

126. Other orders to be made by the District Judge: (1) At the time of making an order under rule 125, the District Judge shall be also make an order –

- (a) Where any charge is made in the petition of any corrupt practice having committed at the election, recording –
 - (i) a finding whether any corrupt practice has or has not been proved to have been committed at the election, and the nature of that corrupt practice; and
 - (ii) the names of all persons, if any, who have been proved at the trial to have been guilty of any corrupt practices and the nature of that practice; and
- (b) fixing the total amount of costs payable and specifying the persons by and to whom costs shall be paid:

Provided that a person who is not a party to petition shall not be named in the order under sub-clause(ii) of clause (a) unless

- (a) He has been given notice to appear before the District Judge and to show cause why he should not be named; and
 - (b) If he appears in pursuance of the notice, he has been given an opportunity to cross-examine any witness who has already been examined by the District Judge and has given evidence against him, of calling evidence in his defence and of being heard.
- (2) In this rule and in rule 127, the expression 'agent' has the same meaning as in section 123 of the Representation of the People Act, 1951 (43 of 1951).

127. Grounds for declaring election to be void: (1) subject to the provisions of sub-rule (2) if the District court is of opinion –

- (a) That on the date of his election, the returned candidate was not qualified, or was disqualified, to be chosen to fill the seat under the Regulation; or
- (b) That any corrupt practice has been committed by the returned candidate or his election agent or by any other person with the consent of ~~the consent of~~ the returned candidate or his election agent; or
- (c) That any nomination has been improperly rejected; or
- (d) That any result of the election, in so far as it concerns the returned candidate, has been materially affected –
 - (i) by the improper acceptance of any nomination,
 - (ii) by any corrupt practice committed in the interests of the returned candidate by an agent other ^{than} his Election Agent, or
 - (iii) by improper reception, refusal or rejection of any vote or the reception of any vote which is void, or
 - (iv) by any non-compliance with the provisions of the Regulation or of these rules or orders made thereunder, the District Court shall declare the election of the returned ~~Candidate to be void~~.

(2) If in the opinion of the District Judge the returned candidate has been guilty by an agent other than his election agent, of any corrupt practices, but the District Judge is satisfied –

- (a) That no such corrupt practice was committed at the election by the candidate or his election agent, and every such corrupt practice was