

## [THE SIND LEGISLATIVE ASSEMBLY ELECTIONS (EXPENSES AND EMPLOYMENT OF PERSONS) ACT, 1939.]

[22nd June, 1939]

*An Act to provide for the maximum scale of election expenses at elections to the Sind Legislative Assembly and the number and description of persons who may be employed for payment in connection with such elections.*

WHEREAS it is expedient to provide for the maximum scale of election expenses at elections to the Sind Legislative Assembly and the number and descriptions of persons who may be employed for payment in connection with such elections ; It is hereby enacted as follows :—

1. (1) This Act may be called the Sind Legislative Assembly Elections (Expenses and Employment of Persons) Act, 1939.

Short title  
and com-  
mencement.

(2) It shall come into force on such date<sup>2</sup> as the Provincial Government may, by notification in the *Official Gazette*, appoint.

2. In this Act, unless there is anything repugnant in the subject or context—

Definitions.

(1) " candidate " means a person who has been or claims to have been duly nominated as a candidate at any election, and a candidate who, with the election in prospect, has held himself out as a prospective candidate, shall be deemed to have been a candidate as from the time when he began so to hold himself out ;

(2) " election " means election to fill a seat in the Legislative Assembly constituted under the Government of India Act, 1935, for the Province of Sind ;

(3) " payment " includes any pecuniary or other reward ;

(4) " polling agent " means an agent of the candidate appointed to attend at a polling station in accordance with the rules for the time being in force regulating an election ; and

(5) " voter " means any person whose name is for the time being included in the electoral roll of the constituency with reference to which the expression is used.

3. No sum shall be paid and no expenses shall be incurred or authorised by a candidate or his election agent, whether before, during, or after an election, on account of or in connection with, or incidental to such election, in excess of any maximum amount in that behalf specified in the First Schedule to this Act.

Expenses  
not to be  
incurred  
beyond the  
prescribed  
maximum.

4. No person shall for the purpose of promoting or procuring the election of a candidate at any election, be engaged or employed by such candidate or his election agent on payment or promise of payment in any capacity whatever except in the capacities mentioned in the Second Schedule to this Act.

Persons not  
to be  
employed  
except in  
certain  
capacities.

<sup>1</sup> For Statement of Objects and Reasons, see S. G. G., 1939, Pt. IV, p.p. 253-254, and for Proceedings in Assembly, see S. L. A. Debates, 1939, Vol. IX—Book No. 1, pp. 35-41.

<sup>2</sup> Came into force (w. e. f. the 12th July, 1939), vide G. N., P. and M. D. (R) No. 352-R/37, dated 12th July 1939, S. G. G., 1939, Pt. I p. 1203.

## FIRST SCHEDULE.

## (SECTION 3.)

*Maximum scale of expenses.*

(1) The personal expenses of a candidate shall not be subject to any limit.

*Explanation.*—For the purposes of this Act the expression 'personal expenses' as used with respect to the expenditure of any candidate in relation to any election includes the reasonable travelling expenses of such candidate and the reasonable expenses of his living at hotels or elsewhere for the purposes of and in relation to such election.

(2) The remuneration of an election agent shall not exceed Rs. 500.

(3) All election expenses excluding the personal expenses of the candidate and the remuneration of the election agent shall not exceed an amount equal—

- (a) in the case of an election in a constituency extending over more than one district, to 10 annas for each voter on the electoral roll of such constituency ;
- (b) in the case of an election in any other constituency, to eight annas for each voter on the electoral roll of such constituency.

## SECOND SCHEDULE.

## (SECTION 4.)

*Persons who can be legally employed on payment.*

- (1) one election agent and no more,
- (2) two deputy election agents and no more,
- (3) one polling agent in each polling station and no more,
- (4) one clerk and one messenger, or if the number of voters in the constituency exceeds five hundred, then a number of clerks and messengers not exceeding in number one clerk and one messenger for every five hundred voters in the constituency, and if there is a number of voters over and above any complete five hundred or complete five hundreds of voters, then one clerk and one messenger may be employed for such number, although not amounting to a complete five hundred.