

(3) No person who has given a notice of withdrawal of his candidature under sub-rule (1) shall be allowed to cancel such notice.

(4) The returning officer shall on being satisfied as to the genuineness of a notice of withdrawal and the identity of the person delivering it under sub-rule (1) cause the notice to be affixed on the notice board of his office.

46. Publication of list of contesting candidates:

(1) Immediately after expiry of the period within which candidatures may be withdrawn under rule 45, the returning officer shall prepare and publish in English and Hindi languages, a list of contesting candidates, that is to say, candidates who were included in the list of validly nominated candidates and who have not withdrawn their candidature within the said period in Form 9.

(2) The said list shall contain the names in Hindi alphabetical order and the addresses of the contesting candidates as given in the nomination paper. The list shall also indicate the symbols assigned to such candidates.

(3) The returning officer shall consider the choice of symbols expressed by the contesting candidates in their nomination papers and shall, subject to any general or special direction, issued in this behalf by the Commission-

(a) allot a different symbols to each contesting candidate inconformity, as far as practicable, with his choice; and

(b) if more contesting candidates than one have indicated their preference for the same symbol, decide by lot to which of such candidates the symbol will be allotted.

(4) The allotment by the returning officer of any symbol to a candidate shall be final except where it is inconsistent with any directions issued by the Commission in this behalf in which case the Commission may revise the allotment in such manner as it think fit.

(5) Every candidate or his election agent shall forthwith be informed of the symbol allotted to the candidate and be supplied with a specimen thereof by the returning officer.

(6) A copy of the list of contesting candidates indicating the symbols allotted to each candidate shall be sent to the Commission and the Director of Tribal Council Elections.

47. Declaration of result in uncontesting election:

(1) If the number of the contesting candidates is one, the returning officer shall, forthwith in Form 21 B or 21 C, whichever is applicable, declare such candidate to be duly elected to fill that seat and send signed copies of declaration to the Commission and the Director of Tribal Council Elections.

(2) If there is no contesting candidate, the Commission shall, by notification in the Official Gazette, call upon the constituency to elect a person to fill that seat;

Provided that where the constituency having already been called upon under this rule has failed to elect a person to fill the vacancy, the Commission, shall not be bound to call upon the constituency until it is satisfied that if called upon again, there will be no such failure on the part of the constituency :