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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL
HOME & HILL AFFAIRS DEPARTMENT
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No. 66-HA/O/M-04/2022 (Pt-I)

Dated : 25-05-2022

NOTIFICATION

In exercise of the powers conferred by Rule 18(1) of the Gorkhaland Territorial Administration (Elections) Rules, 2012 framed under the Gorkhaland Territorial Administration Act, 2011, the Governor is pleased to specify the symbols that will be reserved for the candidates set up by the political parties under Rule 19 of the said Rules and the symbols that may be chosen by other candidates at the ensuing elections to the Gorkhaland Territorial Administration Sabha, 2022 as detailed below :

1. A candidate set up by the recognized political party shall be allotted, the symbol reserved for that party and no other symbol. For this purpose, a recognized political party means a political party which is recognized as such by the Election Commission of India as a National party or a State party of this state as well as the parties recognized as a political party operating in the region by the Government under Rule 19(1) of the above Rules. A List of Recognized Political Parties and Symbols reserved for each of them is given in Table-I appended to this Notification.
2. For the purposes of an election to any Gorkhaland Territorial Administration Sabha Constituency, a candidate shall be deemed to be set up by a recognized political party if, and only if, he or she fulfils the requirements as provided under Sub-rule 2 of Rule 19 of the above Rules.
3. A reserved symbol shall not be chosen by, or allotted to, a candidate other than a candidate set up by a recognized political party for whom such symbol has been reserved.
4. Any candidate other than a candidate of a recognized political party shall choose and be allotted one of the symbols specified as “free symbols” in Table-II appended to this Notification.
5. If the choices for free symbols come into conflict, the Returning Officer shall allot symbols in conformity as far as possible, with the wishes of the candidates and, if necessary, **by lot and his decision shall be final**. He will, however, take into consideration the following points in arriving at a decision:

- (a) Declaration as to symbols made by a candidate in the nomination paper first delivered shall only be considered for this purpose even if that nomination paper has been rejected.
 - (b) Where any free symbol has been chosen by only one candidate, the Returning Officer shall allot that free symbol to that candidate and to no one else.
 - (c) Where the same free symbol has been chosen by several candidates at such election, then –
 - (i) If of those several candidates only one is a candidate duly set up by a registered unrecognized political party and all the rest are independent candidates, the Returning Officer shall allot that free symbol to the candidate set up by the registered unrecognized political party and to no one else; and if of those several candidates two or more are set up by different registered unrecognized parties and the rest are independent candidates, the Returning Officer shall decide by lot to which of the two or more candidates set up by registered unrecognized parties that free symbol shall be allotted and allot that free symbol to the candidate on whom the lot falls and to no one else.
 - (ii) When a candidate set up by a unrecognized registered party or an independent candidate is not allotted the symbol of his/her first choice, he/she will be allotted symbol on the basis of his/her second or third choice as the case may be, following the similar procedure. If no choice is left in respect of a candidate, the Returning Officer shall allot one of the free symbols not allotted to any other candidate.
6. If in any particular constituency, number of contesting candidates exceeds the number of symbols specified in Table-II appended to this Notification, the Returning Officer shall, in allotting additional symbols required, make a combination of any two of the symbols specified in Table-II as aforesaid, and his decision thereon shall be final.

7. SUBSTITUTION OF A CANDIDATE BY A POLITICAL PARTY :

For the removal of any doubt, it is hereby clarified that a political party which has given a notice in Form-B in favour of a candidate may rescind that notice and may give a revised notice in Form-B in favour of another candidate for the constituency:

Provided that the revised notice in Form-B, clearly indicating therein that the earlier notice in Form-B has been rescinded, reaches the Returning Officer of the constituency not later than 3.00 PM on the last date for making nominations and the said revised notice in Form-B is signed by the authorized person.

Provided further that in case more than one notice in Form-B is received by the Returning Officer in respect of two or more candidates, and the political party fails to indicate in such notices in Form-B that the earlier notice or notices in Form-B, has or have been rescinded, the Returning Officer shall accept the notice in Form-B in respect of the candidate whose nomination paper was first delivered to him and the remaining candidate or candidates in respect of whom also notice or notices in Form-B has or have been received by him shall not be treated as candidates set up by such political party.

By order of the Governor,

B. P. GOPALIKA

Additional Chief Secretary to the Government of West Bengal

Table - I**(List of Recognized Political Parties & Symbols for them)****NATIONAL PARTIES**

Sl. No.	Name of the Party	Symbol reserved
1.	All India Trinamool Congress	Flowers & Grass
2.	Bahujan Samaj Party	Elephant
3.	Bharatiya Janata Party	Lotus
4.	Communist Party of India	Ears of Corn and Sickle
5.	Communist Party of India (Marxist)	Hammer, Sickle and Star
6.	Indian National Congress	Hand
7.	Nationalist Congress Party	Clock
8.	National People's Party	Book

STATE PARTIES

Sl. No.	Name of the Party	Symbol reserved
1.	All India Forward Bloc	Lion
2.	Revolutionary Socialist Party	Spade & Stoker

Other Parties recognised by the Govt. under Rule 19(1)

Sl. No.	Name of the Party	Symbol reserved
1.	Gorkha Janmukti Morcha	Sun

Table - II**List of Free Symbols**

- | | |
|-------------------|-------------------|
| 1. Almirah | 11. Glass Tumbler |
| 2. Balloon | 12. Iron |
| 3. Bat | 13. Kettle |
| 4. Battery Torch | 14. Kite |
| 5. Black Board | 15. Scissors |
| 6. Bread | 16. Table |
| 7. Candles | 17. Table Lamp |
| 8. Coconut | 18. Television |
| 9. Cup & Saucer | 19. Violin |
| 10. Electric Pole | 20. Walking Stick |

Sd/-

(B. P. GOPALIKA)

Additional Chief Secretary to the Government of West Bengal