registered post.**-Every elector desirous of recording his vote shall, after filling up the declaration paper and the voting paper according to the directions given in the letter of intimation, enclose the voting paper in the voting paper cover, stick up the cover, enclose the cover and the declaration paper in the outer envelope addressed to the Returning Officer, and send the outer envelope by registered post at the elector's own cost to the Returning Officer, so as to reach him not later than 5 p.m. on the day fixed for the poll. All envelopes received after that day and hour or received by unregistered post shall be rejected.

**13. Endorsement by Returning Officer on registered covers.**-On receipt of the envelopes by registered post containing the declaration paper and the closed cover containing the voting paper, the Returning Officer shall endorse on the outer envelopes the date and hour of receipt.

**14. Candidates may be present when registered covers are opened.**-The Returning Officer shall open the outer envelopes immediately after 5 p.m. on the day fixed for the poll at the place to which the envelopes are addressed to him. Any candidate may be present in person or may send a representative duly authorised by him in writing to attend at the time the outer envelopes are opened.

**15. Rejection of voting papers.**-(1) A voting paper cover 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 'Rejected' shall be endorsed on the voting paper cover and the declaration paper.

(3) After satisfying himself that the electors have affixed their signatures to the declaration papers, the Returning Officer, shall keep all the declaration papers in safe custody, pending disposal under regulation 18.

**16. Scrutiny and counting of votes.**-(1) The Returning Officer shall attend, for the purpose of scrutiny and counting of the votes, at the date, time and place appointed by him in this behalf provided the date so appointed shall not be later than three days from the date fixed for the poll.

(2) All the voting paper covers, other than those rejected under regulation 15 shall be opened and the voting papers taken out and mixed together. The voting papers shall then be scrutinized and the valid votes counted.

- (3) A voting paper shall be invalid if:-
- (a) it does not bear the Returning Officer's initials; or
  - (b) a voter signs his name or writes a 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 number of votes recorded thereon exceeds the number of vacancies to be filled; or
- (e) it is void for uncertainty of one or more votes exercised.

Provided that where more than one vote can be given on the same voting paper, if one of the marks is so placed as to render it doubtful to which candidate it is intended to apply, the vote concerned, but not the whole voting paper shall be invalid on that account.

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

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

(6) If any objection is made to any voting paper on the ground that it does not comply with the specified requirements or to any rejection by the Returning Officer of a voting paper, it shall be decided at once by the Returning Officer whose decision shall be final.

(7) The Returning Officer shall nominate such number of scrutinizers not exceeding four as he thinks fit. The scrutinizers shall be Gazetted Officers of the Government.

**17. Declaration of results.**-(1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate or candidates to whom the largest number of valid votes have been given to be duly elected and shall forthwith inform each successful candidate by letter of his being elected to the Council. If any candidate thus shown to be elected has withdrawn from the election or refuses to accept election then in the place of that candidate one of the remaining candidates to whom the next largest number of votes have been given shall be held to have been

elected and so on for as many of the remaining candidates as there may be vacancies caused in this way.

(2) If there is an equality of votes between any two or more candidates, the Returning Officer shall, after notice to the candidates concerned, decide by drawing lots which candidate or candidates he shall declare to have been elected.

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

**19. Publication of results.**-The Returning Officer shall report the result and date of the election to the State Government, who in turn shall communicate the information to the Government of India. The Central Government shall then publish the result in the Gazette of India and the State Government shall thereafter re-publish the notification of the Central Government in the Official Gazette of the State concerned.

**20. Procedure for setting aside election.**-(1) Before setting aside an election under section 5, the Central Government shall give an opportunity to all the parties concerned to show cause why the election should not be set aside.

(2) A decision under section 5 may be given on the inquiry and report of any person appointed by the Central Government in that behalf.

### CHAPTER III

ELECTIONS TO THE COUNCIL UNDER CLAUSE (b) OF SECTION 3.

**21. Election of a member by Medical Council.**-The election of a member of the Council under clause (b) of

section 3 of the Act shall be made at a meeting of the Medical Council of India in accordance with Regulation 11 of the Regulations of the Medical Council of India.

#### CHAPTER IV

##### ELECTION TO THE COUNCIL UNDER CLAUSE (c) OF SECTION 3.

\*22. Election of members by Principals, Deans, Directors and Vice-Principals of Dental Colleges and Heads of Dental Wings of Medical Colleges training students for recognised dental qualifications:-

- (1) The Principals, Deans, Directors and Vice-Principals of Dental Colleges, and the Heads of Dental Wings of Medical Colleges, in the State training students for recognised dental qualifications shall be the **electorate** for electing members of the Council under clause (c) of section 3.
- (2) (a) The Returning Officer shall, within 45 days, before the date on which the term of office of a member expires, send by registered post to each elector a notice of election in Form VI in Appendix I which shall contain a schedule giving various stages of election. A copy of electoral roll shall be sent along with the notice, which shall also specify the mode in which and the time within which claims and objections relating to the entries or omissions in the electoral roll shall be preferred.

The Returning Officer shall examine and pass orders in writing on each claim or objections and revise the electoral roll in accordance with such orders and the electoral rolls so revised shall be the final electoral rolls for the said election.

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Substituted by the Dental Council (Election) Amendment Regulations, 1975 (w.e.f. 21/08/1975).

- (b) The Returning Officer shall within 15 days from the last date and time fixed for the receipt of the claims and objections on the electoral roll send by registered post a Voting Paper and detailed Instructions in Form VII in Appendix I to each elector.
- (c) Every elector desirous of recording his vote shall, after filling the Voting Paper in the manner specified in the Instructions send the same by registered post to the Returning Officer so as to reach him not later than 5 p.m. on the date fixed for the poll.
- (3) The Returning Officer shall declare the result of election in accordance with the Instructions contained in Form VII in Appendix I and shall communicate the names of persons elected as members of the Council under clause (c) of section 3 of the Act to the Central Government for publication in the official Gazette:  
  
Provided that not more than one member shall be elected from the same dental college.
- (4) Election for casual vacancy shall be notified to each elector and the provisions of sub-regulations (1), (2) and (3) shall so far as may be, apply to fill any such vacancy.

#### CHAPTER V

##### ELECTION TO THE COUNCIL UNDER CLAUSE (d) OF SECTION 3.

**23. Representative of Universities.** - The president shall not later than 60 days before the date of occurrence of a vacancy or vacancies forward a notice by registered post to the Registrar of each University concerned, requesting him to hold an election not later than the date specified in the notice.

**24. ELECTION BY SENATE OR COURT**

Members of the Senate of the University or in case the University has no Senate, Members of the Court shall elect a member from amongst the members of the Dental Faculty of the University or in case the University has no Dental Faculty, from amongst the Members of the Medical Faculty.

2. In the event of two or more candidates securing the same number of votes and that number being more than the number of votes secured by any candidates other than the two or more securing the same number of votes, the determination as between such candidates shall be by draw of lots and the candidate on whom the lot falls, shall be declared elected.

(Inserted by GOI-M.O.H. & F.W. NoV. 12012/2/83-PM5 dt. 28.10.1983.)

**APPENDIX I**

**FORM I**

*[See clause (2) of regulations (3)]*

**A. List of persons qualified to vote under clause (a) of section 3 of the Dentists Act, 1958.**

Name	Qualification	Address	Remarks
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**FORM II**

*[See regulations 5]*

**NOMINATION PAPER**

**Election under clause (a) section 3 of the Dentists Act, 1948.**

- |  |     |     |     |     |     |
|--|-----|-----|-----|-----|-----|
| 1. Name of candidate                               | ... | ... | ... | ... | ... |
| 2. Father's name                                   | ... | ... | ... | ... | ... |
| 3. Age   | ... | ... | ... | ... | ... |
| 4. Nature of qualification and registration number | ... | ... | ... | ... | ... |
| 5. Address   | ... | ... | ... | ... | ... |
| 6. Signature of proposer                           | ... | ... | ... | ... | ... |
| 7. Signature of seconder...                        | ... | ... | ... | ... | ... |

**Declaration by the candidate**

I hereby declare that I agree to this nomination.

*Signature of the candidate.*

This nomination paper was received by me at..... hour on the (date)

*Returning Officer*



**Instructions**

1. Nomination papers which are not received by the Returning Officer before the.....will be invalid.
2. The names of the proposer and seconder, as they appear in the electoral rolls, their registered qualifications and registration certificate number should also be clearly written below their respective signatures.

**FORM III***[See clause (3) of regulation 11]***DECLARATION PAPER**

Elections to the Dental Council of India of under section 3 of the Dentists Act, 1948.

Serial Number	...	...	...	...	...	...
Elector's name	...	...	...	...	...	...
Number on the electoral roll, if any	...	...	...	...	...	...

**Elector's declaration**

I.....(Name in full, and designation, if any) declare that I am an elector for the election of a member, to the Dental Council of India by the electorate under clause (a) of section 3 of the Dentist Act, 1948 and that I have signed no other voting paper at this election.

Station..... Signature.....

Dated..... Address.....

.....

**FORM IV***[See clause (2) of regulation 11]***VOTING PAPER**

Election to the Dental Council of India under clause (a) of section 3 of the Dentists Act, 1948.

Serial Number	Name of candidate duly nominated	Vote
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**Instructions**

1. The number of vacancies to be filled is
2. Place a cross - mark (thus 'X') against the name of the candidate (or each of the candidates) for whom you wish to vote.
3. A voting paper will be invalid if:
  - (a) it does not bear the Returning Officer's initials or facsimile signature; or
  - (b) a voter signs his name or writes a 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 number of votes recorded thereon exceeds the number of vacancies to be filled; or
  - (e) it is void for uncertainty of one or more votes exercised.

**FORM V***[See clause (3) of regulation 11]***LETTER OF INTIMATION**

Sir/Madam,

The persons whose names are printed on the voting paper sent therewith, have been duly nominated as candidates for

election to the Dental Council of India. Should you desire to vote at the election, I request that you will:--

- (a) fill up and sign the declaration paper;
  - (b) mark your vote in the column provided for the purpose in the voting paper as directed on the voting paper;
  - (c) enclose the voting paper in the smaller cover, and stick it up ; and
  - (d) enclose the similar cover and the declaration paper in the outer envelope addressed to me and return the same to me by registered post so as to reach me not later than 5 P.M. on the ..... of 19.....
2. The voting paper will be rejected, if:-
- (a) the outer envelope enclosing the voting paper cover is not sent by registered post or received later than the hour fixed for the closing of the poll; or
  - (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 declaration is 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 signature ; or

- (ii) a voter signs his name, or writes any word 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 of vacancies to be filled; or
- (v) it is void for uncertainty of one or more votes exercised:

Provided that where more than one vote can be given on the same voting paper, if one of the marks is so placed as to render it doubtful to which candidate it is intended to apply, the vote concerned, but not the whole voting paper shall be invalid on that account.

4. If a voter inadvertently spoils a voting paper, he can return it 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, such other persons as he may appoint to assist him, the candidates or their duly authorized representatives.

*Returning Officer*

FORM VI'  
Notice of Election

(See regulation 22 (2) (a))

SEAL

By Registered A.D. Post

No.....

Date.....

Election under Clause (c) of Section 3 of the  
Dentists Act, 1948

Notice is hereby given that an election is to be held of a member (s) to the Dental Council of India under clause (c) of section 3 of the Dentists Act, 1948, in accordance with Regulation 22 of the Dental Council (Election) Regulations, 1952, relevant extracts enclosed.

The 'Electoral Roll' consisting of the names of the Principals, Deans, Directors and Vice-Principals of Dental Colleges, and the Heads of Dental Wings of the Medical Colleges, in the States training students for recognised dental qualifications-is enclosed (see Annexure).

Any claim or objection, with regard to the said 'Electoral Roll' should be immediately made to the Returning Officer so as to reach him latest by 5 P.M. on.....

The following shall be the schedule for the proposed elections:

Last date and time for the receipt of claims and objections to the 'Electoral Roll'

.....5 P.M.

1. Inserted by the Dental Council (Election) Amendment Regulations, 1975 (w.e.f. 21-8-75)

Date of finalisation of Electoral Roll

.....

Date of issue of Voting papers and Instructions for elections

..... 5 p.m.  
(Within 15 days from the last date fixed for the receipt of claims and objections with regard to the Electoral Roll)

Date by which the Voting papers are to be received by the Returning Officer

.....3 p.m.  
(Within 21 days from the date of despatch of the Voting papers and Instructions by the Returning Officer)

Date and time for the scrutiny and counting of votes.

.....3 p.m.  
(Immediately after the last date and time fixed for the receipt of the Voting papers)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
Returning Officer

\_\_\_\_\_  
\_\_\_\_\_

## Annexure to Form VI

## DENTAL COUNCIL OF INDIA

SEAL

## ELECTORAL ROLL

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Serial No.	Name and designation of the candidates eligible to be elected and to vote.
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## Form VII

Dental Council of India

(See Regulation 22 (2) (b)  
(By Registered A.D. Post)

No.....

Date.....

## Seal

Election for.....Vacancy/Vacancies under clause (c) of Section 3 of The Dentists Act, 1948, from amongst the Principals, Deans, Directors and Vice-Principals of Dental Colleges, and the Heads of Dental wings of Medical colleges, in the States training students for recognised dental qualifications.

## INSTRUCTIONS

1. The number of vacancies to be filled is.....
2. The persons whose names are specified on the 'Voting Papers' (Annexure II) constitute the 'Electoral Roll' and are eligible to vote and to seek election.
3. Should you desire to vote at the election. I request that you will:-
  - (a) Fill-up and sign the 'Declaration Paper' (Annexure I)
  - (b) Mark your vote on the 'Voting paper' (Annexure II) by placing:  
mark 'X' against the name of the candidate/s whom you wish to vote;
  - (c) enclose the 'Voting Paper' in the cover marked POLL and stick it up; and
  - (d) enclose the cover marked POLL and the 'Declaration Paper' in the outer envelope and despatch the same

under Registered cover addressed to the Returning Officer by name on the following address so as to reach the Returning Officer, not later than.....  
(Time) on.....(Date) Name.....

Returning Officer

Address : .....  
.....  
.....

4. 'Voting Paper shall be invalid if:
- (a) it does not bear the Returning Officer's initials or facsimile signature; or
  - (b) no vote is recorded thereon, or
  - (c) the number of votes recorded thereon exceeds the number of vacancies to be filled, or
  - (d) the 'Voting Paper' is not placed in the cover marked 'POLL' or
  - (e) the outer envelope contains no 'Declaration Paper', or
  - (f) the Declaration Paper is not the one sent by the Returning Officer to the voter, or
  - (g) if an elector does not fulfil the condition to be an elector on the day of despatch of 'Ballot Paper' by him and the 'Declaration Paper' is not signed by elector.
5. 'Voting Paper' shall be rejected if:
- (i) it does not bear the Returning Officer's initials or facsimile signature, or
  - (ii) a voter signs his name or writes any word or makes any mark by which it becomes recognisable as his Voting Paper', or

- (iii) a voter signs his name, or writes any word or makes any mark on the cover marked 'POLL'; or
- (iv) is not sent by 'REGISTERED POST' or received later than the date and hour fixed for closing the 'POLL':

Provided that where the mark is so placed as to render it doubtful as to which candidate it is intended to apply, that particular vote shall be invalid on that account.

- 6. If a Voter inadvertently spoils a 'Voting Paper' or a 'Declaration Paper', he can return it/them to the Returning Officer who shall, if satisfied of such inadvertence, issue to him another 'Voting Paper' or 'Declaration Paper' as the case may be.
- 7. The scrutiny and counting of votes shall begin on (date.....at (time).....)
- 8. If there is an equality of votes between any two or more candidates, the Returning Officer shall decide by drawing lots in the presence of the Secretary of the Council as to which candidate he shall declare to have been elected.
- 9. An elector may be present in person or through a representative duly authorised by him in writing to witness the scrutiny and counting of votes and at the time of drawing of lots by the Returning Officer in the case of equality of votes between any two candidates.

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1 Inserted by the Dental Council (Election)

Amendment Regulations, 1975 (w.e.f. 21/08/1975)

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No other person shall be present at the scrutiny and counting except the Returning Officer, and such other persons as he may appoints to assist him.

- 10. When counting of votes has been completed, the Returning Officer shall forthwith declare the candidate/s to whom the largest number of valid votes have been given, to be duly elected and shall forthwith inform them by letter of their having been elected to the Council.

Provided that if any candidate thus shown to be elected refuses to accept election, then in his place the next candidate, to whom the largest number of valid votes have been given, shall be held to have been elected and so on, for as many of the remaining vacancies caused this way ;

Provided further that in case any candidate thus shown to be elected is already a member of the Council, he shall have the choice to resign from the previous seat;..... and in case he fails to resign from that seat, then in his place the next candidate to whom the largest number of votes have been given, shall be held to have been elected and so on, for as many of the remaining vacancies caused this way.

- 11. (a) The 'Voting Paper' and the Declaration Paper received back by the Returning Officer shall be open for inspection to all the persons included in the Electoral Roll, after the results have been announced, and not earlier.

- 11. (b) Upon completion of the counting and after the results have been declared by him, the Returning Officer shall get the 'Voting Papers' and all other documents relating to the elections sealed up and shall hand over to the sealed envelope to the Secretary of the Council for safe custody for a period of one year from the date of elections, after which period the Secretary of the Council shall destroy them.

(Signature )  
\_\_\_\_\_  
(Returning Officer)

**Annexure I to FORM VII**

**Declaration Paper**

I.....(name and designation) declare that I am an elector for the election by the electorate under clause (c) of section 3 of the Dentists Act, 1948, and that I have exercised my vote in the 'Voting Paper' as contained in the enclosed cover marked 'POLL'.

Date..... Signature.....  
Address.....  
.....

**TO BE FILLED IN BY THE OFFICE OF THE RETURNING OFFICER**

Elections to the Dental Council of India under clause (c) of section 3 of the Dentists Act, 1948.

Serial Number (The receipt Number).....

Elector's Name.....

**Annexure II to FORM VII  
DENTAL COUCIL OF INDIA  
SEAL  
VOTING PAPER**

Signature of the  
Returning Officer

.....

Serial No.	Name and designation of the candidates eligible to be elected and to vote.	Vote
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