



ELECTIONS TO MUNICIPAL COUNCIL/COMMITTEE

**HAND BOOK
FOR
RETURNING OFFICERS**

2015

**STATE ELECTION COMMISSION, HARYANA
Plot No.2, Sector 17,
Panchkula .**

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CHAPTER I

GENERAL

1. This booklet is issued for your guidance. The instructions contained in this booklet are only supplementary to the relevant statutory provisions of the Haryana Municipal Act, 1973 and the Haryana Municipal Election Rules, 1978 with which you should be thoroughly conversant to start with. However, please note that this Handbook cannot be treated as exhaustive in all respects or as a substitute reference for various provisions of election laws governing the conduct of election. You should also go thorough with the recent amendments made to the various provisions of the Act and Rules. The relevant stock files kept upto date in Municipal office should also be referred to by you. You must also have a copy of the Instructions to Presiding Officers issued by the State Election Commission (SEC). You should make yourself thoroughly familiar with the rules and instructions and refer to them as frequently as you can and especially every time when you are in doubt. The law and procedure relating to the conduct of Elections are amended from time to time and you should, therefore, keep yourself informed of these changes before the commencement of the election process. Any lapse on your part may result in vitiating the entire process of elections in your Municipality and may lead to the election being declared void. You should, therefore, be thorough with the law, rules and instructions of the Commission.

2. The smooth conduct of an election right from the issue of public notice for an election to the declaration of the result and safe custody of election papers, thereafter, mainly depends on you and the election machinery under you. Even a slight mistake, lapse or wrong application of the law or rules may vitiate the election.

3. You have a well-defined and vital role to play in the entire process. It is, therefore, necessary for you to acquaint yourself fully with up-to-date rules and procedure connected with the conduct of elections and also familiarize yourself thoroughly with the steps to be taken at various stages. This Handbook is designed to serve this purpose.

CHAPTER II

ADMINISTRATIVE MACHINERY FOR THE CONDUCT OF ELECTIONS

1. District Election Authority:

Subject to the general superintendence, direction and control of the State Election Commissioner (SEC) vested under Section 3 A of the Haryana Municipal Act, 1973, the Deputy Commissioner (D.C.) shall be responsible for the conduct, coordination and supervision of all arrangements in connection with conduct of elections to the Corporation within his jurisdiction.

2. Returning Officer:

It is defined under Rule 19(3) of the Haryana Municipal Election Rules, 1978, the SEC authorizes the D.C. to designate Returning Officer, who shall be an officer of the Government to do any act or to perform any function in connection with conduct of elections in Municipality under the said rules.

Under the said provision, the D.C. of the District concerned appointed Returning Officer for conduct of election of a Municipality.

3. Appointment of Assistant Returning Officer:

It is also specified under Rule 19(4) of the Haryana of the Haryana Municipal Election Rules, 1978 that the D.C. may appoint one or more persons who shall be officer or officers of the Government as Assistant Returning Officer to assist the Returning Officer in performance of the functions. Every Assistant Returning Officer shall, subject to the control of the Returning Officer, be competent to perform all or any of the functions of the Returning Officer. The Assistant Returning Officer shall not perform any of the functions, which relate to scrutiny of nominations unless the Returning Officer is unavoidably prevented from performing the said function.

4. Broad outlines of the duties of the Returning Officer:

The Returning Officer is primarily responsible for the following items of election work:-

1. Selection and setting up of polling stations;
2. Issue of public notice of election in under Rule 20 of the Rules, 1978 *ibid*;
3. Reception of nomination papers,
4. Scrutiny of nomination papers;
5. Recording of reasons in brief for rejecting any nomination paper;
6. Publication of list of validly nominated candidates
7. Receipt of notice of withdrawal of candidates
8. Publication of list of contesting candidates
9. Allotment of symbols to contesting candidates;
10. Procurement of EVMs (EVMs) and all election material in sufficient quantity.

11. Establishing contact with the contesting candidates and political parties to ensure free, fair and smooth elections;
12. Despatch of polling parties for the conduct of the poll and supply of EVMs and other election materials to them;
13. Effective supervision of the poll and sending reports to the SEC/D.C.
14. Counting of votes;
15. Declaration of result;
16. Transmission of all Voting Machines, election papers and materials after declaration of results for safe custody.

CHAPTER III

POLLING STATIONS

1. **Legal Provisions** – As per provision made in rule 34 of the Haryana Municipal Election Rules, 1978, the Returning Officer shall provide such number of polling stations as he may deem necessary. The Returning Officer shall post the list of polling stations on the date specified under Rule at his office and the office of the Municipality showing the polling area or the group of voters for which they have respectively been provided and the hours during which they shall remain open for the poll. The list of proposed polling stations shall be approved by the Commission. Accordingly, when the programme for election is issued, the Returning Officers are simultaneously requested to send lists of proposed polling stations.
2. **Selection and Number of Polling Stations** – The draft roll of each ward shall be prepared polling station/booth wise. For the establishment of polling stations, the following instructions shall be kept in view: -
 - (a) The polling stations should be set up at the scale of 1,000 voters per booth. The scale of 1,000 voters per booth is an indicative and the numbers of voters per booth can be increased up to 1,500 voters depending upon the situation and location of building.
 - (b) In case, the distance of a booth from the abadi is more than 2 Km., an additional booth with lesser than 1,000 voters could be set up so that no voter is required to travel more than 2 Km.
 - (c) When the number of voters in a ward exceeds 1,000, a separate polling station should be set up as far as possible in the same building.
 - (d) The buildings for polling stations should, as far as possible, be only public building accessible to all communities. The religious buildings like temples, mosques, churches and mutts and hospitals and delivery centers should not be selected as polling stations.
 - (e) Where suitable public buildings are not available, the polling stations may be set up in private buildings subject to the written consent of the owner of the building. However, it should be ensured that the owner of such building is not directly or indirectly connected with any political party.
 - (f) A polling station should normally have a minimum area of 22 sq. meters so that there is no congestion inside the polling station.
 - (g) Select the actual site of each polling station carefully in advance and arrange for materials, structures, fittings etc., necessary to set up a polling station.
 - (h) If there is a leprosy sanitarium within the Municipal area, a separate polling station may be set up for the inmates alone and the officers, medical and other staff working in the sanitarium may be appointed as Presiding and Polling Officers of the Polling Station.
 - (i) Identify the localities predominantly in-habited by weaker sections and Scheduled Castes (SC) and locate polling stations in these localities irrespective of the number of electors, even though the number of voters may be less than 1,000. Welfare associations or voluntary organizations championing the cause of such weaker elections should also be associated in identifying such localities and locating the Polling Stations.
 - (j) After selection of the polling stations, the list of all the ward-wise polling stations should be sent to the State Election Commission for approval.
 - (k) A copy of the list of ward-wise polling stations should be sent to all political parties.
3. **List of Maps** : The draft list of Polling Stations should be drawn up in the prescribed form as shown in **Annexure-I** after delimitation of wards is finally approved by the Government. The demarcation of polling area should be clearly done. The name of each polling area and the number of voters in it should be shown in the respective columns against each Polling

Station. By a clear description of the polling area it should be feasible for an ordinary voter to know to which Polling Station he should go for recording his vote. In order to ensure that a uniform method is followed in the matter of filling up the columns as detailed in Annexure – I, the following instructions may be kept in mind.

- Column 1:** Ward number shall be entered in this column.
- Column 2 :** The serial numbers of the Polling Stations should be given on a rational basis commencing from the north-western corner of the ward and proceeding in a zigzag manner to south-eastern corner of the ward.
- Column 3:** The locality to be specified is the name of the area in which the Polling Station is located. In the case of temporary structures, the description of the exact site chosen for the location of the temporary structure should be clearly indicated.
- Column 4:** The name of the building in full should be clearly described. The use of abbreviations should be avoided. In cases where more than one polling station is located in the same building, the location should be made clear by mentioning "North Wing", "South Wing", etc.
- Column 5:** The area of the polling station in square metres should be indicated. The reason for locating Polling Stations in rooms/halls having an area of less than 22 square metres should be furnished in 'Remarks' Column of the Proforma against the appropriate entry.
- Column 6 :** If there is a separate entrance and a separate exit, 'Yes' may be written, otherwise reasons why it has not been possible to locate the Polling Station in a room/hall with separate entrance and exit may be given.
- Column 7:** The names of blocks, wards, streets, localities, house numbers should be given.
- Column 8:** It should be indicated whether the station is for all voters or exclusively for men voters or women voters.
- Column 9:** This column should contain information about the total number of voters assigned to the Polling Station according to the final electoral roll of the Municipality.
- Column 10:** This column should indicate the distance to be travelled if the maximum limit of 2 Kilometres is exceeded.
- Column 11:** Where it is not practicable to conform to the directions of Returning Officer in regard to the location or area of a Polling Station, broad reasons may be given in this column, for the consideration of the Deputy Commissioner.
4. The total number of voters in the Municipality, the total number of Polling Stations proposed and the average number of voters per polling station should invariably be shown at the end of each list.
5. **The list should be accompanied by a map to scale showing :**
- (i) All the wards in the Municipality with the number of voters in each such ward on the map itself.
 - (ii) The place selected for the location of the polling stations;
 - (iii) The area covered by each polling station; and

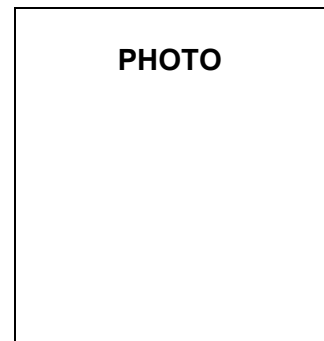
- (iv) Serial number of the polling stations indicated in a systematic manner, preferably beginning from the north-western corner of the ward proceeding zig-zag and ending at the south eastern corner.
6. The use of abbreviations in the list should be avoided, as far as possible, and where those are used, they should be expanded.
 7. If any local terms are used to describe buildings, etc. in the list, they should be explained.
 8. **Publication of the List of Polling Stations:**
The Returning Officer shall post the list of polling station on the date fixed by the Commission with the prior approval of State Election Commission at his office, at the office of Deputy Commissioner, at the office of Municipal Council/Committee as the case may be and at such other conspicuous places in the Municipal Council/Committee Area in the form given in **Annexure-II**.
 9. **Change of Polling Stations** - Returning Officer should on no account make any change in the location of polling station already approved by the Commission. Where changes become unavoidable, approval of the Commission be obtained. The changes should be publicized for the information of the public and all the contesting candidates and the political parties etc. informed in writing.
 10. **GIS Mapping of Polling Stations** - The wards and the polling stations of the Municipal Council/Committee shall be put on the Google Earth using GIS techniques, showing their locations and photographs. The voters' lists should also be tagged with of the polling stations. The required software may be obtained from the office of the Chief Electoral Officer, Haryana. The GIS mapping of the polling stations helped the district administration and police authorities for deploying elections staff and the police force and thus, making all arrangements, including law and order, more effectively.
 12. **Supply of copy of the list:**
The Returning Officer for every Municipality should also supply the required number of copies to the Superintendent of Police and to all the political parties etc.
 13. **Generation of voter slip:** The Voters' Slips with photograph of voter shall be distributed to all enrolled voters by District Administration before the day of poll. The Voters' slip may be generated from data base of the electoral roll of the Municipal Council/Committee concerned with the help of NIC. Two voters' slips can be printed on an A4 size page. The Voters' Slips should be authenticated by the Returning Officer concerned before distribution. The sample Voter's Slip is placed below. All concerned should be appropriately briefed and the training of Polling Staff/RO/ARO should be updated

Election to the Municipal Council/Committee

Voter Slip

Ward No. and Name of M.C.....
 Part No.
 Name
 Sex.....
 EPIC No.
 Father's/ Mother's/husband's name
 Voter Serial Number.....
 Polling Station No. & Name
 Poll Date, Day and Time

Note 1: This Voter Slip can also be produced as an identification document.



Note 2: Bringing this voter slip to the Polling Station is, however, not compulsory. It is issued only as convenience to electors.

Note 3: If this voter slip does not have a photograph or it has wrong particulars or Photograph, the voter can still be allowed to vote based on alternate identity documents permitted by State Election Commission, Haryana.

Date:

Signature and Stamp of
Returning Officer

CHAPTER IV

POLL PERSONNELS

Legal Provisions: Under rule 34 of the Haryana Municipal Election Rules, 1978, it is the duty of the returning officer to appoint polling personnel namely a presiding officer, one or more polling officer for each polling station.

2 The SEC has decided to introduce electronic voting machines in the ensuing elections.

1. **Poll Staff on Deputation to the Commission** – Under Section 13 D of the Haryana municipal; Act, 1973 read with Section 28 A of the Representation of People ct, 1951, the Returning Officer, Assistant Returning Officer, Presiding Officer, Polling Officer and any other official including police officer, designated for the time being by the State Government for the conduct of any election of a Municipal Council\Committee, shall be deemed to be on deputation to the Election Commission for the period commencing on and from the date of the notification calling for such election and ending with the date of declaration of the results of such election. Accordingly, all such officials shall, during the election period, are subject to the control, superintendence and discipline of the State Election Commission.

2. **Drafting of Polling Personnel for Election Duty (Randomization of Polling Personnel) –**

- i) A district level database of all eligible poll personnel shall be maintained in an electronic form, which can facilitate computerized randomization. All relevant particulars like name, gender, place (Municipal Council\Committee) of residence, work place, home municipality, designation, office and department/institution should be entered into an electronic database of the computerized randomization application software already available with NIC, which was used in the General Elections of the last Vidhan Sabha/Lok Sabha.
- ii) Presiding Officer and Polling Officers should be classified on the basis of scale of grade pay, their post and rank. As far as practicable Gazetted Officers will be deployed as Presiding Officers and if that is not possible, the officials who are working in supervisory capacity only should be deployed as Presiding Officers. The Presiding Officer should be of higher scale/grade than that of Polling Officers of that formation.
- iii) While appointing Presiding Officers and Polling Officers, the Deputy Commissioners should ensure that the officials having political leaning towards any candidate are not appointed as poll personnel.
- iv) As per the Handbook of the Instructions for the Returning Officers, proper training should be given to the poll personnel.
- v) No person will be assigned polling duties in the ward of the Municipality in which he is either posted or he resides.
- vi) In order to avoid any allegation of collusion among the polling personnel in favour of any candidate or political party and to instill confidence in the minds of political parties and candidates about free and fair elections, proper mix of polling personnel drawn from different offices and departments at the time of formation of a polling party should be ensured. Two officials of the same serial group/category should not be put together. Further, two members of the polling party should not be from the same department. In case of school teachers, they should not be from the same school.

- vii) Polling personnel should be drawn both from the State Government departments as well as the Central Government offices. As far as practicable, the Central Government employees should be drawn to the extent possible and may be posted at relatively more sensitive polling stations. They should be mixed with the State employees on 50:50 basis, if available.
- viii) From the full database of officials, a list of twice the required number of polling persons should be generated (including reserve) randomly, using the software. This is the first of the three-stages of randomization process. The Observer's presence is not required at this stage. This is only to identify and select the officials who would be given training for poll duties as Presiding and Polling Officers in the elections. In no case, at this stage, the identity of the ward to which the polling personnel are likely to be deployed will be known. All that the polling personnel will know at this stage is whether he (or she) is a Presiding Officer or a Polling Officer and the venue and time of trainings.
- ix) The second stage of randomization exercise should be done in the presence of the Observer. At this stage, actual polling parties shall be formed on random basis using the randomization software. The randomization should not take place before 3 days from the day of poll. For the purpose of serving the appointment letters, the Deputy Commissioner/Returning Officer can use the services of the sponsoring departments/authority and/or organize a training programme of poll personnel on that date when final briefing can be given and appointment letters issued to them.
- x) The third stage of randomization exercise shall take place at the time of dispersal of polling parties when the allocation of polling stations to the polling parties will be done. At this stage, final allocation of Polling Stations to each Polling Parties should also be done in the presence of Observer. The actual polling station allotted to individual polling personnel is to be disclosed just before the polling party actually leaves for the concerned polling station.
- xi) In order to ensure that above instructions are complied with strictly, the Commission directed that the Deputy Commissioner/Returning Officer shall furnish through the Observers as well as separately to the Commission, a certificate to the following effect immediately after the polling parties have been formed.-

Certified that:-

- (a) **The polling parties have been formed by a proper mix of officials drawn from different offices and departments, in presence of Observer.**
- (b) **The officers have been drawn from the State Government Departments as well as from the Central Government Offices, PSUs, etc. as far as practicable.**
- (c) **For the purpose of making polling parties, the complete data base of all eligible employees in the district has been used.**
- xii) The entire randomization exercise except the first stage must invariably be done in the presence of the Observer. If, by any chance, the formation of the polling parties through randomization (2nd stage) has been done in the absence of the Observer, the second stage randomization exercise should be done afresh in the presence of Observer and compliance report should be submitted to the Commission. The Observer should make a special reference to the randomization while submitting his report to the Commission..
- xiii) The Deputy Commissioner should make available all the copies of the instructions to the Observer of his district.
- xiv) All political parties should be invited to attend the randomization process.

- xv) As only one vote was to be polled by a voter, one Presiding Officer and four Polling Officers were deployed at every polling station. Their duties in brief were as under:-
- (a) 1st Polling Officer Incharge of identification of electors and marked copy of electoral roll.
- (b) 2nd Polling Officer Incharge of application of indelible ink and maintenance of register of voters. He will be Incharge of voter slips also.
- (c) 3rd Polling Officer Incharge of control unit of voting machine.
3. The returning officer should work out the requirements of polling personnel on the above basis by adding 10 percent in excess of their requirement so as to keep certain personnel in reserve also to meet any contingency.
 4. The policemen for each polling station were deployed for election duty in consultation with Inspectors General of Police/Police Commissioners/ Superintendent of Police of the district concerned.
 5. The appointment of Presiding Officers, Polling Officers and other polling staff is made in time. Make proper arrangements for transporting the polling parties, poll material etc. for poll.
 6. Two engineers from the Bharat Electronics Limited were deputed in each Municipality during the election period for checking and inspection of the Electronic Voting Machines.
 7. As more number of polling personnel will be required for the conduct of election of ward members, all the gazetted and non-gazetted government servants other than Municipality employees shall be drafted as election personnel. The returning officer should in no case cancel the appointment orders of any individual, except under extraordinary circumstances when the employee substantiates his plea for exemption with documentary evidence.
 8. All the returning officer should immediately take necessary action to address all the heads of offices to lend the services of their sub - ordinates for appointment as polling personnel and obtain the lists of such personnel well in advance. The presiding officer as far as possible be a gazetted officer or, failing that atleast one working in a supervising capacity. **The Presiding officer should be of higher scale/grade in comparing to other polling officer of that formation.** The remaining polling officers may be selected from amongst the persons in government service i.e. (state or central) or employees working in statutory corporations. The persons other than government servants should not be entrusted with the duties of polling officers which involve identification of voters. Care should be taken to see that municipal employees are not drafted as polling personnel.
 9. The following categories of individuals should be avoided:
 - (i) Employees having political leanings towards any party or candidate.
 - (ii) Pensioners
 - (iii) Teachers of private educational institutions
 10. The lists of polling personnel selected for posting to the various polling stations should be finalized with the approval of the Deputy Commissioner.
 11. For the purpose of efficient control of the polling personnel and of economy in expenditure on travelling allowances etc., each district, as far as practicable, should use its own personnel. All the available personnel working under the state, as well as under the local bodies except corporation employees have to be mobilized and an assessment of the availability of the requisite number has to be made well in advance. This work calls for a lot of forethought and planning.
 12. While drafting presiding officers / polling officers, the availability of female polling personnel should be examined for appointing presiding / polling officer for polling stations set up exclusively for female voters or where the number of female voters especially burqua clad

- women are large. In such polling station there must be at least one women polling officer who may attend to the duty of identification of woman electors.
- (a) All such women, who are in advanced stage of pregnancy, whether on maternity leave or not, or who are otherwise on medical advice not fit for any rigorous, hazardous work, shall be exempted from being requisitioned for election duty. The same will apply to women who are breastfeeding a newly born child.
 - (b) Every female official called for election duty shall be informed in advance of the arrangements made for her stay, private and separate arrangements for women at the place of duty to meet the calls of nature as well as for bath and dressing. Unless such arrangements are made and information in this behalf is furnished to such a female official, she shall not be called to perform any election duty at any such place where the above arrangements are not available.
13. In case the employees belonging to the revenue collection department (central and state) are busy in the collection of revenues they should be appointed in consultation with departments incharge of the revenue collection. All representations in this connection should be looked into and cases of disagreement, if any, should be brought to the notice of the State Election Commissioner immediately.
14. Any official against whom any disciplinary action was taken during earlier elections to the legislative bodies or local bodies shall not be drafted on any election related work whatsoever in the ensuing election.

CHAPTER V

ELECTION MATERIALS

1. VOTING MACHINES

You must provide to each polling party one complete voting machine, consisting of a Control Unit and such number of Balloting Units as are to be used at the polling stations having regard to the number of contesting candidates. As there is provision only for 16 candidates in one Balloting Unit, the number of Balloting Units to be provided in each polling station would be dependent on the number of contesting candidates at the election.

Each voting machine should be individually tested sufficiently in advance and if any repairs are needed the same should be carried out, well before use in an election.

Do not in any circumstances issue any defective voting machine to any polling party.

Even one defective machine may invite unnecessary criticism and neutralise all your good work and efforts.

2. FORMS AND COVERS

The statutory and non statutory forms and covers required for conduct of election are listed below. Ensure that the required quantity of all the forms and covers and other papers are got printed / procured will in advance.

Annexure Number	Form Number	Details	Scale of Supply
I	--	Draft list of Polling Station	5 per Per Committee
II	--	Notice of publication of list of polling stations	5 per Per Committee
III	Form 1	Nomination Paper	15 per Ward
IV	--	The Haryana Municipal Election Symbols (Reservation and Allotment), Order, 1996	2 Per Committee
V	--	Criminalisation of Politics—(Annexure I to V)	15 per Ward
VI	--	List of Nomination received	10 per Ward
VII	--	List of Validly Nominated Candidates.	5 per Ward
VIII	--	Notice of Withdrawal of Candidature	5 per Ward
IX	--	List of Contesting Candidates	5 per Ward
X	Form 2A	Appointment of Election Agent	10 per Ward
XI	Form 2	Appointment of Polling Agent	10 per P.S.
XII	Form 2B	Appointment of Counting Agent	10 per Ward
XIII	--	Model Code of Conduct	20 Per Committee
XIV	Form 10	Letter of intimation to Returning Officer	5 P.S.
XV	Form 11	Application for election duty certificate	5 P.S.
XVI	Form 12	Register of Voters	One/Two per P.S. or as per Nos. of Voters
XVII	Form 13	Election Duty Certificate	5 P.S.
XVIII	Form 14	Declaration by Elector for use of Postal Ballot Paper	5 P.S.
XIX	Form 15	Cover "A"	5 P.S.
XX	Form 16	Large Cover "B"	5 P.S.
XXI	Form 17	Instruction for the Guidance of Electors for use of Postal	5 P.S.

		Ballot Paper	
XXII	--	Step-by-step operations during sealing of EVM by the Returning Officer	2 per P.S.
XXIII	--	List of polling material for polling station where Electronic Voting Machine is used.	2
XXV	Form 18	Account of Votes recorded	5 Per P.S.
XXVI	--	Declaration by Presiding Officer	2 Per P.S.
XXVII	--	Letter of Complaint to the S.H.O. Police	5 Per P.S.
XXVIII	Form 3	List of Challenged Votes	2 Per P.S.
XXIX	Form 4	List of Blind and infirm voters	2 Per P.S.
XXX	--	Presiding Officer Dairy	2 Per P.S.
XXXI	--	Proforma for submission of the report to the Commission on the day of polling	2 Per P.S.
XXXII	--	Notice to candidate or their election agents regarding the date, time and place for counting.	5 per Ward
XXXIV	Form 8	Form of consolidation of account of the counted ballot papers	5 Per Ward
XXXV	--	Certificate of Election	2 per Ward
XXXVI	--	Maintenance and submission of Accounts, day to day account, expenditure acknowledgment, statement of election expenditure, form of affidavit.	15 per Ward
XXXVII	--	Election Index card for Municipality.	2 per Ward

Covers of the following description are required for each polling station:

S.No.	Details		Scale of Supply
1.	Covers for tendered ballot paper	small size	1
2.	Covers for unused ballot papers with counterfoils	medium size	1
3.	Cover for spoiled ballot papers	medium size	1
4.	Cover for marked copy of Electoral Roll	big size	1
5.	Cover for list of challenged votes and declaration of personation	medium size	1
6.	Covers for tendered votes list	small size	1
7.	Envelopes for tendered votes	medium size	1
8.	Cover for miscellaneous papers	medium size	1
9.	Cover for statement of Presiding Officer	medium size	1
10.	Cover for other copies of electoral rolls	medium size	1
11.	Cover for list of blind / infirm voters	small size	1
12.	Cover for appointment letters of Polling Agents	big size	1
13.	Cover for election duty certificate	medium size	1
14.	Plain envelopes	medium size	1
15.	Cover for the diary of the Presiding Officer	medium size	1
16.	Cover of register of voter containing signature and voters	big size	1
17.	For any other paper that the Returning Officer has decided to keep in the sealed cover	medium size	1
18.	Cover for unused and damaged special tag Small size	small size	1
19.	Cover for unused and damaged strip seal Small size	small size	1

CHAPTER VI

PUBLICATION OF ELECTION NOTICE AND FIXING OF DATES

1. Election notification issued by the SEC: The election process is set in motion immediately on issue of notifications by the SEC calling upon the voters of the municipality to elect the members of wards. Notification issued by SEC for election of ward member will be published in the Haryana Government Gazette. The election notification contain detailed election schedule in which dates are appointed for various stages of election in accordance with the Haryana Municipal Election Rules, 1978.

The appointment of dates under the said rules is subject to the following guidelines –

- (1) The date on which the Returning Officer shall publish a notice under rule 20 of the Rules, 1978 referred to above.
- (2) On the same date of publication of election notice, the Returning Officer shall affix on the notice board of the municipal office voters list pertaining to various wards of the municipality under rule 11 of the Rules, 1978.
- (3) The last date for making nominations shall not be earlier than the 5th day and not later than 10th day after the date of publication of election notice by the Returning Officer.
- (4) The date of scrutiny of nomination shall be the day immediately following the last date for making nominations.
- (5) The last date and time for withdrawal of candidature shall not be later than 3 'O' clock in the afternoon of the day, after the day appointed for scrutiny of nominations.
- (6) The date of poll shall be a date not earlier than the 7th day after the last date of withdrawal of candidature.
- (7) The counting of votes shall take place on the date and time appointed by the SEC.

The Returning Officer will prepare and publish on the date notified by the SEC, a notice under rule 20 of the Rules, 1978 on the notice board at his office, at the office Municipal Committee/Council and such other conspicuous places of each ward of a municipality in English and in the main language of the district stating –

- a) Invite nomination papers of candidature for election.

- b) The dates, the place and the hours between which and to whom nomination papers shall be presented.
- c) The date on which, the hours between which and the place at which the nominations will be taken up for scrutiny.
- d) The last date and time for withdrawal of candidature.
- e) The time and place at which the poll will take place.
- f) The time and place at which the counting of votes will take place.

NOMINATIONS

2. Receipt of nominations: The dates on which, the place at which and the hours between which and to whom the nomination paper shall be presented are indicated in the election notice published by the Returning Officer concerned under rule 23 of the Rules, 1978. The nomination papers are received between 11.00 AM to 3.00 P.M on the dates notified in the election notice including holiday, if any (except holiday notified under Section 25 of the Negotiable Instrument Act, 1881).

3. Important points to be noted at the time of filing of nominations:

The nomination paper must be in the prescribed proforma. i.e., in Form – I (**Annexure - III**). You should note the following points at the time of filing of nominations:-

- (a) A nomination form shall be supplied free of cost by the Returning Officer to any elector whose name is on the electoral roll of the ward/municipality.
- (b) Not more than 4 nominations shall be presented by on behalf of any candidate or accepted by the Returning Officer for election in the same ward.
- (c) Every nomination paper shall be signed by an elector or his proposer and the candidate shall sign a declaration on it expressing his willingness to stand for election.
- (d) A candidate for election as a member of a ward need not be a person whose name is registered in the electoral roll for that ward (his name should be in the electoral roll of any ward in the municipality).
- (e) Every candidate shall be nominated by a separate nomination paper. The elector standing as a candidate for election to a seat shall not sign his own nomination as proposer.
- (f) Every nomination shall be presented by the candidate in person or by his proposer or by an agent and unless such agent is a legal practitioner, has authorization as such duly verified by a magistrate, sub-registrar of the registration department, lumberdar on the date, at the place and during the hour appointed to the Returning Officer or to such other person as may be authorised by him in this behalf.

- (g) The Returning Officer or such other authorised person will forthwith number such nomination paper serially in the order in which they are presented and enter on each of the nomination the time at which it is presented. He will give a receipt acknowledging the receipt of nomination paper to the candidate.
- (h) No nomination paper shall be received after the appointed time for the presentation of nomination papers.
- (i) The rejection of the nomination paper of any candidate on the ground of any irregularity shall not effect the validity of the nomination of the candidate if the candidate has been newly nominated by means of another nomination paper in respect of which no irregularity has been committed.
- (j) A candidate set up by a recognised political party or a political party registered with the SEC as per the provisions of the Haryana Municipal Election Symbol (Reservation and Allotment) Order, 2014, **Annexure – IV** should indicate in his/her nomination form, name of the political party on whose ticket he/she is contesting from the political party authorising his/her candidature for the seat before 3.00 PM on the last date for making nomination.
- (k) On the presentation of a nomination paper the Returning Officer or such person authorised by him may require the person presenting the nomination paper to produce a copy of the electoral roll on which the candidate and his proposer are registered and will satisfy himself that the names and the electoral roll numbers of the candidate and his proposer, as entered in the nomination paper, are the same as those entered in the electoral roll.
- (l) Any inaccurate description or clerical or printing error in regard to the name of the candidate or his proposer or any other particulars relating to the candidate or his proposer, as entered in the electoral roll or in the nomination paper, may not affect the nomination, if the identity of the candidate or proposer, as the case may be, is otherwise established beyond reasonable doubt.
- (m) In case of every nomination filed in respect of reserved seat for SC, SC(Women) and Women and BC, a declaration in Form I Annexure –III shall be verified by a magistrate.

5. Declarations accompanying Nomination Form :

(i) Self declaration by affidavit to be filed by all the contesting candidates regarding criminal antecedents, assets and liabilities and educational qualifications: As per provisions contained in Rule 23 A of the Haryana Municipal Election Rules, 1978, every contesting candidate has to deliver affidavit sworn in by the candidate before a magistrate of the first class or a notary in form 1C as annexed with Annexure-III, regarding suffering from disqualification and disclosure of information on criminal antecedents, assets and liabilities and educational qualifications by candidates contesting in elections to local bodies. As per the said form:-

- a) Every contesting candidate for the office of member of a Municipality or his proposer shall along with his nomination paper furnish full and complete information regarding suffering from disqualification and antecedents, assets and liabilities and

educational qualifications in the format of self declaration prescribed in the instructions referred to above.

- b) Nomination furnished without a affidavit, by any candidate or his proposer shall be considered to be a violation to the said instructions issued by the SEC and the nomination of the candidate shall be liable to be rejected by the Returning Officer at the time of scrutiny of nominations by the concerned candidate.

(iii) Punishment for false declarations: - It is the duty of the Returning Officer to appraise the candidates filing nomination or his proposer, making of false declaration or giving information which he knows or believes to be false is punishable under Section 182 or under section 191 of Indian Penal Code.

6. DEPOSITS

As per Rule 24 of the Rules, 1978 at or before the time of presentation of nomination paper, every contesting candidate for the office of ward member shall remit or cause to be remitted the amount of deposit as may be specified by the SEC, in any Government Treasury or Govt. promissory notes of equal value at the market rate of the day or in cash with the Returning Officer.

No candidate shall be deemed to be duly nominated for election to the office of member if such deposit has not been made.

Separate deposit shall be required in respect of such each seat for which that candidate wishes to stand.

7. DISPOSAL OF DEPOSITS

If no nomination paper is received within the time appointed in that behalf in respect of any person by whom or on whose behalf the deposit has been made or if the nomination of any such person has been rejected or the candidate has withdrawn his candidature the deposit shall be returned to the person by whom it was made.

If any candidate dies before the commencement of poll,

- a) Where deposit was made by the candidate himself it shall be returned to his legal representative.
- b) Where deposit was made by any person on behalf of the candidate, it shall be returned to such person or his legal representative.

If a candidate by whom or on whose behalf the deposit referred as above has been made is not elected and the number of votes polled by him does not exceed one eighth of the votes polled, the deposit shall be forfeited.

The deposits made by all the candidates which shall not be forfeited as aforesaid shall be returned to the candidates or to the persons who have made the deposits on their behalf, as the case may be, as soon as may be after the declaration of the result.

8. PUBLICATION OF LIST OF NOMINATIONS

You have to publish a list of nominations received on every day in **Annexure-V** in the notice board of Municipal office. Further, immediately after expiry of the hour fixed for receipt of nominations on the last date for receipt of nomination paper, you or a person authorized by you in this behalf shall publish in the municipal office a list of all nominations received with a notice that the nomination papers will be taken up by you for scrutiny at the municipal office or other specified place on the date and time specified in the election notice.

CHAPTER VII

SCRUTINY OF NOMINATIONS

- (a) The Returning Officer is required by law to hold the scrutiny of the nomination papers received by him at the municipal office or other specified place on the date and time specified in the election notice issued under rule 20 of the Rules, 1978.
- (b) On the date appointed for scrutiny of nominations, the candidates, their election agents, one of the proposer of each candidate and one other person duly authorised in writing by each candidate are allowed to be present at the time of scrutiny. The Returning Officer will give such persons all reasonable facilities to examine the nomination papers of the candidates which were received by him.
- (c) The candidate and the persons accompanying him can make any substantial or material objection but not raise flimsy or irrelevant technical objections in regard to any nomination paper.
- (d) The Returning Officer should then take up one nomination paper after another and scrutinize them. If, however, more than one nomination paper have been presented by or on behalf of one candidate, you should take them up together and scrutinise them one after another. In case there is any minor error in any one of the nomination papers of a candidate in regard to particulars, such as, part number, name, serial number etc., of the electoral roll, it can be made up with correct particulars given in another nomination form of the same candidate. Merely because one or more nomination papers of a candidate have been already found valid by you it would not be correct or legal to pass over other nomination Papers of that candidate without scrutiny.
- (e) Even if no objection has been raised to a nomination paper you will have to satisfy yourself that it is valid in law. If any objection is raised on any nomination paper you will have to hold a summary inquiry to decide the same and to treat the nomination paper to be either valid or invalid. Record your decision in each case giving brief reasons particularly where an objection has been raised or where you reject the nomination paper. Your decision may be challenged later in an election petition and so your brief statement of reasons should invariably be recorded.
- (f) Sections 13A of the Act, 1973 and rule 21 of the Rules, 1978 deal with qualifications and disqualification of candidates for election as Ward Members. The qualification or disqualification of a candidate should be related to the date fixed for scrutiny of nominations. This is sometimes material, i.e., in regard to the age of a candidate or in regard to being a voter in ward or in regard to the subsistence of a contract with municipality etc. In deciding whether a person is disqualified to contest the election, you should, therefore, see whether the disqualification subsists on the date fixed for scrutiny.
- (g) Do not reject any nomination paper on the ground of any defect which is not of a substantial character. Any mistake or error of a technical or clerical nature should therefore, be ignored. A nomination paper should not be rejected for the reason only that none of the persons referred to in Rule 27 (1) of the Rules 1978 is present at the time of scrutiny of nominations. It should be accepted or rejected on merits, taking all the available material into account.
- (h) The Returning Officer should examine meticulously the receipts for payment made as deposit in Government Treasury or cash and make sure that the deposit has actually been made in the Treasury or Cash, if any, should be got clarified then and there.
- (i) There is a presumption that any nomination paper is valid unless the contrary is prima facie obvious or has been made out. In case of a reasonable doubt as to the validity of a nomination paper, the benefit of such doubt must go to the candidate concerned and the nomination paper should be held to be valid. Remember that whenever a candidate's nomination paper has been improperly rejected and he is

prevented thereby from contesting the election, there is a legal presumption that the result of the election has been materially affected by such improper rejection and the election will, therefore be, set aside. There is no such legal presumption necessarily in the converse case where a candidate's nomination has been improperly accepted. It is always safer, therefore, to be comparatively more liberal rather than strict in your scrutiny of the nomination papers.

- (j) While holding the scrutiny of nomination papers, you are performing an important quasijudicial function. You have, therefore, to discharge this duty with complete judicial detachment and in accordance with the highest judicial standards. You must not allow any personal or political predilection to interfere with the procedure that you follow or the decision you take in any case. Fairness, impartiality and equal dealing with all candidates are expected of you by law. You must also devote yourself in such a manner that it would appear to all concerned that you are following the high code of conduct. Even if a candidate or his agent is difficult or cantankerous, you must exercise courtesy and patience. But at the same time you have to be firm so that your task may be accomplished in prompt, orderly and business like manner.

2. GROUNDS FOR REJECTION: The Returning Officer will examine the nomination paper and will decide all objections which may be made in application or on his own motion after such summary enquiry, if necessary, and reject any nomination on any of the following grounds:-

- (a) If the candidate is ineligible for election under section 13A of the Act and Rule 21 of Rules, 1978.
- (b) If the proposer is a person whose name is not registered in the electoral roll of the concerned Municipality.
- (c) If the nomination paper has been delivered to the Returning Officer or a person authorised by him in this behalf, by a person other than the candidate or his proposer.
- (d) If the candidates nomination has not been delivered at the place specified in the public notice issued by the Returning Officer.
- (e) If the nomination paper has been delivered to a person other than Returning Officer or to the person who is not authorised by Returning Officer in this behalf.
- (f) If the nomination paper is not substantially in the prescribed form.
- (g) If the nomination has not been signed either by the candidate or by the proposer or by both at the places meant for such signature in the nomination paper.
- (h) If the deposit required has not been made by the candidate in accordance with the law.
- (i) If the signature of the candidate or his proposer is not genuine.
- (j) If a candidate files a nomination paper to contest a seat reserved for SC/SC(Women)/Backward Classes (BC) or Women and the candidate does not belong to such reserved category.
- (k) If the candidate has not filed the affidavit on disqualification and disclosure of information regarding criminal antecedents, assets & liabilities and educational qualifications of the candidates.
- (l) The Returning Officer shall have a list of persons from among those who have filed nominations and who owe any arrears to the Municipality and keep it handy to verify during scrutiny of nominations whether a candidate is disqualified under section 13A of the Act and Rule 21 of Rules, 1978.

The Returning Officer shall endorse on each nomination paper his decision accepting or rejecting the same and if the nomination is rejected, he will record in writing a brief statement of his reasons for such rejection. The scrutiny shall be completed on the day appointed in the election notice and no adjournment of the proceedings shall be allowed except when such

proceedings are interrupted or obstructed by riot or violence or causes beyond the control of the Returning Officer.

3. PUBLICATION OF LIST OF VALIDLY NOMINATED CANDIDATES:

Immediately after completion of scrutiny of nominations, a list of validly nominated candidates shall published in **Annexure –VI**. There shall be one entry only in respect of each validly nominated candidates in the list although more than one nomination paper in respect of a candidate have been accepted as valid. If none of the nomination paper is found valid on scrutiny, the name of the candidate should not be entered in the list.

CHAPTER VIII WITH DRAWAL OF CANDIDATURE

According to rule 28 of the Rules, 1978 any candidate may withdraw his candidature by filing an application in **Annexue VII** and delivered personally to the Returning officer at any time after the presentation of his nomination paper and not later than 3.00 O' Clock in the afternoon on the date prescribed by the Returning Officer for withdrawal of candidature, after the scrutiny of nominations, whether or not it is a public holiday. If the application is not delivered by the candidate in person it shall be delivered by his proposer or election agent who has been authorised in this behalf in writing by the candidate.

The Returning Officer is requested to note the following four points which must be scrupulously followed at the time of withdrawal by the candidate –

1. Notice of withdrawal of candidature should be in writing.
2. It must be delivered personally by the candidate to the Returning Officer before 3.00 PM on the last date fixed for withdrawal of candidate. When the notice is not delivered by such candidate in person, it shall be delivered by his proposer or election agent, who has been authorised in this behalf in writing by such candidate.

Once a notice of withdrawal of candidature is given by a candidate to the Returning Officer, the candidate shall not be allowed under any circumstances to cancel the withdrawal.

The Returning Officer on receiving a notice of the withdrawal shall, as soon as may be, cause a notice of the withdrawal in **Annexure-VIII** to be affixed on the notice board of the Municipal Office.

CHAPTER IX

LIST OF CONTESTING CANDIDATES AND ALLOTMENT OF SYMBOLS

Immediately after the expiry of the time for withdrawal of candidature, the Returning Officer concerned shall prepare the list of contesting candidates for the office of the Ward Member in **Annexure-IX** under Rule 30 of Rules 1978 and publish it.

When the scrutiny has been completed, draw up a list of the validly nominated candidates. There will be one entry only in respect of each validly nominate candidate in the list, although more nomination papers than one in respect of him may have been accepted as valid by you. Do not enter the name of any candidate in this list if none of his nomination papers has been found valid on scrutiny.

In the past, there have been complaints from some candidates that their names were not correctly spelt in the ballot paper. In order to avoid such complaints, each candidate or in his absence his proposer, may be required to give, in writing, the correct spelling of the name of the candidate, either at the time of filing the nomination or immediately after the scrutiny of nominations is over or at the time of the allotment of symbols.

If a candidate considers that his name is incorrectly spelt or is otherwise incorrectly shown in his nomination paper or is different from the name by which he is popularly known, he may, at any time before the list of contesting candidate is prepared furnish, in writing, to you the proper form and spelling of his name and you shall, on being satisfied as to the genuineness of the request, make the necessary correction or alteration in the list of validly nominated candidates and adopt the same in the list of contesting candidates. You will determine the arrangement of the names of these contesting candidates. You will determine the arrangement of the names of these candidates in Hindi alphabetical order and give address of each contesting candidate as given in his nomination paper together with the symbol allotted to him rule 30(2) of the Rules, 1978 in the list of contesting candidates, and also in ballot papers on the basis of the first letter of his name irrespective of whether the name given is the proper name or surname. The initials, if any prefixed to the name of the candidate should be ignored for the aforesaid purpose. Thus in the case of a candidate giving his name as "T.K. Reddy", the place of the candidate in the list of the contesting candidate according to alphabetical order should be determined with reference to the letter "R" and not "T". However, if two candidates have the same name but different initials, for example, P.S.Reddy and T.K.Reddy then the two names should be arranged w.r.t. the first letter of the initials. Further, if two or more candidates have the same name but different surname then their name should be arranged in alphabetical order w.r.t. the surnames. If two or more candidates bear the same name they shall be distinguished by the addition of their occupation or residence or in some other manner (Rule 36(3) of the Rules, 1978. In such cases, the arrangement of names in the list of contesting candidates and in the ballot papers will be with reference to distinguishing names of the candidates. There will also be no objection to the addition of any candidature but such title should on no account be taken into consideration, in the arrangement of name in alphabetical order in the list of the contesting candidates and in ballot paper.

After arranging the names in Hindi alphabetical order in the list of validly nominated candidates, send a copy thereof to the Haryana SEC on the very day on which the scrutiny of all nomination papers is completed by the first available post.

If the poll is found necessary i.e., if there are more than one candidate for the office of the Member of Municipality the distinguishing symbol assigned to them shall be specified against the name of each contesting candidate and the Returning Officer shall publish the list of contesting candidates for Ward Members of the Municipality as specified in Rule 14 of the above Election Rules.

Only the name of the symbol assigned to each candidate need be mentioned in column 6 of the list of contesting candidates and there is no need to affix the symbol itself. Assignment of symbols to unopposed candidates does not arise.

2. Symbol Notification:

Under paragraph 5 & 6 of the Symbol Order, 2014, the SEC shall by notification in the Haryana Gazette specify the symbols including the symbols reserved for recognised political parties and for the independent candidates. A copy of the notification shall be obtained by the Returning Officer and kept on hand.

3.Registration of Political Parties and Allotment of Symbol Order, 2014:

The SEC issued the Haryana Municipal Election Symbol (Reservation and Allotment) Order, 2014 (**Annexure - IV**) in which the procedure for allotment of symbols to the contesting candidates in elections to local bodies has been prescribed under paras 5,6 & 7.

4. Allotment of symbols to candidates set up by recognised Political Parties.

It is stipulated under paragraph 8 of symbol order that:-

- (1) Choice of the symbol by candidates set up by recognised political parties and allotment thereof: In an election held on party basis every candidate set up by a recognized political party shall seek the symbol reserved for that party and no other symbol, and he shall be allotted the same, but no other symbol;

Provided that when there are conflicting claims for any reserved symbol due to defect of substantial character either in the nomination paper or otherwise, none of the claimants shall be allotted that reserved symbol and all the claimants shall be treated as independent candidates and allot them free symbols from the left symbols after allotting to all other candidates in that election.

Provided further that no reserved symbol shall be sought or allotted in an election to any candidate other than a candidate set up by a recognized political party to which that symbol has been reserved even if no candidate has been set up by that recognized political party in that election.

- (2) Choice of symbol by candidates set up by registered but unrecognised political parties and by independent candidates: Every candidate who is set-up by the

registered but unrecognised political party or who is a independent candidate shall declare in the nomination paper first filed by him, his choice of three free symbols from the list of free symbols for that election indicating the order of his preference. The symbols shall be allotted in accordance with the procedure laid down below:-

- (a) The allotment of symbols shall be considered in the order of the preference made by the candidates, that is to say, the first preference of the candidates will be considered first, the second preference next and the third preference last;

Provided that the allotment of symbols to candidates set up by the registered but unrecognised political parties shall be completed first and only thereafter the symbol to the independent candidates shall be allotted from among the remaining free symbols.

- (b) Where a free symbol has been sought for by only one candidate set by a registered but unrecognised political party, as his first choice it shall be allotted to that candidate and to no one else. If any free symbol has been sought for by more than one candidate set up by the registered but unrecognised political parties, the allotment of that symbol shall be decided by drawing a lot between those candidates and the candidate whose name is drawn first shall be allotted that symbol.
- (c) If any candidate set up by the registered but unrecognised political party could not be allotted the symbol sought for in his first preference in the lot he shall be considered for allotment of the free symbol sought as his second preference. Should the second choice of symbol could not also be allotted, due to conflicting claims for the symbol and failure in the lot, he shall be considered for the allotment of the free symbol of his third preference. Even if this could not be allotted, he should be allotted any one of the free symbols left after allotting to other candidates set up by the registered but unrecognised political parties in accordance with the procedure set out above.
- (d) After completing the allotment of free symbols to all the candidates set up by the registered but unrecognised political parties, the remaining free symbols shall be allotted to the independent candidates in accordance with their choice and preference by adopting the procedures for allotment of symbols to candidates set up to the registered but recognized political parties.

It is stipulated under paragraph 8 of symbol order that:-

5. When a candidate shall be deemed to be set up by a political party.- For the purposes of an election from any Municipal Corporation ward to which this Order applies, a candidate shall be deemed to be set up by a political party in any such Municipal Corporation ward, if, and only if -

- (a) the candidate has enclosed a declaration to that effect along with the nomination paper;
- (b) the candidate is a member of that political party and his name is borne on the rolls of members of the party;

- (c) a notice by the political party in writing, in Form B, to that effect has, not later than 3.00 P.M. on the last date for making nominations, been delivered to the Returning Officer of the ward;
- (d) the said notice in Form B is signed by the President, the Secretary or any other office bearer of the party, and the President, Secretary or such other office bearer sending the notice has been authorised by the party to send such notice;
- (e) the name and specimen signature of such authorised person are communicated by the party, in Form A, to the Returning Officer of the Municipal Corporation not later than 3.00 P.M. on the last date for making nominations; and
- (f) Forms A and B are signed, in ink only, by the said office bearer or person authorised by the party:

Provided that no facsimile signature or signature by means of rubber stamp, etc. of any such office bearer shall be accepted and no form transmitted by fax shall be accepted.

6. Choice of symbols by Independent candidates and allotment thereof: The candidates not set up by any recognized and registered political party is considered as Independent candidates.

The independent candidates are required to give declaration with Form - I, indicating choice of 3 symbols in the order of preference from the list of free symbols notified by the SEC, separately for Member of the Corporation, to the Returning Officer. Taking into consideration the choice of symbols given by the independent candidate, a free symbol shall be allotted to each independent candidate as per the procedure indicated in paragraph 7 of the Symbol Order, 2014 which is reproduced below Choice of symbols by other candidates and allotment thereof –

- (1) In an election not held on party basis, every candidate shall declare in the nomination paper first filled by him, his choice of three free symbol from the list of free symbols for that election indicating the order of his preference. The symbol shall be allotted in accordance with the procedure laid down below:-
 - (a) The allotment of symbol shall be considered in the order of preference made by the candidates i.e. to say the first preference of the candidate will be considered first, the second preference next and the third preference last;
 - (b) If any symbol has been sought for by more than one candidate the allotment of the symbol shall be allotted by drawing a lot between those candidates and the candidate whose name is drawn first shall be allotted that symbol;
 - (c) If any candidate could not be allotted the symbol sought for in his first preference in the lots, he shall be considered for allotment of the free symbol sought as his second preference. Should the second choice of symbol could not also be allotted due to failure in the lot, he shall be considered for the allotment of free symbol of his third preference. Even if this could not be allotted, he should be allotted that first symbol which has not been allotted to any of the candidate out of the list of free symbol notified by the SEC;
 - (d) In an election where the candidates have not declared in the nomination paper first filed by him, his choice of three free symbols from the list of free symbol for that election indicating the order of his preference then the symbols shall be allotted seriatim-wise from the list of symbols notified by the SEC to the candidates whose names have been mentioned in the list of contesting candidates prepared in Hindi in alphabetical order of Devnagri

script on the last day of withdrawal of nomination, if the contesting candidates agree among themselves upon their choice of other symbols.

- (2) No candidate will ask for any other symbol but for the symbol notified by the SEC. In case any such symbol which is notified by the SEC is asked by any candidate, the same will be ignored.
- (3) Each candidate or his election agent shall be intimated the symbol allotted to him in writing and his signature shall be obtained in token of having received that intimation. He shall also be given specimen copy of that symbol alongwith the said intimation.

CHAPTER X

DECLARATION OF RESULTS OF UNCONTESTED ELECTIONS

You should carefully study and understand the implication of Rule 31 of Rules, 1978.

Immediately after publication of list of contesting candidates if there is only one contesting candidate for any ward the Returning Officer shall declare such candidate to be duly elected for that ward.

CHAPTER – XI

APPONTMENT OF ELECTION AGENT, POLLING AGENT AND COUNTING AGENT

1. Election Agent:

As per Rule 39A a candidate at an election, may appoint an election agent. The appointment shall be made in Form 2A (**Annexure – X**) and the notice of such appointment shall be given by forwarding the same in duplicate to you and you shall return one copy thereof to the election agent after affixing thereon your seal and signature in token of your approval of that appointment. The election agent so appointed shall perform such functions during elections as are authorized under the relevant conduct of election rules.

2. Polling Agent:

As per Rule 39, a Candidate or his election agent may appoint one agent and two relief agents to act as polling agents for each polling station and where a polling station has more than one polling booths at each such polling booth and such appointment shall be made by writing a letter in duplicate in Form 2 (**Annexure - XI**) signed by the candidate or his election agent. The candidate or his election agent shall deliver duplicate copy of the letter to the polling agent who shall on the date fixed for the poll present the copy to and sign the declaration contained therein before the Presiding Officer of the polling station where such polling agent is appointed for duty and the Presiding Officer shall retain it thereafter in his custody. At any polling station at any given point of time only one polling agent or relief agent can be present but not both.

The role of polling agent is to observe the polling i.e., whether the poll process is orderly free and fair. The polling agent can perform this role only if he is from local area and familiar with the identity of voters of that particular booth. A person appointed as polling agent from outside the area and not familiar with the identity of voters will not serve the purpose for which he is appointed. Moreover, in such cases, there is always a possibility of bringing in antisocial elements, rowdy sheeters etc., from outside in the guise of polling agents to intimidate the voters, polling personnel or polling agents of other candidates. The SEC has, therefore, issued the following guidelines with regard to appointment of polling agents by contesting candidates.

- (i) A person to be appointed as polling agent should be a local resident who can identify the voters and is not an outsider.
- (ii) The Presiding Officers shall inform the contesting candidates to furnish the names and addresses of the persons whom they intend to appoint as polling agents or relief agents before commencement of poll.
- (iii) You may cause verification of the antecedents of the persons by the police authorities, in cases of doubt.
- (iv) A person having criminal record or having a past record of indulging in electoral malpractice or otherwise having a bad reputation of rowdy sheeters etc., having potential to intimidate the voters shall not be appointed as polling agent.

- (v) Contesting candidates intending to appoint a person from outside the local area, for any exceptional reasons, shall make an application to the Presiding Officer concerned in this behalf at least one days before the date of poll The Presiding Officer may permit such appointment after such further inquiry in addition to the procedure stipulated in clause (iii) above, as he may deem fit, about the antecedents of persons proposed to be appointed as polling agents from outside the local area.

3. Counting agent:

As per Rule 39B, candidate may appoint such number of counting agents at places fixed for counting as may be specified by the District Election Authority. Generally each candidate can appoint as many counting agents as there are counting tables. Every such appointment shall be made by the candidate or his election agent before the commencement of counting of votes by writing a letter in duplicate in Form 2B (**Annexure - XII**) and by forwarding it to the Returning Officer or Presiding Officer as the case may be. One copy of which shall be forwarded to the Returning Officer or Presiding Officer as the case may be while the other copy shall be made over to the counting agent for production before the Returning Officer or Presiding Officer as the case may be on the date fixed for counting and sign the declaration contained therein before the Returning Officer or Presiding Officer as the case may be and Returning Officer or Presiding Officer as the case may be shall retain it for custody. The counting agents so appointed by the candidate may perform such functions in connection with counting of votes as are authorized under the relevant conduct of election rules. When the counting of votes is to be made at the polling station it shall then the candidate appoint the polling agent as counting agent also.

CHAPTER – XII

CAMPAIGN PERIOD

1. Introduction:

The election law provides an interval of not less than 7 days between the last date fixed for withdrawal of candidature and the poll. This period could be utilized for canvassing. However, please note that campaigning stops 48 hours before the hour fixed for close of poll.

2. Corrupt practices and electoral offences:

While undertaking your electioneering campaign, you should ensure that the highest standard of morality and purity are maintained, as that would in turn ensure free and fair election. Corrupt practices and electoral offences tend to mar the smooth conduct of an election and disturb the atmosphere of friendly contest that should prevail during the elections. Any corrupt practices and offences may vitiate election. You should, therefore keep in check over enthusiastic agents and workers from indulging in any objectionable activities.

- (i) Any bribery or undue influence by way of coercion or intimidation of voters or otherwise or personation;
- (ii) Any arrangement, direct or indirect, to carry any voter to or from polling station by any kind of vehicle used for transport (this is also a criminal offence);

N.B. Even any party cannot arrange for such conveyance.

- (iii) Any act to promote or attempt to promote on grounds of religion, caste, community or language, feeling of enmity or hatred between different classes of citizens of India is a corrupt practice;
- (iv) Booth capturing as defined in section 275 of the Haryana Municipal Act, 1973. Booth capturing is both a corrupt practice and an electoral offence punishable with imprisonment of not less than six months and upto two years and with fine and where such offence is committed by a person in the Govt. Service he shall be punishable with imprisonment for a term which shall be not less than one year but which may be extended to three years and with fine.

3. Model Code of Conduct for guidance of political parties and candidates:

Apart from the above mentioned corrupt practices and electoral offences, the election campaigns may take different forms which may create feelings of bitterness, irritation, confrontation and resentment among the various political parties and candidates and vitiate the atmosphere. For maintaining a healthy and peaceful atmosphere conducive to the conduct of smooth election, the Commission has prescribed a Model code of Conduct (**Annexure-XIII**), which will be supplied to you. It may also be ensured that the observance of the Model Code of Conduct may be strictly complied with.

4. UNOFFICIAL IDENTITY SLIPS

The political parties/ candidates may issue unofficial identity slips containing the following information to the voters-

- (i) the name and serial number of the voter in the electoral roll;

- (ii) the number of the part of the electoral roll;
- (iii) the serial number and name of the polling station, and
- (iv) date of poll.

The identity slips should be on white paper and should not contain the name of the candidate and / or the name of his party and/or the election symbol of the candidate or his party. The slips should not also contain any slogans or any exhortation to vote for a party or for a candidate since these slips if carried by the voters to the polling stations would amount to canvassing within the polling station, which is not permissible. The circulation or any slips within 100 meters of the polling station would also amount to canvassing which is not permissible under the law.

5. EDUCATING THE ELECTORS ABOUT THE VOTING PROCEDURE

Presiding Officer/Polling Officer should educate the electors about the voting procedure and, in particular, the manner of recording of votes by means of voting machines. The electors should be advised to use the voting machines and to give their signatures or thumb impressions without any Fear. They should be informed that this will not in any way violate the secrecy of their vote or disclose their identity , as the packets of registers of voters containing the signatures/thumb impressions of electors will be sealed, immediately after the close of the poll, with the seals of the Presiding Officers and polling agents of the candidates and such sealed packets shall not thereafter be opened or inspected by any person except under the order of a competent court.

Presiding Officer/Polling Officer should also familiarize the electors about the other details of voting procedure followed at the polling station. The elector should be informed that the electors are required to produce EPIC or other alternative identification documents prescribed by the Commission. After an elector's name is located in the electoral roll and his identity established, his left forefinger will be marked with indelible ink. He will then be required to give his signature or thumb impression on the register of voters. If he puts his thumb impression on the register, he should clean his thumb with the help of a piece of wet cloth or rag provided on the table of the polling officer This will be necessary to avoid any possible smudge on the voting machine. The Polling Officer in charge of the control unit of the voting machine will then allow the elector to record his vote on balloting unit kept in the screened voting compartment on the basis of this voter's slip. For this purpose, the polling officer will press the Ballot button on the control unit which will activate the balloting unit to record the vote. The elector will record his vote by simply pressing the 'Candidate' button on the balloting unit against the name and symbol of the candidate of his choice. On pressing the said button, the voter will see a red lamp glowing against the name and the symbol of the candidate whose button he has pressed and will also here a beep sound emitting form the control unit. These audio and visual indications are conformation of the fact that his vote has been duly records for the candidate of his choice.

CHAPTER XIII

Voting by officers on election duty

(1) When an elector put on election duty as a Presiding Officer, a Polling Officer or in any other capacity in a polling station of a ward other than the one in which he is entitled to vote, and wishes to vote in the polling station in which he is on election duty, he shall send an application in Form 11 (**Annexure-XV**) to the Returning Officer to allow him to vote at the polling station at which he is on duty, atleast five days before the days fixed for poll. If the Returning Officer is satisfied that the applicant is a public servant and is a voter on election duty, he shall issue to the applicant an Election Duty Certificate in Form-13 (**Annexure-XVII**). He shall mark Election Duty Certificate against his name in the marked copy of the electoral roll to indicate that an Election Duty Certificate has been issued to him and ensure that he is not allowed to vote at the polling station where he shall otherwise have been entitled to vote. He shall also maintain register of voters in Form 12 (**Annexure XVI**)

On production of such certificate, the Presiding Officer shall obtain thereon, the signature of the person producing it. The Presiding Officer also entered the name and electoral roll number and part number, alongwith name of polling station as mentioned in the certificate in the end of the marked copy of the electoral roll. Thereafter the Presiding Officer permits him to cast his vote in the same manner as for a voter entitled to vote at that polling station. After recording the vote, the certificate shall be placed in an envelope and sealed by the Presiding Officer.

(2). When an elector put on election duty as a Presiding Officer, a Polling Officer or in any other capacity in a ward other than the one of which he is voter, who wishes to vote by post at an election, shall send an application in Form 10 (**Annexure-XIV**) to the Returning Officer of the Constituency (Ward) in which he is enrolled for supply of postal ballot paper at least ten days before the days fixed for poll, and if the Returning Officer is satisfied that the applicant is on election duty in a ward other than of which he is a voter, he shall issue a postal ballot paper of such ward to him by post, under postal certificate, together with a declaration in Form 14 (**Annexure-XVIII**), a cover in Form 15 (**Annexure-XIX**), a larger cover in Form 16 (**Annexure-XX**); and instructions for the voter in Form 17 (**Annexure-XXI**).

The Returning Officer shall at the same time record on the counterfoil of the postal ballot paper the electoral roll number of the voter entered in the marked copy of the electoral roll and mark the name of voter in the marked copy of electoral roll to indicate that a postal ballot paper has been issued to him, without however recording therein the serial number of postal ballot paper issued to that voter; and also ensure that voter is not allowed to vote at a polling station.

The Returning Officer ensure that every postal ballot paper shall have a counterfoil attached thereto, and the postal ballot paper and the counterfoil shall be of such design as the SEC may direct. The Returning Officer may, in the case of an elector on election duty who is entitled to vote by post, deliver the ballot papers and forms or cause them to be delivered to such elector personally. The Returning Officer shall seal up in a separate packet the counterfoils of the postal ballot papers issued to voters.

The voter shall record his vote on the postal ballot paper in accordance with the directions contained in Form 17 (**Annexure-XXI**) and then enclose it in the cover in Form 15 (**Annexure-XIX**).

The voter shall sign the declaration in Form 14 (**Annexure-XVIII**) in the presence of, and have the signature attested by any Gazetted Officer or by the Presiding Officer of the polling station at which he is on election duty. After the voter has recorded his vote and made a declaration in Form 14 (**Annexure-XVIII**), he shall return the postal ballot paper and declaration to the Returning Officer in accordance with the directions contained in Form 17 (**Annexure-XXI**) so as to reach the Returning Officer before the time fixed for the commencement of counting of votes.

ALL PERSONS ON ELECTION DUTY TO APPLY FOR POSTAL BALLOT PAPER RATHER THAN EDC

UNDER THE PRESENT SYSTEM, DUTY TO POLLING PERSONS IS ASSIGNED BY THE METHOD OF RANDOM SELECTION AND NORMALLY THE PERSONS ARE ASSIGNED DUTY OUT SIDE THEIR CONSTITUENCIES, BUT WITHIN THE SAME DISTRICT. FURTHER, THE PERSONS ON POLLING DUTY COME TO KNOW ABOUT THE PLACE OF DUTY ONLY AT THE LAST MOMENT. THEREFORE, APPLICATION FOR 'EDC' FROM THOSE WHO MAY BE PUT ON DUTY IN THEIR OWN CONSTITUENCIES CAN GET DELAYED CONSIDERABLY. HENCE TO ENABLE ALL PERSONS ON POLLING DUTY TO EXERCISE THEIR FRANCHISE, THEY ALL MAY BE ASKED TO APPLY FOR AND OBTAIN POSTAL BALLOT PAPERS FOR VOTING. UNDER THE LAW, THERE IS NO BAR TO VOTE BY POST, EVEN IF THE PERSON IS PUT ON DUTY IN THE SAME CONSTITUENCY WHERE HE IS REGISTERED AS AN ELECTOR.

CHAPTER XIV

CONDUCT OF POLL THROUGH VOTING MACHINES

1. DESIGN OF VOTING MACHINE

Under rule 69C of the Rules, 1978, every voting machine shall have a control unit and balloting unit and shall be of such design as may be approved by the SEC.

The voting machines consists of two units, Control Unit and Balloting Unit. These two units are inter-connected when the voting machine is put in operation by means of a cable, one end of which is permanently attached to the balloting unit. A balloting unit caters upto 16 candidates. Four balloting units linked together catering upto 64 candidates can be used with one control unit.

2. BALLOT PAPERS OF BALLOTING UNITS OF VOTING MACHINES

On every balloting unit, a ballot paper shall be displayed in the space meant thereof. Under rule 69F of the Rules, 1978, the ballot paper on the balloting unit [referred to as 'label' in rule 69E(4) of the Rules, 1978, shall contain such particulars and shall be in such language or languages as the SEC may specify. The above said ballot papers shall be in the following form and language(s) :-

- i. The total length of the ballot paper will be 461.5 mm and its width shall be 140 mm.
- ii. At the top of the ballot paper, there shall be a space provided for indicating the particulars of the election and the name of the ward, of the size 7.5 mm (length) x 140 mm (width).
- iii. In the space so provided, on the top left hand corner, the serial number of the ballot paper shall be printed. On the top right hand corner, the sheet number shall be printed if the ballot paper is printed on more than one sheet, where the number of contesting candidates exceeds sixteen. The particulars of the election shall also be printed in the said space. These particulars will contain the serial number and name of the ward and Municipality and the year of election shall be printed in such language or languages as the SEC may specify. The following illustrations will make the position clear:-
 - (a) For General elections to the Ward No
 - Name of the Municipality

- (b) For Bye-elections to the Ward No
Name of the Municipality

PROVIDED THAT WHERE THE NUMBER OF CONTESTING CANDIDATES IS LESS THAN SIXTEEN, THE ABOVE PARTICULARS MAY BE PRINTED EITHER AT THE TOP OR AT THE BOTTOM MOST PORTION (SPACE MEANT FOR THE CANDIDATE AT SERIAL NUMBER SIXTEEN), AS MAY BE CONSIDERED CONVENIENT FROM THE POINT OF VIEW OF PRINTING.

PROVIDED FURTHER THAT WHERE THE NUMBER OF CONTESTING CANDIDATES IS SIXTEEN OR MORE, THE ABOVE PARTICULARS MAY BE PRINTED IN A VERTICAL COLUMN, ON THE LEFT HAND SIDE OF THE BALLOT PAPER, WITH A THICK LINE DIVIDING THE SAID COLUMN AND THE PANELS CONTAINING THE SERIAL NUMBERS AND NAMES OF THE CONTESTING CANDIDATES.

- iv. Below the space provided at the top for printing the particulars of the election, there shall be a thick black line of 1.00 mm.
- v. Below this line, there shall be printed the serial number of each contesting candidate, his name and the symbol allotted to him, in a separate panel for each candidate.
- vi. The size of the panel for each contesting candidate shall be 27.5 mm (length) x 140 mm (width).
- vii. The panels of the candidates shall be separated from each other by a thick black line of 1.00 mm.
- viii. The names of the contesting candidates shall be arranged on the ballot paper in the same order in which their names appear in the list of contesting candidates.
- ix. The names of not more than sixteen candidates shall be arranged on one sheet of a ballot paper. If the number of contesting candidate is less than sixteen, the space below the panel for last contesting candidate shall be kept blank, except where the particulars of election, etc., are printed at the bottom under clause (iii) above.
- x. If the number of contesting candidates exceeds sixteen, the ballot paper shall be printed on two sheets of the above mentioned size and dimensions if the number of candidates is between seventeen and thirty two, on three sheets if the number of contesting candidates is between thirty three and forty eight, on four sheets if their number is between forty nine and sixty four.
- xi. In such cases where the ballot paper is printed on more than one sheet, the names of contesting candidates from S.No.17 to 32 shall be printed on the second sheet, from S.No.33 to 48 on the third sheet and from 49 onwards on the fourth sheet. If the number of candidates is less than thirty two the space below the panel for the last contesting candidate in the second sheet shall be kept blank. Similarly, for the third and fourth sheets of the ballot papers.

- xii. On each such sheet, in the space provided for indicating the particulars of the election, its number shall be indicated in bold words and letters, e.g., .Sheet No.1., .Sheet No.2., etc.
- xiii. The names of the contesting candidates shall be printed in the same language or languages in which the list of contesting candidates has been prepared. The serial number of the candidate shall be indicated in the international form of Indian numerals.
- xiv. Serial number and the name of the candidate shall be printed on the left hand side and his symbol on the right hand side in the panel meant for him.
- xv. Unless otherwise directed by the SEC in any particular case, the ballot papers shall be printed for ward members on white paper.

3. PRECAUTIONS FOR PRINTING OF BALLOT PAPERS

The ballot papers shall be printed in such a way that after fixing the ballot paper on the balloting unit in the space provided for the purpose, dividing line drawn below the space in which the particulars of election are printed and the dividing lines below the panel of each candidate shall be in complete alignment with the corresponding grooves or lines engraved on the balloting unit. Utmost care will, therefore, have to be taken while printing the ballot papers and to ensure that the ballot papers have been correctly printed, the balloting unit should be shown to the technicians of the printing press. They may be asked to take the exact measurements of the space meant for printing the particulars of election and the panels of candidates and the thickness of the dividing lines so that the ballot papers are printed in exact alignment. It is not necessary to get the ballot papers which are to be fixed on the balloting units, stitched into bundles.

4. TENDERED BALLOT PAPERS

Under rule 69L of the Rules, 1978 or rule 70L of the Rules, 1994 as the case may be, if a person representing himself to be a particular elector seeks to vote after another person has already voted as such elector, he shall, on satisfactorily answering such questions relating to his identity as the Presiding Officer may ask, be supplied with a tendered ballot paper instead of being allowed to vote through the voting machine. That rule provides that the tendered ballot paper shall be of such design and the particulars of that ballot paper shall be in such language or languages as the SEC may specify. The SEC has specified that the tendered ballot paper shall also be of the same design and shall be printed in the same language or languages as the ballot paper to be used for display on the balloting unit. In other words, the ballot papers to be used on the balloting unit and the tendered ballot papers shall be the same. However, the words 'Tendered Ballot Paper' shall be stamped on the back of each ballot paper to be used as tendered ballot paper.

5. ASSESSMENT OF REQUIREMENT OF BALLOT PAPERS

The number of ballot papers to be printed depends upon the number of polling stations to set up, number of voting machines to be used including reserve machines and the number of ballot papers to be supplied to each polling station for use as tendered ballot papers. The total requirement of ballot paper to be printed thus have to be made on the following basis:-

- (i) One ballot paper shall be required for display on each balloting unit. Therefore, the number of ballot papers required for this purpose will be equal to the number of voting machines to be used, including the reserve machines, in the wards of the Municipality.
- (ii) Each polling station may be supplied with five ballot papers to be used, if necessary, as tendered ballot papers. The total requirement of ballot papers to be supplied to the polling stations for use as tendered ballot papers shall accordingly be worked out depending upon the number of polling stations in the ward.
- (iii) In addition to the total requirement of ballot papers worked out in accordance with paragraphs (i) and (ii) above, five ballot paper for each ward may be printed as extra ballot papers to meet the contingencies, like mutilation at the time of fixing the ballot papers in the balloting units, defective ballot papers, supply of additional tendered ballot papers to the polling stations, were necessary, through the zonal or sector officers, etc.

6. ARRANGEMENTS FOR PRINTING OF BALLOT PAPERS

The arrangements for printing of ballot papers required for your Ward/ Municipality will be made by the SEC. It is therefore, necessary that you should furnish to the SEC the list of contesting candidates in **Annexure-IX** immediately after the same has been prepared after the last hour fixed for the withdrawal of candidatures and the allotment of symbols to the candidates. The list should be sent to the SEC by the fastest means of communication available like Fax, Telex, Wireless, Telegram, or by sending a special messenger.

You should also make special arrangements to print and collect the ballot papers from the printing press immediately after the same have been printed. The arrangements for the transport of ballot papers from the press to your headquarters shall be made in a closed vehicle under proper security guard. You should keep all ballot papers under lock and seal in the treasury till you require them for the purposes of the poll.

7. VERIFICATION OF BALLOT PAPERS

You should also make special arrangements to check the ballot papers while the same are under print at the printing press to ensure that the names of all the contesting candidates and the symbols respectively allotted to each of them have been correctly printed.

On receipt of the printed ballot papers from the Press, the ballot papers should be checked so as to ensure that there is no discrepancy in the number of ballot papers as supplied by the press and the number found on actual counting at your end. If on such checking any ballot paper is found defective in any number or with duplicate number or the serial number of any ballot paper is missing, the same should be clearly noted in a register and also published on the notice board of your office as well as at the Distribution Centre. A copy of the notice should be sent to each of the contesting candidates also.

8. SAFE CUSTODY OF UNDISTRIBUTED BALLOT PAPERS

Some ballot papers may remain undistributed with you after the same have been fixed on the balloting units of the voting machines and supplied to the polling stations for use as tendered ballot papers. Such undistributed ballot papers should be kept by you at some central place on the day of poll for supply to any polling stations as may be required according to the exigencies of the situation. Proper safeguards must be taken to ensure that such undistributed ballot papers remain either in your custody or that of one of your Assistant Returning Officer specifically nominated by you and do not fall in unauthorised hands.

After completion of the election, such undistributed or surplus ballot papers should be put inside a steel trunk or receptacle. That steel trunk or receptacle should be sent to the Deputy Commissioner or kept in the treasury under the orders of the Deputy Commissioner these undistributed ballot papers are destroyed as per the direction of the SEC.

CHAPTER XV

1. ARRANGEMENTS FOR THE POLL

As soon as the list of contesting candidates has been published, you should make your arrangements for the poll final and checkup that everything is ready for taking the poll on the scheduled date.

You must have already calculated the exact number of voting machines required for taking the poll in your Municipality, including the reserve machines. The machines are kept at some selected places in your Municipality under the charge of the Deputy Commissioner. You should immediately obtain the required number of machines if you have not already done so. Each and every machine has to be thoroughly tested for its 100% (hundred per cent) error free functioning at the time of poll.

You should also get printed immediately the required number of ballot papers which are to be used on the balloting units of the voting machines and also for supply to the polling stations for use as tendered ballot papers, in accordance with the instructions given in this behalf.

Likewise, you must procure urgently all other polling materials, statutory and non-statutory forms and other stationery that you will require for taking the poll. You should maintain a forward diary of the different items of work that you have to attend to from time to time and keep it upto-date by adding remarks to show the progress made in respect of each item. Here is a sample list (not exhaustive but only illustrative) of your tasks during this period :-

- i. Obtaining the required number of voting machines and getting each machine thoroughly tested;
- ii. Printing of postal ballot papers and ballot papers for use on balloting units of voting machines and for use as tendered ballot papers;
- iii. Ensuring that formal appointment orders for the Presiding Officers and Polling Officers for each polling station in your Municipality have been issued by you.
- iv. Organising comprehensive and exhaustive training of polling personnel on conduct of elections on EVMs;
- v. Issuing of postal ballot papers and election duty certificates to the polling personnel;
- vi. Requisitioning of vehicles required for the poll including the vehicles required for transport arrangements of polling personnel and polling materials;
- vii. Finalising the transport arrangements for polling personnel and polling materials;
- viii. Checking up the deployment of police forces and their movement to synchronies with the movement of the polling parties;
- ix. Dispatch of postal ballot papers along with connected papers to voters entitled to vote by post and the Election Duty Certificate to such of the voters on election duty who wants to vote on the strength of such certificates;
- x. Review of your requirement of polling materials, including statutory and non-statutory forms, etc., in the light of actual number of contesting candidates and the total number of polling stations;
- xi. Meetings with contesting candidates with a view to seeking their cooperation and removing their misapprehensions, if any;
- xii. Supplying the contesting candidates with (i) lists of polling stations and the areas covered by each polling station and (ii) forms of appointment of polling and counting agents;
- xiii. Preparing required number of working copies of the relevant parts of the electoral roll for use in each polling station;

- xiv. Provision of screened voting compartments at each polling station in which a voter can record his vote on the balloting unit of the voting machine in complete secrecy;
- xv. Publicity about the location of polling stations;
- xvi. Distribution of polling materials to the polling parties;
- xvii. Supply of copies of 'Instructions to Electors' for recording their votes by means of voting machines to political parties/candidates for distribution among electors;
- xviii. Arrangements for the return of the polling parties after the poll and the receipt of the voting machines and other materials and election papers from them;
- xix. Arrangements for the safe custody of these voting machines and other election papers on completion of poll;
- xx. Arrangements for setting up the counting center(s).

You should meet the contesting candidates as often as you can and keep them informed of the arrangements you have made.

In order that no elector is denied of his right to vote, the SEC has issued instructions, prescribing alternative documents of identification for the benefit of those electors who have not been issued EPIC or the electors who have lost the EPIC or are not able to produce them. You should, therefore, make yourself fully conversant with these instructions of the SEC in the matter. You must give adequate publicity to the orders relating to compulsory identification and the alternative identification documents prescribed by the SEC from time to time.

2. COOPERATION FOR LAW AND ORDER

The contesting candidates, if they are tactfully approached, will also be of great help to you in maintaining law and order at and before the poll. If you can secure their cooperation, many of your other difficulties would also be easily solved.

3. MODEL CODE OF CONDUCT AND ITS OBSERVANCE

It hardly needs to be emphasized that for the smooth conduct of an election a peaceful atmosphere should prevail during the election period. The most potent cause which tends to mar the conduct of the election and disturbs the atmosphere of friendly competitiveness that should prevail is the violation of statutory provisions of election law relating to corrupt practices and electoral offences and indulgence other malpractices by some or the other political party or the candidate or their workers. This, apart from vitiating the general atmosphere in the Municipality, creates problems for the authorities responsible for the maintenance of law and order as well.

With a view to maintaining a healthy and peaceful atmosphere during the election period which would be conducive for ensuring a free and fair election, the Commission has evolved a Model Code of Conduct for election to local bodies. A copy of that Model Code of Conduct is enclosed as **Annexure-XIII**.

The Model Code of Conduct comes into operation from the day the Commission announces the programme for election in your Municipality. You should familiarize yourself fully with the model code and also with the instructions of the SEC issued from time to time in this regard.

4. PREPARATION OF WORKING COPIES OF ELECTORAL ROLLS

You have to prepare 4 working copies of the electoral roll for each polling station for distribution as follows :

First Polling Officer responsible for identification of electors	1copy
Presiding Officer	1copy
For circulation among polling agents/Exhibition	1copy
Polling Station Reserve	1copy

5. POLLING REHEARSAL

The staff must have already been trained at earlier polling rehearsals. Brush up their knowledge and experience by more rehearsals as necessary especially on EVMs. All Presiding Officers and Polling Officers should be given hands-on training, if not already done earlier. Invite the candidates to such rehearsals and encourage them to secure the attendance of their prospective polling agents at these rehearsals. Explain at these rehearsals the vital points for the polling agents to remember at the poll.

6. DUMMY BALLOT PAPERS

There is no objection to a candidate printing a dummy ballot paper to be used on the balloting units using his own name and symbol indicating the place where they would appear in the ballot paper to be used at the election. But it should not contain the names and symbols of any other contesting candidates in the ward. The dummy ballot paper may be printed on any colour such as brown, yellow or grey, but not white, and should not resemble the genuine ballot paper in size or colour.

7. DUMMY BALLOTING UNITS

There is also no objection to the candidates/ political parties preparing dummy balloting units for the purpose of educating the voters. The dummy balloting units may be made of wooden, plastic or plyboard boxes, half the size of the official balloting units and may be painted brown, yellow or grey. These dummy balloting units may have provision for showing the serial number, name and symbol of the candidate as in the dummy ballot paper. It may also have a battery operated button and a lamp which may burn on the button being pressed.

8. UNOFFICIAL IDENTITY SLIPS

The political parties/candidates may issue unofficial identity slips containing the following information to the voters ;

- (i) the name and serial number of the voter in the electoral roll ;
- (ii) part number of the electoral roll ; and
- (iii) the serial number and name of the polling station.

The identity slips should be on white paper and should not contain the name of the candidate and/or the name of his party and/or his election symbol. The slips should not contain any slogans or any exhortation to vote for a party or for a candidate, since these would amount to canvassing within the polling station which is not permissible. The circulation of any slip containing any such slogan or exhortation within 100 metres of the polling station would amount to canvassing which is not permissible under Section 275A of the Act, 1973 read with section 25 of the Act, 1994. The sample of slips which may be issued by the candidates are given below :-

SAMPLES OF UNOFFICIAL IDENTITY SLIPS ISSUED TO VOTERS BY POLITICAL PARTIES FOR ORDINARY / CASUAL ELECTIONS

Ward No Polling Station No Name of the Polling Station
..... Municipality

Part No. Voter's Sl. No.
Name :
Father/Husband Name :

Date of poll Age: Male/ Female

Address

9. REGULATION OF PLYING OF VEHICLES ON POLL DAY

Follow carefully the instructions issued by the SEC on the regulation of vehicular traffic during the election period and particularly on the day of poll with a view to cordoning off the polling areas from vehicular traffic to prevent voters from being carried in the vehicles arranged by candidates and their supporters. Permits should be issued to vehicles to be used by candidates, their election agents, etc. strictly according to the norms prescribed by the SEC from time to time.

CHAPTER XVI

PREPARATION FOR THE POLL – COMMISSIONING AND RANDOMIZATION OF EVMS

1. ASSESSMENT OF THE REQUIREMENT AND RANDOMLY CHECKING OF VOTING MACHINES:

You must have already assessed your requirement of voting machines including reserve machines for use at the municipal election. You must have also obtained the required number of machines from the Commission after the list of contesting candidates is prepared. You will know the number of balloting unit which you will have to supply to each polling station as one balloting unit can cater upto sixteen candidates. Therefore, you should make an immediate reassessment of the balloting units required for use in your municipality and obtain immediately the additional balloting units.

- 1.1 One control unit shall be required to be supplied to each polling station. The requirement of control units for use at the polling stations shall be equal to the number of polling stations.
- 1.2 The requirement of ballot units for use at the polling stations will depend upon the number of contesting candidates at the election. If the number of candidates is up to sixteen only one ballot unit is required for each polling station. Thus, the requirement of ballot units will be equal to the number of polling stations. Such requirement will become double if the number of contesting candidates is up to thirty two. This requirement will become three times or four times if the number of contesting candidates is up to forty seven or sixty three respectively.
- 1.3 Over and above, the requirements of control units and ballot units for actual use at the polling stations as worked out above, 30% of control units and ballot units of such numbers of polling stations in municipal area or such percentage as may be directed by the Commission, shall be procured extra to be kept as reserve machines.
- 1.4 You must have already got each and every machine tested thoroughly with the help of the technicians of the manufacturing company to ensure 100% error free functioning of each machine at the time of poll. You should, however, get 5% of the machines to be used at the election, subject to a minimum of 10 machines, tested and checked at random for their 100% error free performance after the machines have been prepared in the manner described in para 4. For this purposes, you may ask the candidates and their agents present to choose the machines which may be tested for such random check.

2. FIRST RANDOMIZATION OF EVMS

- 2.1 To ensure proper checking of all switches of the EVM the first level checking will be done in the presence of the Deputy Commissioner who will ensure that at the time of checking the EVM the following must be checked:-
 - a. All the 16 candidate Buttons in the Balloting unit
 - b. Off-On Switch

- c. Set Candidate button
 - d. Ballot releasing button
 - e. Close button
 - f. Total button
 - g. Result button
 - h. Display during operation of all above button
 - i. Buzzer sound with each button
 - j. Real Time Clock with IST
- 2.2 Process of First Randomization - First randomization of Ballot Units (BUs) and Control Units (CUs) will be done to randomly assign EVMs to every Council/Committee, training and Awareness Programmes. After FLC is over, the Deputy Commissioner concerned will fix a schedule for first randomization of EVMs. This schedule should be fixed in such a manner that first randomization is completed before the start of training of polling personnel. During first randomization, CUs and BUs are assigned to MCs in the presence of the representatives of recognized political parties. The randomization will be done in such a way that the CUs and BUs are randomly selected by grouping them to match the poll day requirement including the reserve required for each MC. Surplus CUs and BUs after assigning MCs to them shall also be randomly grouped and distributed MC-wise for the purpose of training and awareness programmes (for the training of the polling staff as well as for the purpose of voter awareness). A sticker of Green colour shall be affixed on the CUs and BUs assigned to MCs for polling. A sticker of Yellow colour shall be affixed on the CUs and BUs assigned for training and awareness programmes. The sticker shall clearly indicate the Name of District and Name of Municipality. "Training/Awareness" will be written on the sticker of CUs and BUs assigned for training and awareness. "Election" will be written on the sticker of CUs and BUs assigned for polling. No current ID will be given during randomization.
- 2.3 **Communication of the List of Randomized CUs and BUs to Political Parties –** After first randomization list of randomized CUs and BUs clearly indicating which CUs and BUs are to be used in which ward of the Municipality for polling and which CUs and BUs are to be used in which MC for training and awareness should be given to each recognized political party and a written acknowledgement obtained. A copy of this list should be given to all the candidates after the last date of withdrawal of candidatures.
- 2.4 After first randomization, the Returning Officer of the Municipality shall take charge of the CUs and BUs randomly allotted to his municipality. The CUs and BUs meant for use at the election shall be separately taken to R.O's strong room under proper escort and will be guarded on 24X7 hours basis. The training EVMs shall be distributed to the relevant officers for the training purpose. At the time of sealing the strong room, the representatives of political parties can remain present and they can also affix their seal on the lock.

3. **SECOND RANDOMIZATION OF EVMs**

- 3.1 Second randomization of EVMs has to be done before preparation of EVMs for poll by candidate setting as the address tag of EVM is sealed at the time of preparation of EVM (Candidate Set). The purpose of second randomization of EVMs is to allocate EVMs randomly to polling stations. The second randomization of EVMs should be done at least **five days** before the poll in the presence of the Observer (Election). The Returning officer should fix the date of preparation of EVMs for poll (Candidate set) and intimate all candidates to remain present or send their representatives during the process. On this day, second randomization should be done before doing the process of preparation of EVMs for polls and the CUs and BUs should be randomly allocated to polling stations. A list of CUs and BUs along with the number of polling stations assigned to them should be given to all the candidates. Similarly a list of CUs and BUs kept in reserve should also be given to the candidates and written acknowledgement taken.
- 3.2 Where more than one Ballot Unit is being used, the Deputy Commissioner will ensure that the additional prepared Ballot Unit is also allocated randomly to the polling stations. For this purpose there may be two Scenarios –
- 3.3 Scenario 1- Preparation of EVMs and second level randomization is already over before the additional Ballot Units reaches the Returning Officers' Headquarters. In this case another randomization for allocating Ballot Units No.2/3 will be done to allocate the Ballot Units to the polling stations and the list of such allocation may be supplied to the Political Parties/Candidates.
- 3.4 Scenario 2- Preparation of EVMs and second level randomization is done after the arrival of additional Ballot Units. In such case the randomization will be done in such a way that against the polling stations number the Control Units number is shown first and then the Ballot Unit No.1 and Ballot Unit No2 and so on.
- 3.5 In the Municipalities where additional Ballot Units are being used for having the number of contesting candidates more than 16, the Presiding Officers should be specifically instructed to arrange the Ballot Units in the manner as shown in the figure enclosed herewith. For this purpose the size of Voting Compartment should be increased proportionately in such a way that the electors are not put to any kind of inconvenience and at the same time the secrecy of ballot is not compromised in any way.

4. **PREPARATION OF EVMs (CANDIDATE SET)**

- 4.1 Preparation of EVMs for elections shall be done invariably in the presence of the Observer and representatives of the candidates. The Returning Officer shall draw a schedule for preparation of EVMs. Preparation of EVM should start as soon as possible after the last date of withdrawal of candidatures. Sufficient time should be provided for preparation of EVMs for each ward of the Municipality where elections are scheduled. The schedule should be made in such a manner that preparation of EVMs is done and is completed at least 5 days before the poll. Candidates should be informed in writing of the schedule for preparation of EVMs and should be requested to be present or send their representatives at the time of preparation of EVMs. On the day of the preparation, a register in **Annexure-XXII** will be kept by

the Returning Officer in which the signature of candidates or their representatives will be taken as token of their presence and shall be countersigned by the Observer.

- 4.2 **Arrangements in the premises of preparation of EVM** - Preparation shall be carried out in a large hall which can accommodate all EVMs to be prepared. The hall should be able to accommodate officers nominated by the Deputy Commissioner, engineers of Bharat Electronics Limited (BEL)/master trainers deputed by the Commission and also representatives of candidates. Before the hall is used for preparation, it shall be fully sanitized to ensure that the hall is free from any other electronic device or components of electronic devices. Every entry to the hall shall be guarded by police force. Every hall shall have a doorframe metal detector. Every person who enters the hall shall be frisked at every entry. Entry to this hall shall be on production of Identity Card of the authorized officials/passes issued by the Deputy Commissioner. Nobody will be allowed to carry any electronic device inside the hall including cell phones, camera and spy pens. Similarly, nobody will be allowed to carry anything out of the preparation hall.
- 4.3 **Manpower for preparation** - Only the authorized engineers of BEL shall be associated with the preparation of EVMs. BEL shall be fully responsible for integrity, efficiency and competence of their engineers. List of engineers deputed by BEL for carrying out task during the preparation of EVM in a district along with their identity card numbers etc. shall be communicated in writing by BEL to the Deputy Commissioner. No engineers, technicians or other technical staff except authorized engineers/technical staff of BEL shall be allowed to enter the preparation hall. Authorized persons will be allowed to enter the preparation hall only after proper identification using photo identity documents.
5. **ADDITIONAL TASKS DURING PREPARATION** - In addition to above tasks, the following additional tasks shall be performed: -
- 5.1 **Checking of Balloting Units (BUs)** – Outer cover of BUs shall be opened and inside of BUs shown to candidates and their representatives at the time of preparation of EVMs. BU shall be examined by BEL engineers, who will certify as shown in **Annexure-XXIII** that all components of BUs are original. If any BU is found defective, it will be kept aside and can be taken back to the factory of BEL for repairs. No repairs shall be carried out in the field. Changing of components in the field is strictly prohibited.
- 5.2 Detailed instructions of checking of BU shall be issued separately by BEL for their respective machines. These instructions will include a list of equipment which the engineers will be required to carry within the preparation hall. Security personnel will not allow any other equipment to be carried into the preparation hall.
6. **CONDUCT OF MOCK POLL:** Casting of votes against all 16 candidate switches, observation of result and clearing of mock poll data will be done for each EVM. At least 1% (one percent) of EVMs at each and every polling station with minimum of 50 dummy votes shall be polled during the mock poll. In rest of the machines number of votes polled during the mock poll should be to the satisfaction of the representatives of candidates. Representatives of candidates shall be allowed to do the mock poll themselves. Signature of representatives of candidates shall be taken in a register (**Annexure–XXIV**) as a token of

having done mock poll themselves. It may be ensured that the paper seal of the CU which has been applied on the CU at the time of FLC is not damaged in any manner in this process.

7. **DEMONSTRATION OF RESULTS:** The results of mock poll as well as votes polled during the mock poll shall be shown to the representatives of political parties. Representatives of candidates shall be allowed to pick machines randomly for this purpose. Signatures of representatives of candidates shall be taken in a register as a token of having seen and confirm that there is no discrepancy between the votes polled during the mock poll and results shown.
8. **SEALING OF PLASTIC CABINET OF BU WITH PAPER SEAL** - Detailed instructions in respect of sealing BUs with thread seals have been given in Chapter XVI of handbook for RO. These instructions should be followed. In addition, after the ballot paper has been inserted, fixed and sealed under the ballot paper screen, the candidate's buttons which are not required for use have been masked and the slide switch has been set in the required position, the balloting unit should be closed by bringing the top cover back to its original position. The balloting unit should then be sealed. For this purpose, pass two threads one through the three holes at the top and the other through the three holes at the bottom specifically provided for the purpose, give a firm knot to each thread and seal each thread with the Returning Officer's seal by placing its two ends on an address tag containing the following particulars :-

Name of the Municipality

Ward No

Ballot Unit No.

Serial No. and name of polling station where used

Date of poll

9. The candidates or their authorized agents will be permitted to affix their seals, if they so desire, in addition to the seal of the Returning Officer. After the balloting unit has been so prepared and sealed, it should be kept back in its carrying case. An address tag containing the above particulars should be attached to the handle of the carrying case. Candidates or their representatives shall also be allowed to put their signatures on the paper seal with name of the candidate, party before the signature. Candidates and their representatives should also be allowed to note down the serial number of the paper seal on the CU. A register in **Annexure- XXV** shall be maintained to note down the serial no. of the paper seal used on the ballot unit by clearly mentioning unique ID of the BU and paper seal no. Signatures of candidates and their representatives will also be obtained on this register. Photocopies of this register will be given free of cost to all candidates once preparation is over.
10. **SUPERVISION OF THE PREPRATION:** Preparation shall be supervised either personally by the RO or one of the AROs deputed by the RO for this purpose. The process of preparation of EVM should be fully video-graphed.
11. **MOCK POLL ON THE DAY OF POLL** - In order to ensure that the mock poll serves the intended purpose, the Commission directs that-
 - 11.1 Mock poll shall be conducted normally one hour before the scheduled hour of commencement of poll. All contesting candidates should be informed in writing well

in advance that mock poll would start one hour before the commencement of poll and they should be advised to instruct their polling agents to be present in time for the mock poll. Polling agents of at least two candidates should be present at the time of Mock Poll. However, if polling agents of at least two candidates are not present, the Presiding Officer may wait for 15 more minutes before conducting the mock poll and if the agents still do not come, then the Presiding Officer may go ahead and start the mock poll. It is further clarified that after waiting for 15 minutes, there is a possibility that only one Polling agent may be present, in that situation also, the Presiding Officer should go ahead and start mock poll. In such case, there should be specific mention in the mock poll certificate on this aspect.

- 11.2 During the Mock poll, the Ballot Unit (s) should be placed in the Voting Compartment and Control Unit on the table of the Presiding/Polling Officer who will operate the Control Unit. At least two polling officers with the polling agents should be present in the Voting Compartment to watch the polling agents operating on the Ballot Unit, and to keep a record of the votes cast and tally the polled votes.
- 11.3 The mock poll should be conducted with the polling agents voting at random for each of the contesting candidates. A total of at least 10 votes should be polled in the mock poll for each candidate. In the case of absence of polling agents of any of the candidates, one of the polling officers or other polling agents may record the votes for such candidates. The polling officers present in the Voting Compartment should ensure that votes are recorded for each of the contesting candidates. After recording of the minimum of 10 votes for each candidate, the Presiding Officer will ascertain the result in the Control Unit in the presence of the Polling agents and confirm that the result is tallying with the votes polled in respect of each candidate. Thereafter, Presiding Officer will prepare and sign the mock poll certificate in the prescribed format as in **Annexure-XXVI**
- 11.4 The Presiding Officers shall ensure that the data of the mock poll is deleted, without fail, before the official poll starts. **This is very critical step and this should be emphasized during training.**
- 11.5 The Presiding Officers shall mention the names of the Polling agents and the candidates (and their party affiliations), whom they represent and also obtain their signatures on the completion of mock poll on the certificate.
- 11.6 The Returning Officer through the Supervisor/Duty Magistrate and using the communication link with the polling station/ mobile teams, shall track the conduct or otherwise of mock poll, and ascertain the mock poll status. Non-confirmation of mock poll could be indicative of non commencement of poll and in that case the Returning Officer shall make immediate intervention to sort out the problem.
- 11.7 The polling stations not having the presence of agents of the candidates of recognized parties and where the mock poll had to be conducted in the absence of agents or with only the polling agent of only one candidate shall merit focused attention of the election machinery.
- 11.8 **Mock Poll in case of replacement of EVM** - If any defect arises in the Ballot Unit (BU) or Control Unit (CU) of the EVM during poll process, the entire set of EVM

(both BU and CU) should be replaced by new set of EVM (BU and CU), a mock poll should be conducted on the new set of EVM (both BU and CU) before it is put to use. However, in this case, it would be sufficient to cast at least one vote each for each of the candidates. A new mock poll certificate should be recorded in such a case. A note should also be added in such cases, in the original mock poll certificate that the original Control Unit was replaced, and that mock poll was conducted on the new Control Unit before putting it to use. The exact time of replacement should also be mentioned in the note.

12. **RECORDING OF POLL START AND POLL END DATE AND TIME** – Some time it may happen that the date and time of start and end of poll displayed in the Control Unit of EVM during the process of counting of votes do not match with Indian Standard Time of start and end of poll leading to confusion in the minds of stakeholders. This can only happen if the date and time displayed in the Control Unit are not checked at the time at the time of doing the procedure for setting the candidates and also at the time of poll. To remove such confusion in future, following procedure should be followed in respect of each and every EVM:-

12.1 The display of date and time in the Control Unit of the EVM shall be checked each time the power switch of Control Unit is switched on during the process of First Level Checking of EVM and again at the time of Preparation of EVM by Returning Officer. If any difference from Indian Standard Time is noticed, the clock shall be recalibrated by the engineers of the BEL.

12.2 The Presiding Officer at the end of Mock Poll at the polling station shall invariably check and note the date and time shown in the display of the Control Unit and also the actual date and time at that point of time as well as any discrepancy between the two, if any, in the Mock Poll certificate and also in Presiding Officers' Diary.

12.3 At the time of closure of poll, the Presiding Officer shall make a note of the Poll end date and time displayed on the CU in the presiding officer's diary.

12.4 During the process of counting of votes, a copy of the Mock Poll certificate prepared by the Presiding Officer shall be brought to the counting table with the Control Unit pertaining to that polling station.

13. **STANDING INSTRUCTIONS TO SECTOR MAGISTRATE REGARDING EVMs** – The following instructions shall be complied with for ensuring safe movement of EVMs by Sector Magistrates. Following category of EVMs normally move on poll day with either poll party or Sector Magistrate:-

13.1 **Category “A”-Polled EVMs** – Those EVMs in which votes in respect of all polling stations are registered and closed at the end of poll after following due procedure.

13.2 **Category “B” - Defective Polled EVMs** – The EVMs which become defective after some votes are recorded in them.

13.3 **Category – “C” - Defective Unpolled EVMs** – The EVMs which become defective before commencement of poll and are replaced.

- 13.4 **Category – “D” - Unused EVMs** – EVMs which are with Sector Magistrate, and are not used in actual poll.
- 13.5 Sector Magistrates/Supervisory officer who are given EVMs from reserve stock will maintain a register where the particulars of Balloting Units (BU) and Control Units (CU) issues are mentioned and a receipt shall be obtained for the machines given to them. Such officers should also maintain the accounts of EVMs replaced in the register maintained by them for this purpose duly signed by the concerned Presiding Officers, indicating time of replacement.
- 13.6 Sector Magistrates should visit every polling station in their jurisdiction as many times as possible on the poll day and check working of EVMs and other things.
- 13.7 EVMs of category ‘A’ are stored in a Strong Room as per procedure.
- 13.8 EVMs of category ‘B’ are also stored separately with the EVMs of category ‘A’ in a Strong Room. In respect of this category of EVMs, Sector Magistrates shall keep a record of it and furnish a certificate to the effect while returning the EVMs of category ‘D’ on the next day of poll. The information furnished by them shall be tallied with Presiding Officer’s diary by the Returning Officer and the Observer before commencement of counting of votes.
- 13.9 EVMs of category ‘C’ are stored separately in a separate room other than the strong room. The sticker of defective unpolled EVMs should be pasted on the carrying cases of such category of Ballot Unit and Control Unit, for technical evaluation of the same by the manufacturer.
- 13.10 EVMs of category ‘D’ are also stored separately in a separate room, other than the strong room, where polled EVMs are kept, by Sector Magistrates. The sticker of unused EVMs should be pasted on the carrying cases of such category of Ballot Unit and Control Unit.
- 13.11 The store where the EVMs of category ‘C’ and ‘D’ will be kept must be decided in advance and intimated to the political parties/candidates. It should not be in the vicinity of the collection and the counting center so as to arouse any suspicion. This category of EVMs should also not be collected on the day of poll rather it should be collected on the next day of poll from the concerned Sector Magistrates. On the day of poll these category of EVMs should be in the personal custody of Sector Magistrates, as these are unused EVMs. Also proper documentation of such and other unused EVMs are to be made before they are transported to the store by the Sector Magistrate themselves
14. **ADDITIONAL INSTRUCTIONS ON USE OF EVMS IN POLLING STATIONS** - In order to ensure that the conduct of the Presiding Officer and other polling staff in no way gives scope for any complaint, the following instructions must be followed:-
- 14.1 The Deputy Commissioner shall supply a printed sample of EVM ballot unit pasted on a cardboard (real size) to all the Presiding Officers along with other polling materials at the time of dispatch. While printing such model ballot, care shall be taken to ensure that only dummy name and dummy symbols that are not in use, are

used and not any real names or symbols. It shall be printed in color so that 'blue button' 'green light' and 'red light' etc are clearly represented.

- 14.2 Whenever any voter asks for help or expresses inability to vote using EVM, the Presiding Officer can explain to the voter the voting process using the cardboard model of the EVM ballot in such a manner that the voter is able to understand. This shall be done outside the voting compartment only in the presence of polling agents and never inside the voting compartment.
 - 14.3 The Presiding Officer or other polling staff shall not frequent the voting compartment as that may give scope for complaints.
 - 14.4 In order to ensure that no voter has committed any mischief by pasting any paper, tapes etc., on the symbol/names /ballot button, the presiding officer may from time to time make an inspection of ballot unit (BU), but he should make it a point to do so in the immediate presence of polling agents when there is no voter inside the voting compartment.
 - 14.5 Any complaint about the conduct of the polling staff at the polling station shall be taken seriously and properly enquired. The Observers are being instructed to take serious note of such complaints and conduct or cause enquiry into such allegations and submit reports to the Commission.
 - 14.6 All the CUs/ BUs allotted to Polling Stations as above as well as the reserve machines shall be kept in the strong room in the presence of candidates/ agents. They can also be allowed to affix their seal on the lock of the strong room.
- 15. INSTRUCTIONS TO BE FOLLOWED AT THE TIME OF DISPERSAL OF EVMs**
- 15.1 When the EVMs are taken out of the strong room for dispatch, the usual precaution of informing the date and time of opening of strong room in writing to the candidates/ agents shall be followed.
 - 15.2 At the time of dispatch, the Presiding Officers shall be advised to compare the machine number inscribed on the metal label and the adhesive sticker and also verify the PS number indicated on the sticker compared with PS number mentioned in the address tag before accepting the EVM. Discrepancy if any shall be brought to the notice of the officer-in-charge of dispatch arrangements and be reconciled.
 - 15.3 The candidates may be advised to share the machine number of the EVM (both CU/BU) allotted to the specific Polling Station with their polling agent/agents appointed by them so that they are in a position to inspect the EVM for their satisfaction before the commencement of mock poll on the poll day. The Presiding Officers shall be advised to show the machine number to the agents present before the commencement of the mock poll. It is relevant to note that as per the existing instructions, the Presiding Officer is supposed to mention the number of CU/CUs used; serial numbers of CU/CUs used; numbers of BU/BUs used and serial numbers of BU/BUs used at the polling station in the Presiding Officer's Diary (refer: Chapter X, Para 3 of Handbook for Presiding Officers-At elections where electronic voting machines are used, 2013). This instruction shall be scrupulously followed.

16. **REPLACEMENT OF EVMs DURING POLL**

16.1 In case of replacement of CU or BU due to reason at any polling station the sector officer or any authorized officer who effects such replacement shall prepare a special report indicating the machine number of the existing CU/BU and new CU /BU separately. The officer shall also mention in the special report, the reason of such replacement and votes polled in the replaced machine at that point of time of replacement. One copy of the special report should be left with the Presiding Officer while retaining a copy to be handed over to the R.O.

16.2 In case replacement of EVMs becomes necessary the entire set including the CU and all the BUs shall be replaced. Before starting poll in the new EVM a mock poll will be done according to the instructions for mock poll at the beginning of the poll and a mock poll certificate will be given by the presiding officer separately for this EVM.

17. **RECEPTION OF EVMs AFTER POLLS** - The machines shall be escorted back after the poll is over to the reception centers under proper escort. After all formalities are completed, the EVMs shall be kept in strong room and the room sealed in the presence of the candidates/their agents and Observer.

18. **INSTRUCTIONS IN CASE OF RE-POLL**

18.1 In case of re-poll, the EVM required for re-poll shall be drawn from the reserve list and the CU/BU number shall be informed to the candidates/agents in writing. Care shall be taken to ensure that the address tag on the CU and BU clearly mentions it to be the EVM for use in the re-poll indicating the date and PS no.

18.2 After re-poll, the strong room shall be re-opened in the presence of the candidates/their agents and Observer for the storage of the re-polled EVMs. The re-polled EVMs should be placed together with the old EVMs which were used earlier in the original poll. A tag 'Not to be counted' shall be put prominently on the old EVMs and another tag 'Re-polled EVM – to be counted' shall be put on the new re-polled EVMs. Returning Officer shall put signature on both the tags.

18.3 In case of re-poll the unique ID number of the CU and BUs used in re-poll should be entered in the EVM tracking software.

19. **INSTRUCTIONS REGARDING SECURITY AND SAFETY OF STRONG ROOMS WHERE THE POLLED EVMs ARE KEPT FOR COUNTING OF VOTES, IF THE COUNTING IS NOT TO BE DONE ON THE POLL DAY:**

19.1 The strong rooms should have double lock system. One key should be kept with Deputy Commissioner and the other with Returning Officer of concerned Municipal Corporation.

19.2 Two cordoned security arrangements should be made round the clock for the strong rooms having polled EVMs kept for counting of votes. The police personnel of IRB/HAP as deputed by the Commission should man the innermost perimeter security immediately outside the strong room. If IRB personnel manages innermost perimeter, then HAP personnel shall manage outer most perimeter and vice versa.

It shall be ensured by the Inspector General of Police or the Police Commissioner, as the case may be, that the HAP personnel so deployed do not belong to the district concerned. A copy of the certificate shall be sent to the Returning officer and the Observer.

- 19.3 All contesting candidates should be intimated in writing to depute their representatives to keep a close watch on security arrangement of strong room. They should be allowed to stay outside the inner perimeter at a location, which enables them to view the entry points of the strong room. As far as possible, facilities such as proper shade, drinking water, etc. may be provided to them. If there is no direct view to the strong room, CCTV may be arranged at the location, so that they can see the strong room door on CCTV. In such a case, they may be taken periodically to the inner perimeter in batches to see for themselves and verify the strong room security.
- 19.4 A control room adjacent to the strong room should be operative round the clock.
- 19.5 A Gazetted Officer along with a police officer should be put on duty round the clock for monitoring the security arrangements of strong room.
- 19.6 There should be sufficient arrangement of fire extinguishers near and inside the strong room.
- 19.7 There should be an arrangement round the clock for the security of unused EVMs also.
- 19.8 No one should be allowed to enter the inner perimeter without following the protocol, as under:-
 - (i) The log book shall be maintained by the Police in which entry should be made about date, time, duration and name(s) of any one crossing the second security ring i.e. the middle perimeter. This also includes visits by the Observers, Police Commissioner, Deputy Commissioner, Senior Superintendent of Police/Deputy Commissioner of Police or candidates or their agents or any other person.
 - (ii) Video cameras already available with the Police should be used to record all visits made by such visitors. If such cameras are not available, then the Returning Officer concerned shall hire them after obtaining Non-Availability certificate from the Inspector General of Police/Police Commissioner concerned.
- 19.9 It should be ensured that there is uninterrupted power supply at the strong room locations during the entire period wherein EVMs are stored. Local officers concerned with distribution of electricity should be asked to ensure the same. Contingency arrangement of stand-by generators should be made to ensure uninterrupted power supply.
- 19.10 The phone numbers, including mobile numbers and email ids, of Police Commissioner, Deputy Commissioner, Superintendent of Police/Deputy Commissioner of Police and Returning Officer concerned should be given to the

candidates, who may provide the same to their people keeping vigil at the strong room location. They may be advised by the candidate to contact the officials in case of any need.

- 19.11 All the entry points (doors etc.) of strong rooms should be under constant videography using the web-cams and laptops available. If there are other doors of the strong room, they should also be covered by the web-cams/videography. Persons coming to take back-up from the laptops should have identity cards given to them and their names should be recorded in advance with the Police contingent stationed there. Their visits should be video graphed by the Police contingent with the video camera provided for the entire duration.
- 19.12 Superintendent of Police/Deputy Commissioner of Police and Returning Officers should visit the storage campus (up to the inner perimeter only) every day in the morning and evening and check the log book and videography and send a report to the Deputy Commissioner on the status every day. In case of strong rooms located in the district headquarters, the Deputy Commissioner should do the same.
- 19.13 Every officer visiting the strong room must make entry in the log book, giving time of arrival and departure.
- 19.14 No vehicle, including that of any official or any other political functionary should be allowed inside the secured campus where the EVMs are stored. Alighting point for the vehicles should be marked clearly ahead of the outer security perimeter itself; beyond it should be a pedestrian zone only.
- 19.15 Deputy Commissioner or Senior Superintendent of Police/Deputy Commissioner of Police shall be personally responsible for security of strong room within the district and meticulous implementation of the protocol.

20. INSTRUCTIONS RELATING TO COUNTING

20.1 General Instructions –

- (i) Before starting the counting in the EVM, the unique ID number of the CU, the Unique ID number of the Pink Paper Seal and the unique ID number of Green paper seal should be verified from the record and shown to the polling agents.
- (ii) **Procedure in case the poll start date and time or poll end date and time do not match the record**
 - a) In case of any discrepancy in the date and time of start and end of poll displayed in the Control Unit with Indian Standard Time of start and end of poll, the difference will be compared with the date and time noted by Presiding Officer in the mock poll certificate.
 - b) If the date and time difference at the time of mock poll does not match with the date and time difference of start and end of poll at the time of counting, the EVM will be kept aside and the matter will be referred to the Commission for its decision. If on other hand, the difference of date and time at the time of mock poll matches with the

difference of date and time of start and end of poll noticed at the time of counting, the discrepancy will be explained to the candidates and their representatives and the votes polled in the EVM will be counted in the usual manner.

- (iii) **Instructions in case the Presiding officer has not pressed the close button at the end of the poll** - The following action be taken during counting of votes, in such circumstances, in the presence of candidates/their authorized agents, under videography: -
- a) In case any Control Unit does not display result due to not-pressing of “Close” button by the Presiding Officer in the polling station at the close of poll, it should be kept back inside its carrying case and then be kept in the Returning Officer’s custody in the counting hall. Counting of votes in other machines should continue as usual.
 - b) When counting of votes in other machines is completed, the Returning Officer and Observer should see whether the margin of votes between the first candidate and the runner up is more or less than the votes polled in such machine (s).
 - c) In both the cases where the margin of votes is more or less than the total votes polled in that machine (s), the Returning Officer/Counting Supervisor shall press the “Total” button of the Control Unit to see the total votes polled in that machine (s). In case, total votes polled in the machine (s) tallies with the total votes polled mentioned in the Form-18, the Returning Officer/Counting Supervisor shall press the “Close” button of the Control Unit (s) so that “Result” button can be pressed for getting result data explaining the entire issue to the candidates and/or their authorised agents and recording a proceeding in this behalf with the signatures of the candidates/their authorised agents. In such a case, the Returning Officer and Observer should send a detailed report to the Commission in the format mentioned at **Annexure-XXVII**.
 - d) In case, total votes polled in the machine(s) does not tally with the total votes polled mentioned in the Form-18, the matter should be referred by the Returning Officer to the Commission for its decision and action may be taken as per the direction of the Commission. In such a case, the Returning Officer and Observer should also send a detailed report to the Commission in the format mentioned at **Annexure-XXVIII** where the margin of vote between the candidates having highest vote and the runner up is more than the votes polled in the Control Unit in question, and in **Annexure-XXIX**, where such margin is less.
- (iv) After completion of counting, all such Control Units whether result has been retrieved from it or not, the Control Unit should be kept back inside its carrying case. The carrying cases should then be sealed once again. The Returning Officer and Observer should put their signatures on the seal. All

candidates and their election agents should also be allowed to put their signature on the seal. The Control Unit should be then kept in the strong room (s).

(v) **Instructions in case of EVMs malfunctioning at the time of Counting**
The following action to be taken in

- a) When counting of votes in other machines is completed, the Returning Officer and Observer should see whether the margin of votes between the first candidate and case of malfunctioning of EVM during counting of votes during elections: -
- b) In case any Control Unit does not display result, it should be kept back inside its carrying case and then be kept in the Returning Officer's custody in the counting hall. Counting of votes in other machines should continue as usual. the runner up is more or less than the votes polled in the malfunctioned machine (s).
- c) In both the cases where the margin of votes is more or less than the total votes polled in the malfunctioning machine (s), the Returning Officer should try to retrieve the result from this machine, with the help of engineers of BEL, using Auxiliary Display Unit (ADU) in the presence of candidates or their election agents. If the result can be retrieved by using an ADU, the result of the election can be declared accordingly. In such a case, the Returning Officer and Observer should send a detailed report to the Commission in the format mentioned at **Annexure-XXX**.
- d) If the result from the malfunctioned machine can not be retrieved, the matter should be referred by the Returning Officer to the Commission for its decision and action may be taken as per the direction of the Commission. In such a case, the Returning Officer and Observer should also send a detailed report to the Commission in the format mentioned at **Annexure-XXXI**, where the margin of vote between the candidates having highest vote and the runner up is more than the votes polled in the malfunctioned EVM, and in **Annexure-XXXII**, where such margin is less. In no case the machine should be opened, or its outer or inner seals disturbed in any manner. There should be no attempt to repair the machine. Replacement of any parts of the EVM in the field level is strictly forbidden.

(vi) After completion of counting, all the Control Units, whether result has been retrieved from it or not, should be kept back inside their respective carrying cases. The carrying cases should then be sealed once again. The Returning Officer and Observer should put their signatures on the seal. All candidates and their election agents should also be allowed to put their signature on the seal. The Control Unit should be then kept in the strong room (s).

21. **FOLLOWING INSTRUCTIONS TO BE FOLLOWED FOR RETENTION OF EVMs:**

- (i) Every voting machine (EVM) used in an elections and kept in the custody of the Deputy Commissioner shall normally continue to be kept in such custody for a period of three months from the date of declaration of the result of the election.
- (ii) In the case of elections, where no election petition have been filed and no other court cases are pending, after the expiry of the said period of three months the data in the EVM should b washed out, the machines may returned to this Commission from where EVMs have been taken on.
- (iii) In the case of an election where election petition has been filed the voting machine used at all polling stations in the ward concerned shall continue to be kept in the safe custody of the Deputy Commissioner, till such time the election petition is finally disposed of by the courts.
- (iv) If any other curt case is pending like booth capturing etc. in which any EVM is involved, the EVM concerned of the EVM(s) used at such polling station(s) concerned may also b kept till the final disposal of the said case.
- (v) After the final disposal of the election petitions or, as the case may be, other court case referred to clauses (iii) and (iv) above, the voting machines can be returned to the Commission.
- (vi) Notwithstanding anything contained in clauses (i) and (ii) above, if the machines used at an election in respect of which an election petition has been filed, are needed to be returned to this Commission before the expiry of the period of three months referred to wherein, the State Election Commission may be special directions permit these machines to be so used.
- (vii) The alkaline batteries, which have been used in the voting machines in an election, shall not, repeat not, be used in any subsequent elections. The used batteries can, however, be used for the purpose of giving training on the functioning of voting machine.

Chapter- XVII

Application of Information and Communication Technology

The ICT has begun to play vital roll in elections which helps binging efficiency, transparency, dealing with law and order problems, reaching out to the public, candidates, media and political parties, thus achieving the objective of conducting elections in a free and fair manner to the satisfaction of all stakeholders.

2. The Commission has decided to use ICT extensively during the elections of Municipal Council/Committee. The ICT based solutions software (E-Dashboard) developed by the National Informatics Center, Haryana shall be used. The E-dashboard facilitate the public by depicting the details as hereunder:

- I. Information about voters (electors).
 - II. Information of the wards and polling stations etc.
 - III. Know your candidate: qualification, financial positions, assets details and criminal background (if any) of the candidate contesting the elections.
 - IV. Party Reached information with time stamps from all the booths
 - V. Poll started information from all booths
 - VI. Voter turnout in percentage from all the booths
 - VII. Poll ended information from all the booths
 - VIII. Group SMS and web based alerts under privileged access for any interruption during poll process
 - IX. Booth wise updating of information and depicting on the portal with time stamp for all the booths
 - X. Number of MIS reports for the use of District Administrations and election office
 - XI. Counting results: displaying the leading candidate position on the main front screen from all wards. Hyperlink of the candidates lead to the details about all the candidates from that wards and votes gained.
3. For ready reference a copy of application of ICT introduced during the general elections of Municipal Corporations held in 2013 is annexed as **Annexure –XXXIII**.
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CHAPTER XVIII

THE POLL

1. THE POLL AND LEGAL PROVISIONS

Poll is the most important event in the election process. In a democracy, it is through the poll that the electors express their choice of the candidate to represent them. Any irregularity in the conduct of poll may vitiate the election and, therefore, you should ensure that the poll is conducted strictly in accordance with the law and the prescribed procedure.

If the operation of taking the poll has been planned properly and the necessary arrangements made in advance according to the plan, the poll should normally proceed smoothly in all the Wards in the Municipality.

The legal provisions for the conduct of poll in a Municipality where voting machines are to be used are contained in Rules 69G to 69N of the Rules, 1978. You should familiarize yourself fully with these Rules.

2. POLLING STATIONS AND POLLING PARTIES

Poll will be taken at the polling stations located at different places spread all over the wards in the Municipality. For this purpose, the polling stations must have already been set up with the prior approval of the SEC. You should ensure well in advance of the date of poll that all arrangements for the setting up of polling stations at the places approved by the SEC have been made. It should also be ensured that the copies of the lists of the polling stations have been supplied to all contesting candidates. It should be noted that no changes can be made in the buildings or location of any polling station without the prior approval of the SEC.

Polling parties for taking the poll at the above polling stations have also to be appointed by the Returning Officer. It is your duty to ensure well in advance that such appointments have been made by the Returning Officer and the appointment orders have been served on each of the polling personnel so appointed.

As the voting machines are going to be used in your Ward / Municipality and as it is likely that many of the polling personnel may not have the experience of conducting the poll by means of these machines, intensive hands-on training should be given to them, particularly the Presiding Officers and the senior Polling Officers, who have been designated to act as Presiding Officer in case of the former's absence, in the operation of these machines. Similar training should also be imparted to Route Officers and Zonal Officers, who have been drafted for this purpose.

3. POLLING MATERIALS

You must ensure that all the polling parties have been supplied with the necessary polling materials, including the voting machines. A standard list of polling materials is given in **Annexure-XXXIV**. The Presiding Officers must be instructed to take utmost care of the safety and

security of the voting machines and they should be warned that they will be held personally responsible for any damage to the machine on account of their negligence.

4. LAW & ORDER AND FREE & FAIR ELECTIONS

You must ensure, in consultation with the authorities concerned, that proper law and order is maintained in and around the polling stations so that free and fair poll takes place. Adequate measures should be taken to provide full security to the polling personnel, the voting machines and other election materials till the polling parties reach the Reception / Counting Centres after the close of poll.

You must have ensured that all standing instructions and directions of the Commission aimed at achieving a peaceful atmosphere in all the wards of the Municipality on the date of poll, like, the identification of sensitive areas/polling stations and taking special preventive and security measures to avoid any untoward incident in those areas/polling stations, restrictions on the plying of vehicles on the day of poll, prohibition of sales of liquor during a specified period including the day of poll and counting, declaration of day of poll as a holiday in the Municipality, have been strictly followed and fully complied with by the authorities concerned.

Strict vigil should be kept over the movement of undesirable elements and vehicles. Wherever possible, Special Police Forces should be deployed in sensitive areas.

5. ARRIVAL OF POLLING PARTIES AT POLLING STATIONS

It should be ensured that each polling party reaches its assigned polling station on the day previous to the day of poll. The polling party should set up the polling station properly. The voting compartment should in particular be set up in such corner of the room that the voter is able to record his vote in that compartment in complete secrecy. A model lay out of the polling station for an election is given in **Annexure-XXXV**.

The distance between the voting compartment where the balloting unit(s) will be kept and the table of the Presiding Officer on which the control unit of the voting machine will be placed should not exceed 3 metres as the length of the interconnecting cable is 5 metres. On the day of poll, each member of polling party must take his seat in the polling station at least one hour before the time fixed for the commencement of poll.

The voting machine should be set up in the polling station not earlier than one hour before the time fixed for commencement of poll. It should not be left in the polling station on the night previous to the day of poll in any circumstance. If the Presiding Officer is staying in the polling station during that night, there is no objection if the Electronic Voting Machine is kept by him under his safe custody in the polling station. It must, however, be ensured that the Electronic Voting Machines are kept under adequate security at the polling stations at all times.

6. DUTIES OF PRESIDING OFFICERS AND POLLING OFFICERS

Normally, the Presiding Officer with the assistance of two polling officers will be able to conduct the poll in an orderly manner with the help of the voting machine. In such a case, the Presiding Officer will himself be incharge of the Control Unit. However if it is considered that the

Presiding Officer may not be able to give undivided attention to the control unit because he has to deal with several other matters, like, inquiries into challenged votes, completion of formalities with regard to assistance to blind or physically infirm electors, issue of tendered ballot papers, etc, the charge of the control unit may be given to a senior polling officer. In such a case, one polling party will consist of four polling officers, in addition to the Presiding Officer.

The details of duties to be performed by the Presiding Officer and each polling officer are given in the Handbook for Presiding Officers (of polling stations where Electronic Voting Machines are used) which has been brought out by the Commission as a separate Book. The broad distribution of the duties among the four polling officers will be as follows.

(a) FIRST POLLING OFFICER (incharge of identifying elector and marked copy of electoral roll) The first polling office will be incharge of the marked copy of electoral roll and responsible for identification of voters. On entering the polling station the elector will proceed direct to the polling officer who shall satisfy himself about the identity of the elector. The identity of the elector should be properly verified by the first polling officer with reference to the entry in the electoral roll and the documents prescribed by the SEC to establish the identity of the voter. The elector shall compulsorily produce any one of the following documents at the polling station to establish their identity.

- (i) Voter Slip
- (ii) Electoral Photo Identity Cards
- (iii) Passport,
- (iv) Driving License,
- (v) Income Tax Identity (PAN) Card,
- (vi) Service Identity Card issued to employees by Central/State Government Offices, Public Sector Undertakings, Local Bodies or other public Limited Company,
- (vii) Pass Book of accounts, having photograph, opened in a scheduled bank or post office,
- (viii) Freedom Fighter Identity Card having photograph,
- (ix) SC/ST/OBC certificate having photograph, issued by competent authority,
- (x) Certificate of Physical Handicap having photograph issued by the Competent Authority,
- (xi) Arms License having photograph,
- (xii) Job Cards with photograph issued under the National Rural Employment Guarantee Scheme,
- (xiii) Property documents with photographs such as Pattas, Registered Deeds etc,
- (xiv) Pension Documents such as Ex-Servicemen Pension Book/Pension Payment Order, Ex-Servicemen's Widow/Dependent Certificate, Old Age Pension Order, Widow Pension Order, with photograph,
- (xv) Health Insurance Scheme Smart Cards with Photograph,
- (xvi) Ration Cards or any other similar documents establishing the identity of the electors to the satisfaction of the Presiding Officer, having photograph.
- (xvii) the Aadhar Card issued by UIDAI

(a) The first polling officer will also check the left forefinger of the voter. If any indelible ink mark, paint etc. is there already, he should draw the attention of the Presiding Officer thereto who should thereupon decide whether the person has already cast his vote or not and take appropriate action. If there is no such mark and if there is no challenge from the polling agents

present in the polling station as regards the identity of the voter, the polling officer will underline the entry relating to the voter in the marked copy of the Electoral roll with him in every case and where the voter is a female put a tick mark also on the left hand side of name of the female voter. Such tick marking will not be necessary at a polling station set up exclusively for women. At the end of the day's poll he should count the number of men and women voters who have voted and record the result in the dairy of the Presiding Officer.

(b) SECOND POLLING OFFICER (incharge of indelible ink and register of voters)

The second polling officer will then inspect the voter's left forefinger to see that it does not contain any sign or trace of indelible ink on it. He should also see that it does not bear any trace of oil or grease smeared on it before hand to enable him to remove the indelible ink mark made on it later. For wiping out grease etc. in such a case, a piece of cloth should be kept on his table. He will first examine the finger on which indelible ink mark is to be made, wipe it with the piece of cloth for removing any oil or other substance which may be present on the finger and only after such removal, apply the indelible ink mark in such a way that the ink also spreads on the ridge between the skin and root on the nail and clear mark is left on the forefinger. Note that the voter need not be touched at the time of applying the indelible ink mark on his left forefinger. The voter should be asked to place his left hand on the table in front of the Polling Officer, palm down and fingers spread. The glass (Plastic) rod, after dipping in the ink, should then be gently pressed on the forefinger so that clear mark is left on the finger. If the rod is only lightly touched or rubbed against the voters fingers it will merely leave a smudge, which is not sufficient. The voter should not be allowed to rub off the mark for atleast half a minute after it has been applied on the finger.

The second polling officer will also be incharge of the Register of Voters in Form XXI. He will be responsible for maintaining in that Register the proper account of elector whose identity has been established and who vote at the Polling Station. He will obtain the signature of thumb impression of each elector on that Register before he is allowed to vote.

(c) THIRD POLLING OFFICER (incharge of voter's slip) After an elector's left forefinger has been marked with indelible ink, the entry relating to him made in the Register of Votes and his signature / thumb-impression obtained on that Register, the Third Polling Officer shall prepare a Voter's slip for that elector in the following form:

VOTER'S SLIP

"Serial No. of elector as per Col. (1) of the Register of voters.....
Serial No. of elector as entered in the electoral roll
Initials of Polling Officer

These Voter's Slips will be got printed by the Returning Officer in a paper of half the dimension of a post-card and will be supplied to you, as one of the items of polling materials, in stitched bundles of hundred slips and/ or fifty slips each, having regard to the number of electors assigned to you polling station.

The Voter's Slips prepared by the Third Polling Officer in respect of each elector shall be delivered by him to that elector and the elector shall be directed to proceed to the Fourth Polling Officer whoever is in-charge of the control unit of the voting machine.

(d) **FOURTH POLLING OFFICER** (incharge of control unit): The Fourth Polling Officer will be in-charge of the Control Unit of the voting machine. The Fourth Polling Officer will allow the elector to proceed to the Voting Compartment only on the basis of the voter's slip issued by the Third Polling Officer and strictly in accordance with the Serial No. indicated in that slip. He will activate the balloting units kept in the Voting Compartment by pressing the appropriate (Ballot) button on the Control Unit. before allowing the elector to proceed to the Voting Compartment, he will also check and ensure that the elector's left forefinger bears a clear indelible ink mark.

7. SEATING ARRANGEMENTS FOR PRESIDING OFFICER AND POLLING OFFICERS

Inside the polling station, the Presiding Officer should sit in such a place from where he can watch all the proceedings in the polling station. The polling officers should be so seated that an elector after entering into the polling station straightway proceeds to the First Polling Officer who is incharge of identification of electors and the marked copy of electoral roll, and from him to other Polling Officers in a systematic manner. No criss-cross movement of electors should be permitted.

8. ARRIVAL OF POLLING AGENTS

Each contesting candidate or his election agent should be specifically instructed that his polling agents should reach the polling station at least an hour before the time fixed for the commencement of poll. It is so because during this one hour's time, the Presiding Officer will make necessary preparations on the voting machine, particularly the control unit, and will also conduct the mock poll for the satisfaction of the polling agents.

9. SEATING ARRANGEMENTS FOR POLLING AGENTS

Suitable seating arrangements should be made for polling agents when they attend the poll. Their seats should be so provided that they have adequate opportunity to identify the electors, see the entire operation at the Presiding Officer's or the Fourth Polling Officer's table where the control unit is kept, and also see the movement of the elector from the Presiding Officer's or the Fourth Polling Officer's table to the voting compartment and the elector's exit after he has recorded his vote on the balloting unit kept inside the voting compartment. The seating arrangement at the polling station for the polling agents of candidates shall be guided by the following categories of priorities, namely, (i) candidates of recognised National parties, (ii) candidates of recognised State parties, and (iii) independent candidates.

10. PREPARATIONS ON THE VOTING MACHINE BY THE PRESIDING OFFICER BEFORE COMMENCEMENT OF POLL

Before a voting machine is put in actual use at the polling station some further preparations, in addition to the preparations made at the Returning Officer's level are necessary. These preparations have to be done by the Presiding Officer at the polling station in the presence of the candidates/their agents. The Presiding Officer should start the preparations about an hour before the time fixed for the commencement of the poll. If any polling agent is not present, the preparations by the Presiding Officer will not be postponed so as to await the arrival of the polling agent. Nor will he start the preparations again if any polling agent turns up late.

11. PREPARATIONS ON THE BALLOTING UNIT

The balloting unit is already duly prepared in all respects at the Returning Officer's level and no further preparation of this unit is required at the polling station on the day of poll, except that its interconnecting cable has to be plugged carefully into the control unit.

Where, however, more balloting units than one are to be used at a polling station, these balloting units have to be interconnected in the correct sequential order as explained in the previous paras. In such a case, only the first balloting unit will be connected with the control unit.

The Presiding Officer should also check that .

- i. the ballot paper is properly fixed in the ballot display panel under the ballot paper screen; and
- ii. the two seals put by the Returning Officer at the top and bottom portion on the right hand side of the balloting unit are intact.

12. PREPARATION ON THE CONTROL UNIT

The Presiding Officer should first check that the seal put by the Returning Officer on the 'Candidate Set Section' on the left side of the control unit is intact.

The following preparations are then to be made by him on the control unit:-

- i. Connecting the control unit with the balloting unit or the first balloting unit where more balloting units than one are used and interconnecting those other balloting units;
- ii. Switching the 'Power' switch to 'ON' position;
- iii. Closing the rear compartment after performing the functions at (i) and (ii) above;
- iv. Conducting the mock poll;
- v. Switching the 'Power' switch to 'OFF' position;
- vi. Fixing the green paper seal(s) to secure the inner compartment of the Result Section; and
- vii. Closing and sealing the inner compartment of the 'Result Section' with the Special Tag;
- viii. Closing and sealing the outer cover of the 'Result Section'; and
- ix. Sealing the control unit with the Outer Strip seal.

He should plug the interconnecting cable of the balloting unit or the first balloting unit where more balloting units than one are used into the socket provided for the purpose in the rear compartment of the control unit. The 'Power' switch provided in the same compartment of the control unit should then be put to 'ON' position, whereupon there will be a beep sound and the 'ON' lamp on the display section of the control unit will glow green.

The rear compartment should then be closed. To keep it firmly closed, a piece of thin wire may be run through the two holes provided for the purpose and the ends of the wire may be given a few twists. It may be noted that the rear compartment is not to be sealed as it will require to be opened again after the close of poll for switching off the 'Power' and disconnecting the balloting unit(s).

13. CONDUCTING THE MOCK POLL

Before commencing the poll, the Presiding Officer has to satisfy not only himself but all polling agents present that the voting machine is in perfect working order and that no votes have already been recorded in the machine. For such satisfaction, he should first show to all present that all counts have been set to ZERO by pressing the 'Clear' button in the Result Section of the control unit. On pressing this button, the display panels will show that the number of votes recorded for each candidate is ZERO.

He should then conduct a mock poll by recording a few votes at random for each of the contesting candidates. These votes may be recorded by asking the polling agents to press any of the candidates buttons on the balloting unit according to their own choice. A careful note should however be kept of the votes so recorded so that the votes so recorded can be tallied with the votes recorded by the machine when the result is ascertained at the completion of the mock poll. The result of the mock poll can be ascertained by pressing the button marked 'Result' 1 in the Result Section of the control unit. On that button being pressed, the display panels will show the number of votes recorded for each candidate sequentially beginning with the contesting candidate number 1. After the result has been ascertained and tallied, the machine should again be cleared and all counts should be set to ZERO by pressing the 'Clear' button.

The detailed instructions as to the operations on the voting machine as detailed above for conducting the mock poll should be carefully studied and meticulously followed because these very instructions will apply when the actual poll is taken.

14. FIXING GREEN PAPER SEAL IN THE CONTROL UNIT

In the conventional system of voting where balloting papers and ballot boxes are used, the ballot boxes are sealed and secured by fixing a green paper seal specially got printed by the Commission. Once the green paper seal is fixed in a ballot box and the lid of the box is closed, the box cannot be opened and the ballot papers contained therein cannot be tampered with or taken out for counting unless the green paper seal is torn. Similar safeguard has been provided in the voting machine so that once the poll commences, nobody should be able to tamper with the voting machine. To achieve and ensure this, provision has been made for fixing the same green paper seal which is used for securing a ballot box, in the control unit of the voting machine.

There is a frame provided for fixing two paper seals and accordingly two paper seals are to be used in the control units of the voting machines manufactured by the company. On the inner side of the door of the inner compartment of the Result Section of the control unit. The seal should be so fixed that its green surface is seen through the aperture from the outer side.

It should be ensured that no damaged paper seal is used in any case and if any paper seal gets damaged in the process of fixing, it should be replaced then and there before the door of the inner compartment is closed. Damaged paper seal should not be thrown as damaged paper seals are also to be kept in a sealed envelope.

Before a paper seal is used, the Presiding Officer should affix his signature in full immediately below the serial number of the paper seal. It shall be got signed by such of the

candidates or their polling agents as are present and are desirous of affixing their signatures. The Presiding Officer should verify that the signatures of the polling agents on the paper seal tally with their signatures on their letters of appointment. After fixing the paper seal, the door of the inner compartment should be closed by being pressed fit. It should be closed in such a manner that the two open ends of the paper seal project outwards from the sides of the inner compartment.

After the Green Paper Seal has been fixed and secured, and signed by the Presiding Officer and the polling stations, the door of the inner compartment over the .Clear. Button and .Result. Buttons should be pressed fit and closed. Then the inner door should be sealed with the Special Tag. Before the Special Tag is used, the Presiding Officer will write the serial number of the Control Unit on the Special Tag.

After writing the serial number of the Control Unit on the Special Tag, the Presiding Officer will put his signature on the BACK SIDE of the Special Tag. He will ask the candidates/polling agents present in the polling station before the commencement of the poll to put their signatures on the back, if they so desire. He will also read out the pre-printed serial number on the Special Tag and ask the candidates/polling agents present to note down that serial number.

15. ACCOUNT OF PAPER SEALS

The Presiding Officer should keep a correct account of the green paper seals supplied to him for use at the polling station and the paper seals actually used by him for sealing and securing the control unit. Such account shall be maintained by him in the form specifically prescribed for the purpose vide Item 9 of Part I of Form 18 (**Annexure-XXXVI**) appended to the Rules, 1978.

The Presiding Officer should allow the candidates or their polling agents present to note down the serial numbers of paper seals so supplied for use and actually used.

16. CLOSING AND SEALING OF RESULT SECTION OF CONTROL UNIT

After the inner compartment of Result Section of the control unit has been closed and sealed, the outer cover of the Result Section should be pressed fit for closing that Section. Before pressing the outer cover, the open ends of the green paper seal(s) will protrude from either side of the outer cover for securing the Outer Strip Seal.

After the outer cover has been closed, the Result Section should be sealed by (i) passing a thread through the two holes provided for the purpose on the left side of the outer cover, (ii) putting a thread seal with the seal of the Presiding Officer, and (iii) attaching a label (address tag) similar to the one which is attached to the Candidate Set Section at the Returning Officer's level. The candidates or their polling agents should also be permitted to affix their signature/ seals, if they so desire, on the address tag alongwith the seal of the Presiding Officer.

NEXT, THE RESULT SECTION SHOULD BE SEALED FROM OUTSIDE COMPLETELY WITH THE OUTER STRIP SEAL SO THAT THIS SECTION CANNOT BE OPENED WITHOUT DAMAGING THE STRIP SEAL. THE STRIP SEAL SHALL BE POSITIONED CAREFULLY JUST BELOW THE "CLOSE" BUTTON IN SUCH A WAY THAT IF CAP OF CLOSE BUTTON IS TAKEN OUT, THE STRIP SEAL IS NOT TORN.

17. VOTING MACHINE READY FOR ACTUAL POLL

The voting machine is now ready in all respects for use for actual poll.

Before commencing the poll, the Presiding Officer should place the balloting unit(s) inside the voting compartment. As already instructed, the voting compartment should be located at the appropriate distance from the table of the Presiding Officer where the control unit shall be kept and operated. The interconnecting cable between the balloting unit and the control unit has length of approximately 5 meters. Therefore, the voting compartment should be placed at a reasonable distance. Also, the cable should be so routed that it does not obstruct the movement of voters inside the polling station and they do not tread or trip over it. While placing the EVM in voting compartment, it must be ensured without fail, that secrecy of voting is not violated.

18. DEMONSTRATION OF MARKED COPY OF ELECTORAL ROLL AND REGISTER OF VOTERS

Before commencing the poll, the Presiding Officer should demonstrate to the candidates and polling agents present that the marked copy of the electoral roll to be used at the polling station does not contain any entry or mark other than that made with regard to issue of postal ballot papers and election duty certificates to show that the Postal Ballot Paper or Election Duty Certificate has been issued to any elector.

Likewise, he should also demonstrate to them the Register of Voters (Form 12) to show that the register is blank and no entry in respect of any elector has already been made therein.

19. DECLARATION BY THE PRESIDING OFFICER BEFORE COMMENCEMENT OF THE POLL

In order to ensure that the Presiding Officer has duly carried out the foregoing instructions about the demonstration of the marked copy of the electoral roll and the Register of Voters and obtaining the signatures of the candidates/polling agents on the green paper seal and allowing them to note down their serial numbers, which are necessary safeguards for ensuring free and fair election, he is required to read out a declaration prescribed by the Commission in **Annexure-XXXVII** before the commencement of the poll. The Presiding Officer should read out the declaration aloud to the hearing of all person present in the polling station and sign the declaration. He should also obtain thereon the signatures of such of the polling agents as are present and are willing to affix the same. If any polling agent declines to affix his signature on the declaration, the Presiding Officer should record the name of such polling agent in that declaration.

20. WARNING ABOUT SECRECY OF VOTING

Before commencing the poll, the Presiding Officer should also explain to all present the provisions of section 275 of the Act, 1973 regarding their duty to maintain the secrecy of the vote and warn them of the penalty for any breach thereof.

21. COMMENCEMENT OF THE POLL

The Presiding Officer should commence the poll at the stroke of the hour fixed for the purpose. He must complete all formalities before the said hour. If for any unforeseen or compelling reason he is not in a position to commence the poll at the appointed hour, he has no authority to extend the polling hours and the poll must close at the appointed closing time, except that the electors who are present at the polling station premise at the closing time shall be allowed to vote even if polling continues for some more time.

22. PERSONS TO BE ADMITTED INSIDE THE POLLING STATION

The Presiding Officer should admit into the polling station only the following persons:-

- a) the electors;
- b) polling officers;
- c) each candidate, his election agent and one polling agent of each candidate at a time;
- d) persons authorised by the Commission;
- e) public servants on duty;
- f) a child in arms accompanying an elector;
- g) a person accompanying a blind or an infirm voter who cannot move or vote without help; and
- h) such other persons as the Presiding Officer may from time to time admit for the purpose of identifying voters or otherwise assisting him in taking the poll.

The Returning Officers/Presiding Officers, as the case may be, have been asked to issue identity cards to the contesting candidates. In case necessity arises, the Presiding Officer may ask for its production. Similarly, the election agents of the candidates can be asked to produce their identity cards, i.e. the attested duplicate copy of their appointment letter. The attestation is made by the Returning Officer/Presiding Officer.

It should be noted that the expression 'public servants on duty' does not include Ministers and Deputy Ministers of Centre and States, they cannot be allowed to be appointed even as election agents or polling agents, as they have to be escorted by their security guards who cannot be allowed entry into the polling station.

The above expression 'public servant on duty' also does not normally include police officers. Such officers whether in uniform or in plain clothes should not as a general rule be allowed to enter into a polling station, unless the Presiding Officer decides to call them inside in unavoidable circumstances for the maintenance of law and order or some similar purpose.

No security personnel accompanying any candidate, or any agent or any elector should be permitted to enter the polling station.

23. REGULATION OF ENTRY OF VOTERS

There should be separate queues for men and women voters. The persons who enforce the queues will allow three or four voters into the polling station at a time as the Presiding

Officer may direct. Other voters waiting to come in should be made to stand in queue outside. Infirm voters and women voters with babies in arms may be given precedence over other voters in the queue. Men and women voters should be admitted into the polling station in alternate batches. The formation of more than one queue for men voters or for women voters should not be allowed.

24. FACILITIES TO PRESS REPRESENTATIVES AND PHOTOGRAPHERS

Subject to the maintenance of peace and order, there is no objection to any photographer taking photographs of a crowd of voters lining up outside the polling station. However, no one including the publicity officials of the State Government should be allowed inside a polling station without a letter of authority from the SEC. In no circumstances, will any photograph be allowed to be taken of a voter recording his vote.

25. IDENTIFICATION OF ELECTORS

When an elector enters the polling station, his identity will be checked by the First Polling Officer with reference to the entries in the electoral roll pertaining to such elector. He will also check the Elector's Photo Identity Card (EPIC) of the elector if it has been issued to him or any other alternative document that has been prescribed by the SEC and which the elector may be carrying to establish the identity of the elector. It should be noted that for identification of the elector the Presiding Officer and his team of Polling Officers will only rely on the EPIC issued to the elector or in its absence the alternative documents prescribed by the SEC for the purpose and no other document.

Any village chowkidar/Revenue Officer or the like who may be employed as identifying Officer by the Presiding Officer should be normally posted outside the entrance of the polling station and should be admitted into the polling station only when he is required for the identification of a particular elector or for assisting the Presiding Officer for a particular purpose in connection with the taking of the poll.

The SEC has been insisting on documentary identification of electors. The electors are required to produce the electoral photo identity card (EPIC) to establish their identity. Those electors who have not been issued with the identity card, or those of them who are unable to produce the identity card for reasons beyond their control, should produce one of the alternative documents of identification specifically permitted by the SEC as notified by the SEC from time to time. You must refer to the latest order if any issued by the SEC and bring it to the notice of all Presiding Officers during training and also the contesting candidates, political parties, etc. These orders should also be given wide publicity for the information of electors where the SEC has issued orders. For compulsory identification of electors through EPIC or alternative identification documents, the polling officer in-charge of identification of must satisfy himself about the identity of the elector after examining the EPIC or the alternative documents, as the case may be, and in case of any doubt the elector should be directed to present himself before the Presiding Officer who should make a further probe to satisfy himself about the identity of the elector. The Presiding Officer should hand over the person to the police with a written complaint (**Annexure-XXXVIII**) in case he is proved to be an impersonator.

26. CHALLENGED VOTES

The polling agents can also challenge the identity of a person claiming to be a particular elector by depositing a sum of Rs.2/- in cash, in case of Municipal Council/Committee, with the Presiding Officer for each such challenge. The Presiding Officer shall hold a summary inquiry into the challenge. If after the inquiry the Presiding Officer considers that the challenge has not been established, he shall allow the person challenged to vote. If he considers that the challenge has been established, the Presiding Officer shall debar the person challenged from voting and shall handover such person to the police with a written complaint. All such complaints to the Police should be vigorously pursued and prosecutions launched against the offenders so that they are convicted and suitably punished.

The Presiding Officer shall keep a record of such challenged votes in Form 3 (**Annexure-XXXIX**) appended to the Haryana Municipal Election Rules, 1978.

27. APPLICATION OF INDELIBLE INK

The left forefinger of every elector about whose identity the Presiding Officer or the concerned polling officer, as the case may be, is satisfied shall be marked with indelible ink. This should be done by the Second Polling Officer.

The application of indelible ink is a vital safeguard against impersonation and to ensure that the same voter does not vote more than once. If any elector refuses to allow his left forefinger to be inspected or marked with indelible ink or he has already such a mark on his left forefinger, or he does any act with a view to removing the ink mark, he shall not be allowed to vote.

Under the latest instructions of the SEC, the left forefinger of the voter should be marked with indelible ink by the Second Polling Officer soon after his identity is verified by the First Polling Officer but before his signature or thumb impression is obtained in the Register of Voters by the Third Polling Officer. The underlying purpose of this instruction is that there should be a sufficient time gap for the indelible ink to dry and leave a proper indelible mark on the voter's forefinger before he leaves the polling station. The Commission has also instructed that his forefinger should again be checked in order to verify that there is a clear indelible ink mark on the finger when he goes to fourth polling officer/ presiding officer. If the voter has wiped off the ink or there is no proper ink mark visible, his left forefinger should again be marked with indelible ink. This should be done by the Fourth Polling Officer in-charge of the control unit of the voting machine before he allows the elector to proceed to the voting compartment. The class IV employee who is normally attached to a polling party as attendant can also be given this duty of checking the voter's left forefinger before his exit from the polling station.

28. APPLICATION OF INDELIBLE INK WHEN ELECTOR HAS NO LEFT FOREFINGER

If an elector has no left forefinger, then indelible ink should be applied on any such finger, which he has on his left hand starting with his left forefinger. If he does not have any fingers on his left hand, the ink should be applied on his right forefinger and if he has no right forefinger, any other fingers which he has on his right hand starting with his right forefinger. If he has no fingers on either hand, ink should be applied on such extremity (stump) of his left or right hand, as he possesses.

29. RECORD OF ELECTORAL ROLL NUMBER OF ELECTOR IN REGISTER OF VOTERS

Before an elector is permitted to record his vote in the voting machine, his electoral roll number as entered in the marked copy of the electoral roll shall be recorded in the Register of Voters (Form 12). Instructions have been given in the previous paras as to the manner of printing, binding and supply of Register of Voters to polling parties and the same should be meticulously followed.

Such record in the Register of Voters shall be maintained by the Third Polling Officer. When the First Polling Officer in-charge of the identification of voters reads aloud the serial number of the elector and is satisfied about the identity of an elector the Third Polling Officer should record this serial number in the Register of Voters and issue voter's slip. In order to indicate that an elector has been allowed to vote and also to ensure that he does not turn up to vote again, the entry relating to his name in the marked copy of the electoral roll should also be underlined by the First Polling Officer. A tick mark (✓) should also be put on the left hand side of the name of elector if she is a female elector, as that will be helpful to the polling officer to count the number of women voters at the end of the poll for the purpose of the relevant statistics of voters to be mentioned in the Presiding Officer's diary.

30. SIGNATURE OF ELECTOR IN THE REGISTER OF VOTERS

The signature or thumb impression of every elector must be obtained in the third column of the Register of Voters (Form 12). against the entry made in that register relating to him by the Third Polling Officer. If any elector refuses to put his signature or his thumb impression on the Register of Voters, he shall not be allowed to vote. An entry shall be made in the Remarks column 'Refused to sign'..

31. MEANING OF SIGNATURE

A signature may be described as the writing of a person's name on a document with the intention of authenticating that document. A literate person, while signing on the Register of Voters, will be required to write his name, i.e., both his name or names and his surname in full or in any case his surname in full or names either in full or by means of initials of that name or names. The preferable course in the case of a literate voter will be to request him to sign his name, i.e., both his name or names and his surname in full. If a literate person puts simply a mark and insists that mark should be taken as a signature while claiming to be a literate person, then that mark cannot be taken to be his signature because, as stated, signature means, in the case of a literate person, the writing of the name of that person by himself in authentication of a document on which he writes his name. In such a case, if he refuses to sign his name in full as indicated above, then his thumb impression should be taken. If he refuses to give his thumb impression also, then he shall not be allowed to vote.

32. MEANING OF THUMB IMPRESSION

If the left thumb of the voter is missing, then the impression of the right thumb should be taken. If both thumbs are missing the impression of one of the fingers of the left hand starting from the forefinger should be taken. If there are no fingers on the left hand, the impression of one of the fingers of the right hand starting from the forefinger should be taken. If no fingers are

available, the voter being unable to record his vote will necessarily have to seek assistance of a companion under rule 81 of the said rules. In that case the signature or thumb impression of the companion should be taken on the Register of Voters and in Form 4 (**Annexure-XL**).

33. ISSUE OF VOTER'S SLIPS

After the electoral roll number of an elector has been entered in the Register of Voters and his signature/thumb impression obtained on that Register, the Third Polling Officer should prepare the voter's slip for that elector in the form prescribed.

The elector will go to the Fourth Polling Officer in-charge of the control unit of the voting machine with this voter's slip who will allow him to vote only on the basis of such voter's slip.

It is absolutely essential that the voters record their votes in the voting machine in exactly the same order in which they have been entered in the Registers of Voters. Fourth polling officer in-charge of control unit should therefore, allow a voter to proceed to the voting compartment strictly according to the serial number mentioned in the voter's slip.

If due to any exceptional circumstance or unforeseen or unavoidable reason, it has not been possible to follow the exact serial order in respect of any elector, a suitable entry showing the exact serial number at which he has voted should be recorded in the remarks column of the Register of Voters against the person concerned. Similar entries should also be made in respect of the subsequent voters whose serial order has been disturbed thereby.

34. RECORDING OF VOTE BY ELECTOR IN THE VOTING COMPARTMENT

After all procedural requirements relating to identification of a voter, application of indelible ink on his left forefinger, obtaining his signature/thumb impression on the Register of Voters and verification of the voter's slip by the Presiding Officer or polling officer in-charge of control unit have been completed, the voter concerned shall be directed to go to the voting compartment where the balloting unit(s) is/are kept for recording the vote. For that purpose, the 'Ballot' button on the control unit shall be pressed by the Presiding Officer or the fourth polling officer in-charge of that unit which would make the balloting unit kept in the voting compartment ready for recording his vote. On the 'Ballot' button being pressed, the 'Busy' lamp in the control unit will glow Red and simultaneously the 'Ready' lamp on the balloting unit in the voting compartment will also start glowing Green.

The voter will record his vote by pressing the button provided against the name and symbol of the candidate of his choice. When he presses that button, the lamp provided on the balloting unit against the name and symbol of that candidate will start glowing Red and green light on the balloting unit will go off. Also, a beep sound will be heard emitting out from the control unit. After a few seconds, the beep sound and the red light in the candidate's lamp on the balloting unit and the red light in the 'Busy' lamp on the control unit will also go off. These visual and audio signs are indicative of the fact that the voter inside the voting compartment has recorded his vote. He should forthwith come out of the voting compartment and leave the polling station.

The above procedure will be repeated every-time the next voter is to be allowed to record his vote. It should be ensured that only one voter goes at a time inside the voting

compartment to vote. It should also be ensured that the ballot button on the control unit is pressed only when the earlier voter has come out of the voting compartment.

35. TALLYING OF NUMBER OF VOTES POLLED PERIODICALLY

At any time, if the total number of votes polled upto that time has to be ascertained, the 'Total' button on the control unit should be pressed. The display panel on the control unit will then show the total number of votes polled by that time. This should be periodically done and tallied with the number of voters allowed to vote upto that time as reflected in the Register of Voters. In any event, the Presiding Officer must ascertain and tally the number of votes polled during every two hour interval and record the number of votes polled in the relevant columns in the Presiding Officer's diary.

36. MAINTENANCE OF SECRECY OF VOTING BY ELECTORS

Every elector who is permitted to vote shall maintain absolute secrecy of voting within the polling station. He should strictly observe the voting procedure mentioned above. If he refuses, after warning given by the Presiding Officer, to observe the voting procedure, the Presiding Officer or a polling officer under the direction of the Presiding Officer shall not allow such elector to vote. If the elector has already been issued the voter's slip. Such slip should be withdrawn from him and cancelled.

Where an elector is not allowed to vote for violating voting procedure, a remark to the effect that voting procedure has been violated shall be made in the remarks column in the Register of Voters (Form 12). against the entry relating to that elector in that Register by the Presiding Officer. The Presiding Officer shall also put his full signature below that entry. It shall, however, not be necessary to make any change in the serial number of that elector or of any succeeding elector in column 1 of the Register of Voters. (Form 12).

37. VOTING BY BLIND & INFIRM VOTERS

If the Presiding Officer is satisfied that owing to blindness or other physical infirmity, an elector is unable to recognise the symbol on the balloting unit or unable to record his vote by pressing the appropriate button thereon without assistance, the Presiding Officer shall permit that elector under Rule 69J of the rule 1978, to take with him a companion of not less than 18 years of age to the voting compartment for recording the vote on his behalf and in accordance with his wishes. No person shall be permitted to act as the companion of more than one elector at any polling station on the same day.

The Presiding Officer shall also keep a record of all such cases in Form 4

38. ELECTORS DECIDING NOT TO VOTE

If an elector, after his electoral roll number has been duly entered in the Register of Voters (Form 12) and he has put his signature/thumb impression on that register, decides not to record his vote, he shall not be forced or compelled to record his vote. A remark to the effect that he has decided not to record his vote shall be made in the remarks column against the entry relating to him in the Register of Voters by the Presiding Officer and the signature or thumb

impression of the elector shall be obtained against such remark under rule 69M of the rule 1978. It shall, however, not be necessary to make any change in the serial number of the elector or of the succeeding electors column 1 of the Register of Voters.

39. TENDERED VOTES

If a person presents himself at the polling station and seeks to vote representing himself to be a particular elector after another person has already voted as such elector, the Presiding Officer shall satisfy himself about the identity of the elector concerned. If the Presiding Officer is satisfied about the identity of the elector on his satisfactorily answering such questions relating to his identity as the Presiding Officer may ask, he shall allow the elector concerned to vote by means of a tendered ballot paper, but not through the voting machine.

A tendered ballot paper shall be of such design and particulars thereon shall be in such language or languages as the SEC may specify. The SEC has specified that the tendered ballot paper shall be of the same design as the ballot paper which shall be used for display on the balloting unit of the voting machine at the polling station. The words 'tendered ballot paper' will be stamped on its reverse side.

You should, therefore, provide to each polling station 10 ballot papers which you have got printed for use in the balloting units of voting machines to be used as tendered ballot papers. In case it becomes necessary to supply any additional ballot papers to any polling station for the above purpose, the same should be arranged to be supplied to the Presiding Officer of the polling station concerned on demand through the officer in-charge of that polling station.

The Presiding Officer shall keep a correct account of all ballot papers (i) received by him for use as tendered ballot papers, (ii) issued as such to electors, and (iii) not used and returned to you, in Item 8 of Part I of Form 18

The Presiding Officer shall also maintain the record of the tendered ballot papers issued to electors in Form 18 .He shall also obtain the signature or thumb impression of the elector in the relevant column of that Form before delivering a tendered ballot paper to him.

On receiving the tendered ballot paper, the elector concerned will mark his vote thereon in the voting compartment by placing a cross mark 'X' on or near the symbol of the candidate for whom he intends to vote. He should put the cross mark by means of the arrow cross mark rubber stamp which is used for marking ballot papers where the conventional system of ballot papers and ballot boxes is used.

If owing to blindness or physical infirmity such elector is unable to record his vote without assistance, the Presiding Officer shall permit him to take with him a companion in accordance with the procedure mentioned in Rule 69J of the Rules 1978 or Rule 70J of the Rules, 1994 as the case may be.

40 PRESIDING OFFICER'S ENTRY IN THE VOTING COMPARTMENT DURING POLL

Sometimes, the Presiding Officer may have a suspicion or reason to suspect that the balloting unit kept in the screened voting compartment is not functioning properly or that an

elector who has entered the voting compartment is tampering or otherwise interfering with the balloting unit or has remained inside the voting compartment for unduly long period. The Presiding Officer has a right under rule 69-I of the Rules, 1978, to enter the voting compartment in such cases and to take such steps as may be considered necessary by him to ensure that the balloting unit is not tampered or interfered with in any way and that the poll progresses smoothly and in an orderly manner.

Whenever the Presiding Officer enters the voting compartment, he should permit the polling agents present to accompany him if they so desire.

41. MAINTENANCE OF DIARY BY PRESIDING OFFICER

The Presiding Officer of every polling station should be asked to maintain a diary in which he should record the proceedings connected with the poll in the polling station. The proforma of the diary to be maintained by the Presiding Officer is given at **(Annexure - XLI)**. He should be asked to go on recording the relevant events in the diary as and when they occur.

IT HAS BEEN OBSERVED IN MANY CASES THAT THE PRESIDING OFFICER DO NOT MAKE THE ENTRIES IN THE RELEVANT COLUMNS OF THE DIARY AT REGULAR INTERVALS OR FROM TIME TO TIME AS ENVISAGED, AND FILL IN ALL ENTRIES AND COMPLETE THE DIARY AT THE END OF THE POLL. THIS IS HIGHLY OBJECTIONABLE AND IT SHOULD BE IMPRESSED UPON ALL PRESIDING OFFICERS THAT ANY LAPSE ON THEIR PART IN THE PROPER MAINTENANCE OF DIARY AT ALL POINTS OF TIME DURING THE PROCESS OF POLL WILL BE SERIOUSLY VIEWED.

42. CLOSE OF POLL

The poll should be closed at the hour fixed for the purpose, even if for certain unavoidable reason it had commenced somewhat later than the hour appointed for the commencement of poll. However, all electors present at the polling station at the hour appointed for the close of poll should be permitted to cast their vote even if the poll has to be continued for sometime beyond the appointed closing hour. For this, he should distribute pre-numbered slips to all electors standing in queue, starting from the last person in queue at the prescribed time for and of polling.

For closing the poll after the last voter has recorded his vote, the voting machine has to be closed so that no further recording of votes in the machine is possible. For that purpose, the Presiding Officer should press the 'Close' button on the control unit. When the close button is pressed, display panels on the control unit will show the total number of votes recorded in the voting machine till the end of the poll (but not the candidate-wise tally). The total number of votes recorded in the machine should be immediately noted in Item 5 of Part I of Form 18.

Once the close button is pressed, the voting machine will not accept any further votes. The Presiding Officer should therefore be extremely cautious and absolutely certain before pressing the close button that no elector who was present at the time fixed for the close of poll remains to vote.

43. PREPARATION OF ACCOUNT OF VOTES RECORDED

After the close of poll, the Presiding Officer is required to prepare under rule 86, an account of votes recorded in the voting machine. Such account shall be prepared in Part I of Form 18. This should be prepared in duplicate.

The account of votes recorded in Form 18 should be kept by the Presiding Officer in a separate cover with the words 'Account of Votes Recorded', super-subscribed thereon.

44. SUPPLY OF ATTESTED COPIES OF ACCOUNT OF VOTES RECORDED TO POLLING AGENTS

Every Presiding Officer is also required to furnish to every polling agent present at the close of the poll, a true attested copy of the account of votes recorded as prepared by him in Form 18, after obtaining a receipt from those polling agents. Copies of the accounts should be furnished to every polling agent present even without his asking for it.

45. SEALING OF THE VOTING MACHINE AFTER THE CLOSE OF POLL

After the poll has been closed and the account of votes recorded in the voting machine has been prepared in Form 18 and copies thereof furnished to the polling agents present, the voting machine should be sealed and secured for transportation to the Counting/Reception centre.

For sealing and securing the voting machine, the balloting unit(s) and the control unit should be disconnected and the power switch in the control unit should be switched 'OFF' The balloting unit(s) and the control unit should be put back in their respective carrying cases. The carrying cases should then be sealed by passing a thread through the two holes provided for the purpose on both sides of the carrying cases and putting thread seal with the Presiding Officer's seal on an address tag showing the particulars of the election and the polling station. The particulars on the address tag shall be the same as mentioned in the previous para. The candidates or their polling agents as are present and desirous of putting their seals should also be allowed to do so.

46. SEALING OF ELECTION PAPERS

After the close of poll, all election papers relating to the poll should be sealed by the Presiding Officer in accordance with the provisions of rule 69P of the Rules, 1978.

Each packet containing election papers shall be sealed with the seal of the Presiding Officer. The candidates or their agents present at the polling station shall also be allowed to affix their seals on such packets if they so desire.

47. TRANSMISSION OF VOTING MACHINE AND ELECTION PAPERS TO THE RETURNING OFFICER

After the voting machine and all election papers have been sealed and secured by the Presiding Officer, the Presiding Officer has to deliver them or cause them to be delivered at such place as you may direct.

You should make proper arrangements for the safe transportation and custody of voting machines and other election papers and materials after the close of the poll from the polling stations to the storage centre, where the voting machines and election papers will be stored pending the counting. In this connection, the following instructions should be particularly taken note of and followed:-

- (a) It will be desirable to take the sealed voting machines and other election papers and materials after the completion of the poll direct to the place fixed for counting of votes. This arrangement would ensure that the sealed voting machines are handled only once before the votes are counted. It must be ensured that there are sufficient arrangements for the safe transportation and custody of voting machines.
- (b) You should inform the candidates or their election agents sufficiently in advance about the programme of the collecting parties being sent by you, if any, and the route chart for the collection of the voting machines and other election materials from the polling station after the conclusion of the poll, so that the candidates may make arrangements, if they so desire, for sending their agents to accompany such collecting parties. The agents of the candidates should, however, make their own arrangements for their transport and they, in no case, should be allowed to travel in the same vehicles in which the voting machines and other election materials and polling parties are transported.

48. SAFE CUSTODY OF VOTING MACHINES AFTER POLL

All the Presiding Officers should deposit the voting machines and election papers and materials at the storage centres without any avoidable delay. Any officer who defaults in this respect will make himself liable to disciplinary action.

You may earmark inside the storage room or building, specified parts of the floor space in the form of squares in advance for stacking the voting machines received from particular polling stations. The arrangement for this should follow the serial number of polling stations.

All balloting unit(s) and control unit received from one polling station must invariably be kept together at one place on the same square. The control unit should be kept on top of the balloting unit(s). One copy of the account of votes recorded and the paper seal account of each polling station should be kept on top of the control unit pertaining to the polling station. The duplicate copy of the account of votes recorded and the paper seal account should be kept under your safe custody alongwith the Presiding Officers Diary.

Sufficient space should be left between rows of voting machines as they are being stocked so that other machines received subsequently out of turn (from the point of view of serial

numbers of the polling stations) may be kept at their appropriate allotted space without the necessity of having to shift any of the voting machines received and stacked earlier in point of time.

If any of the contesting candidates so desires, he may be permitted to post an agent to keep watch at the place where the voting machines are stored pending the counting and allow him to affix his own seals to the doors and windows of the building in which voting machines have been stored in addition to the seals that may be affixed by you. It should also be ensured that immediately after all the voting machines have been received and stored, the room is locked forthwith. Thereafter, no one is allowed to go in until the morning of the day fixed for counting. If during this interval, for some unavoidable reason, the room has to be opened you should send for the candidates or their authorised representatives by giving them intimation in writing and open the room in their presence and immediately after the purpose for which the room is opened is over, the candidates or their representatives should again be allowed to put their seal the door lock and windows.

Whenever it is necessary to open the room where the voting machines are stored, proper entries should be made in the log book giving details of the persons entering the room, the purpose of such entry, time of entry, time of exit, signature of the guards, etc.

These instructions will also apply mutatis mutandis to the storage of the voting machines during the interval between the original count and the recount, if any.

49. SAFE CUSTODY OF METAL SEALS, RUBBER STAMPS, ETC.

According to the instructions issued by the Commission, (1) the metal seal of the Presiding Officer and (2) the arrow cross mark rubber stamp for marking the tendered ballot papers used at the polling station will be put by the Presiding Officer inside the second bigger envelope containing non-statutory items. Before placing them inside the bigger envelope, these items of election materials should be first put inside separate envelopes on the outside of which the names of the articles should be superscribed and you should arrange to collect the packets containing these articles and deliver them as soon as may be practicable after the poll to the Deputy Commissioner for safe custody. These articles after they are returned by the Presiding Officers and duly accounted for, can be used at any subsequent election, if still serviceable.

50. ALLEGATION AGAINST POLLING STAFF

Whenever specific allegations of a serious nature are made in writing against the Presiding Officer or the polling staff about his conduct during polling at an election, you should inquire into the matter as soon as practicable and send the papers together with your report to the Deputy Commissioner and the Commission. Where, however, the complaint is anonymous, you should exercise your discretion in deciding whether it deserves to be inquired into or not.

51. RETURNING OFFICER TO BE IN HEADQUARTERS ON POLL DAY

You or your Assistant Returning Officer should be available on the polling day at a definite place near a telephone in the or as near the ward as possible and the SEC, Deputy Commissioner, Observers, candidates, Presiding Officers and zonal officers should know where you will be available for contact and instructions as and when necessary.

52. DEATH OF A CANDIDATE BEFORE POLL

Rule 33 of the Rules, 1978 or Rule 34 of the Rules, 1994 as the case may be provides that if a candidate dies before the poll and after the date fixed for nomination of candidate and his nomination is or has been accepted as valid by the Returning Officer, all proceedings w.r.t. the election of a member in the constituency or constituencies in which he was a candidate shall be commenced anew in all respect as if for a fresh election. No fresh nomination shall be necessary in the case of a candidate whose name is entered on a list of contesting candidate posted under the provisions of Rule 30.

The Returning Officer, on being satisfied about the fact of the death of the candidate, immediately report the fact to the Deputy Commissioner/ SEC.

53. PROCEDURE FOR HOLDING FRESH POLL

Under Rule 58 of the Rules, 1978, the SEC is competent to declare the poll at a polling station to be void, if at that polling station -

- (i) any voting machine has been unlawfully taken away by an unauthorised person, or
- (ii) Any voting machine has been accidentally or intentionally destroyed or lost or damaged or tampered with and you are satisfied that the result of the poll at that polling station cannot be ascertained for that reason, or
- (iii) any voting machine develops a mechanical failure during the course of the recording of votes, or
- (iv) any error or irregularity in procedure as is likely to vitiate the poll has been committed.

You should report the facts forthwith to the SEC through the Deputy Commissioner.

After considering all the material circumstances, the SEC will, if necessary.

- (i) declare the poll at the polling station to be void; and
- (ii) formally fix the date and hours for a fresh poll.

On receiving intimation from the SEC, you should inform in writing the contesting candidates or their election agents of the date, time and place fixed for the fresh poll and affix a notice on your notice board, notifying the date and hours so fixed. Also, you should announce by beat of drum or otherwise in the polling area concerned the place, date and hours so fixed.

All electors entitled to vote at the polling station or stations in question will be entitled to vote at the fresh poll. The marks of the indelible ink made at the original poll should be ignored at the fresh poll. To distinguish the marks to be made at the fresh poll from those already

made at the original poll, the SEC directs that the mark of the indelible ink should be put on the voter's left middle finger at the fresh poll.

A new voting machine [the balloting unit(s) as well as the control unit] and a new marked copy of electoral roll shall be used at the fresh poll.

The provisions of the Rules 1978 and Orders made thereunder will apply to the fresh poll in exactly the same way as they apply to the original poll. All the voting machines used for the original poll at the polling station(s) where fresh poll has been directed by the Commission should be preserved carefully, unopened and with the seals intact.

54. PROCEDURE FOR HOLDING FRESH POLL IN CASE OF BOOTH CAPTURING

If booth capturing has been taken place at a polling station in such a manner that the result of the poll of that polling station cannot be ascertained, the Returning Officer shall forthwith report the matter to the SEC. On receipt of that report from the Returning Officer, the SEC shall, after taking all material circumstances into account, either (i) declare the poll at that polling station to be void and direct a fresh poll to be taken on a date to be appointed by it, or (ii) countermand the election if it is satisfied that in view of the large number of polling stations involved in booth capturing the result of the election is likely to be affected.

55. CLOSING OF VOTING MACHINE IN THE CASE OF BOOTH CAPTURING

Where the Presiding Officer of a polling station is of the opinion that booth capturing is taking place at the polling station, he shall immediately close the control unit of the voting machine to ensure that no further votes can be recorded and he shall detach the balloting unit(s) from the control unit.

The Presiding Officer should resort to closing the voting machine as mentioned above only when he is certain that the booth capturing is taking place and not on a mere apprehension or suspicion about the possibility of booth capturing. This is so because once the control unit is closed by pressing the close button, the voting machine will not record any further votes and the poll will have to be necessarily adjourned either for the day or temporarily till the new voting machine is provided to him for the conduct of further poll at the polling station.

As soon as may be after a Presiding Officer has closed the voting machine, he should report the matter with full facts to the Returning Officer. The Returning Officer shall, in turn, report the full facts of such case to the Deputy Commissioner/ SEC through the fastest means of communication available.

The SEC, on receipt of the report from the Returning Officer and after taking into account all material circumstances, may

- (i) either decide to have the adjourned poll completed from the stage it was adjourned by providing a new voting machine, if it is satisfied that the poll upto that stage was not vitiated, or

- (ii) declare the poll at the polling station as void, if it is satisfied that the poll was vitiated and direct a fresh poll at that polling station.

Further steps to complete the adjourned poll or, as the case may be, conduct a fresh poll as directed by the SEC shall be taken in accordance with the procedure prescribed for original poll.

56. REPORTS TO THE SEC ABOUT POLLING

The SEC desires that it should be kept informed of the progress of poll on the polling day. The SEC has accordingly instructed that each Returning Officer should send a comprehensive report giving details of every important event in the format at **Annexure - XLII**.

The report should reach the SEC by 07.00 hours next morning, i.e., the day immediately following the day of poll. It should be submitted in the format prescribed by the SEC. The report should be sent by the quickest available means of communication.

It should be noted that the failure to send any of the reports in time will be viewed by the SEC as a gross failure of statutory duty on the part of the Returning Officer concerned and will lead for serious consequences.

CHAPTER XIX

COUNTING OF VOTES

1. COUNTING OF VOTES

Counting of votes is one of the most important stages of the election procedure. The result of the entire election may be nullified by wrong, irregular or careless counting. Being entrusted with this important work, you should exercise great vigilance on the work of the counting and also in maintenance of discipline inside the counting hall.

Under the traditional system of voting by means of ballot papers and ballot boxes, the counting of votes is a very complex, laborious and time-consuming process. The validity of each and every ballot paper polled at an election has to be decided after proper scrutiny and examination of each such ballot paper. Very often, there are controversies with regard to the availability or otherwise of a ballot paper and the Returning Officers has to resolve such controversies in respect of each such ballot paper under dispute. All these are totally eliminated by the use of the voting machine. The machine records correctly each vote cast by a voter by means of the voting machine and keeps an exact and up-to-date account candidate-wise of each vote so cast. All votes cast by means of voting machines are valid votes and as such there will be no invalid or rejected vote in respect of any polling station where the voting machines have been used. Thus, the process of counting has become very simple, easier and quicker because of the voting machines. Nonetheless, you must follow the instructions given in the following paragraphs to the minutest details so that the counting of votes takes place perfectly and there is no doubt in the minds of any candidate or his agent with regard to the result of the election. It should also be ensured that counting supervisors and counting assistants are imparted intensive training so that they carry out their duties properly.

2. LEGAL PROVISIONS

The counting of votes at an election where voting machines are used is regulated by the provisions of rule 69U of the Rules, 1978.

The provisions of rules relating to time and place for counting of votes, appointing of counting agents and revocation of such appointments, admission to the place fixed for counting and maintenance of secrecy of voting have been made applicable as they apply in relation to counting of votes under traditional system of ballot papers and ballot boxes is followed. The provisions of rule relating to the counting of postal ballot papers also apply in the case of a ward where voting machines are used, because the system of postal ballots is the same. Rule 69T of the rules, 1978 provides for scrutiny and inspection of voting machines before the counting, actual counting of votes recorded in the voting machines and declaration of result and sealing of voting machines after the counting respectively.

3. DATE, PLACE AND TIME FOR COUNTING

You should fix the date and time of counting in the Ward/Municipality for which you are the Returning Officer having regard to the directions of the SEC.

In case of adjournment of poll at any or some polling stations under rule 69S of the Rules, 1978, the counting of votes shall not commence, till the adjourned poll is completed.

The place for the counting of votes in a Municipality is left to your discretion. It may either be at your own office or any other place, which you may consider to be convenient for the purpose.

The SEC will fix the date and time for commencement of counting of votes and that day is usually common for all Municipalities.

You should give notice in writing to each candidate or his election agent about the date, place and time of counting atleast one week before the date fixed for poll in the Ward / Municipality in Form prescribed in **Annexure - XLIII**

If, for any unavoidable reason, you are unable to proceed with the counting on the date or time or at the place so fixed and communicated to the candidates, you can postpone the counting and fix another date or time or, if necessary, another place for the counting of votes. In the case of date or time or place of counting, you should also obtain prior approval from the SEC. You should give notice of every change in writing to each candidate or his election agent.

The counting hall must be spacious enough to accommodate you, the counting personnel, the candidates and their agents. For this purpose, you should decide in advance the number of counting tables that you propose to provide in the counting hall.

There should be proper lighting arrangements. Stand-by arrangements like generator or gas light should be provided to tide over emergencies created by power failure. As far as practicable, the counting of votes in temporary structures should be avoided as dust storms or rains etc, would affect the process of counting in such places. However, it becomes unavoidable to arrange the counting in temporary structures, care should be taken to post security guards and fire brigades (or other arrangements for extinguishing fire) to emergencies.

In each counting hall, barricades should be provided for each counting table so that counting agents are prevented from handling the control unit. However, the counting agent must be provided all reasonable facilities to see the whole counting process at the counting table. This can be achieved by ensuring that barricades are transparent or that the space in between or above the bamboos or other material used for purpose of erecting barricades, is adequate to permit full viewing of the counting process. The exact manner in which barricades may be erected is left to the discretion of the Returning Officer who has to adopt such approach as he may deem fit for attaining the objective of ensuring that the agents, etc. do not get an opportunity of handling and/or tampering with the control units in any manner.

4. COUNTING AT ONE PLACE

When the counting of votes for the entire Municipality is done at one place under your direct supervision.

In case the number of contesting candidates is more than sixteen, you may, with the prior approval of the SEC, increase the number of counting halls even in respect of one ward or

wards of a Municipality depending on the number of contesting candidates and the size of the counting halls, so that dispersal of counting agents can be made in such a manner as to avoid overcrowding in one counting hall. Such additional counting halls should be provided in the same building, as far practicable.

The law enables your Assistant Returning Officers also to count votes. If you are the Returning Officer for more than one Ward your Assistant Returning Officers can take up the counting. Such counting should be arranged in near-by buildings so that you can keep an effective check at all such places of counting.

5. NUMBER AND ARRANGEMENT OF COUNTING TABLES

Counting of votes should be done on tables arranged in rows. Decide in advance how many counting tables you are going to have at each place of counting. Upon that will depend the number of counting supervisors and counting assistants that you will need to appoint and the number of counting agents that each candidate will be entitled to appoint. The size of the counting hall, in most cases, will determine the number of counting tables at which the votes can be counted simultaneously.

A layout of a model counting hall is given in **Annexure - XLIV**.

6. STATIONERY REQUIRED AT THE COUNTING TABLE

Provide every counting table with the following stationery:-

- i. one ball-point pen of blue ink;
- ii. a knife for breaking open the seals;
- iii. accounts of votes recorded in Part I of Form 18 result of counting will be noted by the counting supervisor/Presiding Officer in Part-II of that Form;
- iv. two sheets of paper.

7. NUMBER OF COUNTING AGENTS

Each candidate should be allowed to appoint as many counting agents as there are counting tables and one more to watch the counting at the Returning Officer's table.

8. LETTERS OF APPOINTMENT OF COUNTING AGENTS

Inform the candidate about the number of counting agents they can appoint. A candidate may appoint all his counting agents by a single letter in Form 2B suitably modified. In that case, all the agents should also have signed the letter in token of their acceptance of the appointment and should sign the declaration later in your presence.

9. SEATING ARRANGEMENTS FOR THE COUNTING AGENTS

You shall arrange the seating arrangements for the counting agents of candidates at the counting tables by the following categories of priority:-

- i. Candidates of recognised National parties;
- ii. Candidates of recognised State parties;
- iii. Candidates of registered- political parties; and
- iv. Independent candidates.

10. BADGES FOR COUNTING AGENTS

Each counting agent may have a badge indicating whose agent he is and the serial number of the table at which he will watch the counting. Each counting agent should affix his signature in full on the badge immediately after it has been issued to him. He should keep seated near the table allotted to him and should not be allowed to move about all over the hall. The extra counting agent may sit and watch the proceedings at your table. However, as far as possible in order to avoid overcrowding at your table, only one person whether the candidate himself or his election agent or his counting agent should be present at a time at that table on behalf of a contesting candidate.

The candidates and their election agents will be free to go round to any part of the hall. In the absence of both the candidate and his election agent, his extra counting agent at your table may be allowed to go round to any part of the hall.

11. APPOINTMENT OF COUNTING PERSONNEL

You may appoint such staff as you may require for assisting you in the counting. Such appointments may be made in the Form 2B. They should be given intensive training in counting.

You should not appoint as counting supervisor or as counting assistant any one who has been employed by or on behalf of, or has otherwise been working for a candidate in or about an election.

At each table there should be one counting supervisor and one counting assistant.

In addition, appoint a sufficient number of Class IV Government employees also as counting attenders to carry the voting machines to and from the counting tables.

12. PERSONS ALLOWED IN THE COUNTING HALL

Only the following persons can be allowed inside the counting hall

- i. counting supervisors and counting assistants;
- ii. persons authorised by the SEC;
- iii. public servants on duty in connection with the election; and
- iv. candidates, their election agents and counting agents.

Before counting begins see that no one else is present in the room.

You should note that expression of 'public servant on duty' in connection with election does not normally include police officers; such officers whether in uniform or in plain clothes should not, as a general rule, be allowed to enter inside the counting hall, unless you decide to call them in for the maintenance of law and order or some similar purpose. Their presence in the counting hall without any compelling reason has on occasions given rise to complaints by some candidates or parties who have alleged that their agents has been overawed by an unnecessary show of force.

You should also note that the above expression public servant on duty in connection with election does not include the Ministers, State Ministers and Deputy Ministers of the Union and the States. They can come inside the counting hall only as candidates. They cannot be allowed to be appointed as election agents or counting agents as they have to be escorted by their security guards who can not be allowed entry into the counting hall.

You should note that no counting agents is to be admitted into the place fixed for counting, unless he has delivered to you the second copy of his appointment letter in Form 2B after duly completing and signing the declaration contained therein, and has been issued by you an authority for such entry. Similarly the election agents of the candidates may also be asked to produce the attested duplicate copy of their appointment letters.

Entry of persons should be strictly regulated as detailed above. No unauthorised person should be allowed to enter the place of counting in any circumstance.

[**N.B.** No security personnel accompanying the candidates or their agents should be permitted to enter the counting hall.]

13. MAINTENANCE OF DISCIPLINE AND ORDER AT COUNTING

In the performance of your duties, you are only bound by the instructions of the SEC. You are not to take orders from or show any favour to your official superiors or political leaders including Ministers. Even in the matter of request for entry into the counting hall from these, you should allow them only if they are in possession of a valid authority letter issued by the Deputy Commissioner/ SEC.

If you or the Assistant Returning Officer or other officers have a reasonable doubt about the presence of any person in the counting hall, you can have him searched, if necessary, even though the person concerned may be in possession of valid authority letter to enter the place of counting.

Post police constables on duty at the door or doors of the counting hall. Do not allow any person to enter or leave the room without your permission. You must ensure that complete order and discipline prevail and counting takes place in a business like manner. You may send out of the counting hall any person who persists in disobeying your directions.

You should not allow smoking inside the counting hall. The persons may go out, if they desire to smoke, without, however, causing any dislocation in the counting process.

14. COMMENCEMENT OF COUNTING - WARNING ABOUT MAINTENANCE OF SECRECY

Commence the counting at the hour fixed for the purpose. Everyone present in the counting hall should be instructed to maintain secrecy of vote. For that purpose, the provisions of section 275 of the Act, 1978, should be brought to the notice of everyone by reading that section aloud.

15. COUNTING OF VOTES RECEIVED BY POST

The postal ballot papers are to be counted first. You should first deal with the postal ballot papers.

Covers in Form 15 containing postal ballot papers received after the hour fixed for the commencement of the counting of votes should not be opened. They should be rejected and kept in a separate packet and sealed, noting thereon the appropriate particular.

The covers in Form 16 received in time should be opened one after another. As each cover is opened, you should take out the declaration in Form 14 and scrutinize the declaration. If the declaration in Form 14 is not found in the cover or the declaration has not been duly signed and or not attested by an officer competent to do so or is otherwise substantially defective or if the serial number of ballot paper appearing in the declaration is different from the serial number on the cover in Form 15 the cover containing the postal ballot paper should not be opened but the ballot paper should be rejected. Each such rejected cover should be endorsed suitably and the declaration and the cover should be placed in the cover in Form 16. All such covers in Form 16 should be kept together in a separate packet duly sealed and full particulars such as the name and number of the ward and Municipality, the date of counting and a brief description of contents should be noted thereon for easy identification. All the declarations in Form 14, which have been found to be in order, should then be kept in separate packet in order to ensure that the secrecy of the postal ballot is kept inviolate. The packet should then be sealed noting thereon the particulars regarding the name and number of the ward, the date of counting and brief description of the contents. This should be done before the covers in Form 15 containing the ballot papers are opened.

Thereafter the covers in Form 15 should be opened one after another and the validity of the ballot papers scrutinized and decisions arrived at. A postal ballot paper should be rejected.

- i. if no vote is recorded thereon; or
- ii. if votes are given on it in favour of more candidates than one; or
- iii. if it is a spurious ballot papers; or
- iv. if it is so damaged or mutilated that its identity as a genuine ballot paper cannot be established; or
- v. if it is not returned in the cover sent along with it to the elector by you; or
- vi. if the mark indicating the vote is placed on the ballot paper in such a manner as to make it doubtful to which candidate the vote has been given; or
- vii. if it bears any mark (other than the mark to record to vote) or writing by which the voter can be identified.

There is no particular mark required by law to be made by a voter to indicate his vote on a postal ballot paper. Any mark can be accepted as valid so long as it has been so made and so placed on the ballot paper that the intention of the voter to vote for a particular candidate is clear beyond any reasonable doubt. Thus a mark made anywhere in the space allotted to that candidate should be taken as a valid vote in favour of the candidate concerned. Again a vote recorded on a postal ballot paper should not be rejected merely on the ground that the mark indicating the vote is indistinct or made more than once, if the intention that the vote should be for a particular candidate clearly appears from the way the ballot paper is marked.

The valid votes should then be counted and each candidate credited with the votes given to him. The total number of postal votes received by each candidate should then be calculated, entered in the Result Sheet as in Form 8 (**Annexure-XLV**) in the appropriate place and announced for the information of the candidates.

Thereafter, all the valid ballot papers and all the rejected ballot papers should be separately bundled and kept together in a packed and sealed with your seal and the seals of such of the candidates, their election agents or counting agents as may desire to affix their seals thereon. The particulars such as the name & number of the ward with the name of the Municipality the date of counting and a brief description of the contents should be recorded on the sealed packet for identifying it. Postal Ballot Covers in Form 15 received late, should be sealed separately with endorsement on the top of the packet.

16. SCRUTINY AND INSPECTION OF CONTROL UNITS

While you are engaged in counting the votes received by post, the work of distribution of control units of voting machines on the various counting tables can be done. Distribution of control units to the counting tables should be done in the serial order of the polling stations, that is to say, in the first round of counting control unit used at polling station number 1 should be given to the counting table number 1, that of polling station number 2 to the counting table number 2, and so on.

At the time of counting, only the control unit of the voting machine is required for ascertaining the result of poll at the polling station at which the control unit has been used. The balloting unit is not required. Nevertheless, the balloting units received from the polling stations should be kept along with the control units polling station-wise at the storage centre as is done in the case of the polled ballot boxes received from the polling stations. However, as mentioned above, only the control unit of the voting machine may be taken to the counting table. The balloting unit may be taken to the counting hall only if its inspection becomes necessary in any particular case on demand by any candidate or his agent or otherwise.

Along with the control unit used at a polling station, the relevant Account of Votes Recorded in Form 18 pertaining to that polling station should also be supplied to the counting table.

17. CHECKING SEALS ON CONTROL UNITS

Before the votes recorded in any control unit of a voting machine are counted, the candidates or their election agents or their counting agents present at the counting table shall be allowed to inspect the outer strip seal, the special tag, the papers seals and such other vital seals as may have been affixed on the carrying case and the control unit and to satisfy themselves that the seals are intact. You shall also satisfy yourself that none of the voting machines is tampered with. If you are satisfied that any voting machines has in fact been tampered with, you shall not count the votes recorded in that machine and shall follow the procedure laid down in rule 69S of the Rules, 1978 applicable in respect of the polling station where that machine was used.

18. OPENING OF CARRYING CASES OF CONTROL UNITS

The control units are received from the polling stations duly kept and sealed in their carrying cases by the Presiding Officers. As each carrying case is brought to the counting table, the seals put thereon by the Presiding Officer at the polling station should be examined. Even if the seal of a carrying case is not intact in any case, the control unit kept therein could not have been tampered with if the seals thereon and particularly the paper seals on that unit are intact.

Remove the seals from the carrying case, take out the control unit and place it on the counting table for the inspection and checking of seals thereon by the candidates or their agents present at the counting table.

19. CHECKING OF SEALS AND IDENTITY MARKS ON THE CONTROL UNIT

As each control unit is taken out of the carrying case, check its serial number and satisfy yourself that it is the same control unit which was supplied by you to the Presiding Officer for use at that polling station. Then, check the Outer Strip Seal, the seal on the Candidate Set section of the control unit which had been put at your level before the supply of the machine to the polling station and Special Tag which must have been put by the Presiding Officer at the polling station. Even if any of these seals is not intact the control unit could not have been tampered with if the paper seals put on the inner cover of the Result Section are intact.

20. COMPARISON OF THE SERIAL NUMBER OF THE PAPER SEAL

Remove the outer strip seal and the seal on the outer cover of the Result Section and open that cover. On opening the outer cover of the Result Section you will see the inner cover sealed with the special tag and seal of the Presiding Officer. Check this seal also. Even if the seal is not intact, the control unit could not have been tampered with if the paper seal is intact and has not been tampered with. In the inner cover of the Result Section, there will be a green paper seal.

That serial number on the paper seal should be compared with the serial number as given in the paper seal account prepared by the Presiding Officer in Item 9 of Part I of Form 18. Allow the candidates or their agents present at the counting table also to compare such serial numbers of the paper seal and special tag and satisfy themselves that the paper seal and special tag are the same which were fixed by the Presiding Officer at the polling station before the commencement of poll.

If the serial number of the paper seal actually used in the control unit does not tally with the serial number as shown by the Presiding Officer in the paper seal account, it may be that the paper seal account contains a mistake or there would be a prima facie suspicion that the voting machine has been tampered with. Decide the question by checking the serial numbers of the unused paper seal returned by the Presiding Officer and other relevant circumstances including complaints, if any, made by the candidates or their agents at the polling station. If you find it to be the case of clerical mistake, ignore the discrepancy.

21. CONTROL UNITS TO BE KEPT APART IF FOUND TAMPERED WITH

On the other hand, if you are satisfied that the voting machine has been tampered with, or is not the same which was supplied for use at that polling station, the machine should be kept apart and the votes recorded therein should not be counted. You should report the matter to the SEC by following the procedure mentioned in the following paras. Under the law, it is not necessary to adjourn the entire counting if any voting machine has been found by you to have been tampered with. You should, therefore, proceed with the counting in respect of the other polling stations.

22. ASCERTAINING THE RESULT

After satisfying that the paper seal is intact, the control unit is the same as was supplied at the polling station and there is no tampering with the same, the votes recorded therein

shall be counted. For counting of votes recorded in the machine, the following procedure should be followed:-

- i. Switch 'on' the control unit by pushing the power switch provided in the rear compartment to 'on' position. The 'On' lamp in the Display Section of the control unit will then glow green.
- ii. Pierce the paper seal over the Result I Button provided below the upper aperture of the inner cover of Result Section.
- iii. Press the Result I Button.
- iv. At the Result I Button being so pressed, the total number of votes recorded for each candidate the polling station shall be displayed automatically in the Display Panels of the control unit. Supposing, there are nine contesting candidates and the total number of votes polled at the polling station is 758, the votes secured by each candidate will be displayed on the Display Panels in the following sequences:-

	9
to	758
01	109
02	59
03	77
04	263
05	38
06	02
07	51
08	94
09	61
	END

- v. Note down the above result as displayed sequentially candidate-wise in Part II - Result of Counting of Form 18.

If required, press the Result I Button again to enable the candidates and/or their agents to note down the above result.

After the result has been noted, close the cover of Result Section and switch 'OFF' the control unit.

23. COMPLETION OF PART II - RESULT OF COUNTING OF FORM 18

As the votes secured by each candidate are displayed on the Display Panels of the control unit, the counting supervisor should record the number of such votes separately in respect of each candidate in Part II - Result of Counting in Form 18. He should also note down in the said Part II of Form 18 whether the total number of votes as shown in that Part tallies with the total number of votes shown against Item 5 of Part I of that Form or any discrepancy has been noticed between these two totals. After completing that form in all respects, the counting supervisors should sign it. He should also get it signed by the candidates or their agents present at the counting table.

After the counting supervisor has duly filled-in Part II of Form 18, signed it and got it signed by the candidates or their agents, he should handover that Form to the Returning Officer. The Returning Officer should countersign the Form after satisfying himself that the same has been properly filed and completed in all respects. The Form so countersigned by the Returning Officer should be compiled the final result and preparing the Final Result Sheet as in Form 8

24. ASCERTAINING THE RESULT WHEN COUNTING IS TO BE MADE BY THE PRESIDING OFFICER AT ITS POLLING STATION.

After satisfying that the paper seal is intact, the control unit is the same as was supplied at the polling station and there is no tampering with the same, the votes recorded therein shall be counted. For counting of votes recorded in the machine, the following procedure should be followed:-

- i. Switch 'on' the control unit by pushing the power switch provided in the rear compartment to 'on' position. The 'On' lamp in the Display Section of the control unit will then glow green.
- ii. Pierce the paper seal over the Result I Button provided below the upper aperture of the inner cover of Result Section.
- iii. Press the Result I Button.
- iv. At the Result I Button being so pressed, the total number of votes recorded for each candidate the polling station shall be displayed automatically in the Display Panels of the control unit. Supposing, there are nine contesting candidates and the total

number of votes polled at the polling station is 758, the votes secured by each candidate will be displayed on the Display Panels in the following sequences:-

	9
to	758
01	109
02	59
03	77
04	263
05	38
06	02
07	51
08	94
09	61
	END

- v. Note down the above result as displayed sequentially candidate-wise in .Part II - Result of Counting of Form 18.

If required, press the Result I Button again to enable the candidates and/or their agents to note down the above result.

After the result has been noted, close the cover of Result Section and switch 'OFF' the control unit.

25. COMPLETION OF PART II - RESULT OF COUNTING OF FORM 18

As the votes secured by each candidate are displayed on the Display Panels of the control unit, the Presiding Officer should record the number of such votes separately in respect of each candidate in Part II - Result of Counting in Form 18. He should also note down in the said Part II of Form 18 whether the total number of votes as shown in that Part tallies with the total

number of votes shown against Item 5 of Part I of that Form or any discrepancy has been noticed between these two totals. After completing that form in all respects, the Presiding Officer should sign it. He should also get it signed by the candidates or their agents present at the counting table.

After the Presiding Officer has duly filled-in Part II of Form 18, signed it and got it signed by the candidates or their agents, he should handover that Form to the Returning Officer. The Returning Officer should countersign the Form after satisfying himself that the same has been properly filed and completed in all respects. The Form so countersigned by the Returning Officer should be compiled the final result and preparing the Final Result Sheet as in Form 8

26. COMPLETION OF FINAL RESULT SHEET

If you are counting the votes of ward you have to prepare the Final Result Sheet only in the proforma given in Form 8. The number of votes polled by each candidate by means of postal ballot papers has also to be shown against the appropriate entry provided in that proforma.

After the total number of votes polled by each candidate at every polling station and by means of postal ballot papers has been entered in the Final Result Sheet, strike thereon the grand total of the number of votes credited to each candidate, and also the grand total of postal votes.

While striking this grand total, the entire Final Result Sheet should be carefully checked and it must be ensured that entries have been made therein in respect of each and every polling station and that the Final Result Sheet is not incomplete in any respect.

If the SEC has directed a fresh poll at any polling station, only the result of counting in respect of the fresh poll should be incorporated in the Result Sheet. The grand total should not be struck until the result of counting in respect of such fresh poll has been incorporated in the Result Sheet.

The grand total should also be correctly struck as any incorrect totaling may materially affect the result of election and the declaration of result which has to be made on the basis of this Form. Any discrepancy in the Final Result Sheet will be very seriously viewed by the SEC and will invite severe disciplinary action.

27. RECOUNT

Normally, there will be no question of recount of votes recorded in the voting machines. Every vote recorded by the voting machines is a valid vote and no dispute will arise as to its validity or otherwise. At the most, some candidates or their agents may not have noted down properly the result of voting at any particular polling station when the control unit displayed that information. If necessity arises for re-verification, the same can be done by pressing the Result Button, whereupon the result of voting at that polling station will again be displayed in the Display Panels of that control unit.

Despite the necessity for recount being totally eliminated by the use of voting machines, the provisions relating to recount contained in rule 61 of the Rules, 1978, still apply in relation to your ward. Accordingly, when the counting is completed and the Final Result Sheet has

been prepared, you should announce the total number of votes polled by each candidate as entered in the Final Result Sheet. You should then pause for a minute or two. If during this period any candidate or, in his absence, his election agent or any of the counting agents, asks for a recount, you should ascertain from him as to how much time he would require for making an application for recount in writing. If you consider that the time applied for is reasonable, allow it and announce the exact hour and minute upto which you will wait for receiving the written application for recount. You should not sign the Final Result Sheet until after the expiry of the time so announced.

When an application for recount is made, you should consider the grounds urged and decide the matter. You may allow the application in whole or in part if it is reasonable or you may reject it in toto, if it appears to you to be frivolous or unreasonable. Your decision will be final, but in every case you should record a brief statement of your reasons for your decision.

If in any case, you allow an application for recount either wholly or in part, you shall have the votes recorded in the voting machines counted over again in accordance with your decision. The postal ballot papers will also be counted over again if so decided by you. After the recount, correct the final result sheet to the extent necessary. Announce the amendments so made, if any, by you. After the total number of votes polled by each candidate after recount has been announced by you, complete and sign the Result Sheet.

As the Returning Officer, your duty is to count accurately the votes and you have therefore always the right to order your staff to recount the votes. But the right of a candidate to demand a recount under rule 61 of the Rules, 1978, does not mean that recount can be granted for the mere asking. The party demanding recount has to make out a prima facie case that the return was not accurate and recount is necessary in the interest of justice.

It would be unreasonable to demand second recount if the first recount showed only minor variations from the first count and at the same time showed a very substantial majority in favour of one candidate. On the contrary, it would be reasonable to demand further recount where the margin between first two candidates is close and where previous recount has shown differing results.

But you would be justified in refusing a further recount when the previous recount showed the same result even if the difference between the contesting candidates may be very small.

[N.B. No candidates has a right to demand a recount after you have completed and signed the Final Result Sheet. Reject any demand for any recount of votes after you have completed and signed the Final Result Sheet.]

28. ADJOURNMENT OF COUNTING

You should proceed with the counting at each place continuously. In case you have to suspend or adjourn the counting before its completion for any unavoidable reason, seal up all the voting machines and also all other papers relating to elections. Allow every candidate or his agent, if he so desires, to place his seal on every voting machine and packet, etc., in which the election papers are kept.

[**N.B.** It is preferable to keep all the sealed voting machines and packets, etc., in a separate room and have the room sealed and secured with your seal and the seals of candidates or their agents. Alternatively, the candidates may put their own locks in addition to yours on such room.]

The Observers appointed by the SEC under section 13 D of the Act, 1973 have the power to direct you to stop the counting of votes at any time before the declaration of the result or not to declare the result, if in the opinion of the Observer booth capturing has taken place at a large number of the polling stations or at places fixed for the poll or counting of votes or any ballot papers used at a polling station or at a place fixed for the poll are unlawfully taken out of your custody or are accidentally or intentionally destroyed or lost or are damaged or tampered with to such an extent that the result of the poll at the polling station or placed cannot be ascertained. In such case, the Observers have no power to order re-commencement of the counting. It will recommence only on the order of the SEC.

29. PROCEDURE TO BE FOLLOWED IN CASE OF DESTRUCTION, LOSS, ETC., OF VOTING MACHINES BEFORE COMPLETION OF COUNTING

The SEC is competent to direct, after taking all material circumstances into account, the counting of votes to be stopped and, if necessary, order fresh poll if it is reported by the Returning Officer before completion of the counting of votes that the voting machine used at a polling station has been

- i. unlawfully taken out of his custody, or
- ii. accidentally or intentionally destroyed or lost, or
- iii. damaged or tampered with, to such an extent that the result of the poll at that polling station cannot be ascertained. If any such occasion arises, you should forthwith report full facts of the case to the SEC and await its directions in regard to the counting of votes.

30. PROCEDURES TO BE FOLLOWED IN THE CASE OF BOOTH-CAPTURING AT THE COUNTING CENTRE

Under Section 30 of the Act, 1994 read with Section 275A of the Act, 1973, if booth-capturing takes place at any place of counting in such a manner that result of the counting at that counting center cannot be ascertained, the Returning Officer shall forthwith report the matter to the SEC through the Deputy Commissioner.

On receipt of the report of the Returning Officer, the SEC shall, after taking all material circumstances into account, either direct a repoll at the affected polling stations or countermand the election. Therefore, once you have reported the matter to the SEC, under Rule 69S of the Rules, 1978, await its directions in this regard and proceed further according to its directions when received.

31. COUNTING AFTER REPOLL

If any repoll has been held at a polling station in accordance with the directions given by the SEC, you should fix the date, time and place for counting the votes recorded in such repoll and give notice of the same in writing to every candidate or his election agent. You should follow the same procedure as detailed above for such further counting as far as it is applicable.

32. RESEALING OF VOTING MACHINES AFTER COUNTING

After the result of voting recorded in a control unit has been ascertained candidate-wise and entered in Part II - Result of Counting of Form 18 and in the Final Result Sheet as in Form 8, the control unit is required under rule 69V of the Rule, 1978, to be resealed with the seal of the Returning Officer and the seals of such of the candidates or their election agents who may desire to affix their seals thereon. The resealing has however to be done in such a manner that the result of voting recorded in the control unit is not obliterated and the unit retains the memory of such result. The aforesaid resealing of control units should be done in the following manner:-

i. Remove the battery from the Candidate Set Section of the control unit by removing the seal. After the removal of the battery, the cover of the Candidate Set Section should be resealed.

[**N.B.** Removal of the battery is necessary so that it does not leak with the passage of time and damage the machine. Removal of the battery will not however obliterate the result of voting recorded in the control unit as the unit will retain its memory even without the battery.]

ii. Close the outer cover of the Result Section and reseal it.

iii. Keep the control unit so resealed in its carrying case.

iv. Reseal the carrying case.

v. Attach firmly to the handle of the carrying case an address tag containing the following particulars:-

- a) particulars of the election;
- b) name of the constituency;
- c) the particulars of polling station where the control unit has been used;
- d) serial number of the control unit;
- e) date of poll;
- f) date of counting;

The control units so resealed should be kept in specially prepared bigger boxes for safe storage.

The balloting units must have been received by you from the polling stations duly sealed and secured in their carrying cases by the respective Presiding Officers. Normally, these units will not require to be opened at the time of counting. If any balloting unit is taken out of its carrying case for inspection or verification at the time of counting, it should be kept back in its carrying case after such inspection or verification and sealed.

The balloting units should also be kept in specially prepared bigger boxes for safe storage. All the control units and the balloting units used at the election are thus ready for transportation to the place of storage.

33. SAFE CUSTODY OF VOTING MACHINES

Under sub-rule (l) of rule 69V of the Rule, 1978, the voting machines sealed as above shall be kept in the safe custody of the Deputy Commissioner as per Rule 69X of the Rule, 1978, they shall not be opened or inspected by or produced before any person or authority except under the orders of a competent court. The machines so sealed shall be retained intact for such

period as the SEC may direct and shall not be used for next election without the prior approval of the SEC under sub rule (1) of rule 69Y of the Rules, 1978.

34. SEALING OF OTHER ELECTION PAPERS FOR ENSURING SAFE CUSTODY

Apart from the voting machines, there are several other important election papers which require to be sealed and secured for safe custody and storage. Under rule 69X(1) of the Rules, 1978, of the above said Rules the packets of election papers specified therein shall not be opened and their contents shall not be inspected by, or produced before, any person or authority except under the order of a competent Court. Special care has thus to be taken for the safe custody of these papers. These papers are as follows where voting machines are used:-

- (i) the packets of Registers of Voters in Form 12, including the voter slips and votes recorded in Form 18.
- (ii) the packets of unused postal ballot papers with counterfoils attached thereto;
- (iii) the packets of used postal ballot papers whether valid, or rejected (including the packets in which covers containing postal ballot papers received late are kept);
- (iv) the packets of the counterfoils of used postal ballot papers;
- (v) the packets of used and unused tendered ballot papers;
- (vi) the packets of unused (surplus) ballot papers (printed for display on balloting units and for use as tendered ballot papers);

- (vii) the packets of the marked copies of the electoral roll; and
- (viii) the packets of the declarations by electors and the attestation of their signatures.

In view of the important nature of these election papers, these papers should also be sealed with the seal of the Returning Officer.

The papers mentioned at items (iii) and (viii) above shall be made into packets at the time of counting. Such packets shall be sealed by you with your own seal immediately after the counting of the votes is over. You should point out to the candidates or their agents present that it is in their own interest to affix their seals on these packets to avoid any possibility of tampering with these packets.

The packets of papers mentioned at items (i), (v) and (vii) in the above para will be received from the Presiding Officers of the polling stations in duly sealed packets. As these packets are not required for any purpose at the time of counting of votes, each of them should be immediately sealed with the seal of the Returning Officer as soon as they are received at the Reception centre and placed in steel trunk(s).

You should put a responsible Officer-in-Charge for the supervision of the sealing of all packets. Otherwise, there is possibility of important election papers going astray which would create complications and confusion if and when a competent Court orders the production of these papers.

Each steel trunk shall be locked with two locks and each lock shall be sealed.

35. DRAWING UP OF PROCEEDINGS

After the sealing of the voting machines and election papers at the counting place after the counting of votes, you should draw up proceedings mentioning therein:-

- (i) the full particulars of the candidates/agents present in the counting hall;
- (ii) the fact that they were asked to affix their seals on the voting machines and packets of election paper, if they so desired; and

- (iii) the particulars of persons who had affixed their seals on the voting machines and packets and the particulars of those persons who had refused to do so.

Then, you should sign the proceedings and obtain on it the signatures of such of the candidates / agents as are present and willing to sign. The proceedings should be put inside an envelope which should be sealed and the sealed envelope be kept along with the packets of election papers.

36. SAFE CUSTODY OF ELECTION RECORDS BY DEPUTY COMMISSIONER

Immediately after the declaration of result of the election, on the same day and, in any case not later than the noon of the following day, all the voting machines and the sealed trunks(s) containing the packets mentioned in above para should be dispatched to the Deputy Commissioner or the Officer authorised by him at his headquarters and on receipt of the voting machines and the sealed trunks(s) the Deputy Commissioner should forthwith arrange to deposit them for safe custody in the Treasury/Sub-treasury under double lock. The key of one of the locks of each trunk will be entrusted to the Treasury Officer or an Officer in the Treasury/Sub-treasury authorised under the Treasury Code and the key of the other lock of each trunk should be kept by the Deputy Commissioner himself a senior officer nominated for the purpose by the Deputy Commissioner.

The armed police guard posted at the room where the voting machines are stored before the counting of votes, should not be removed after the counting is over, but should continue to keep guard of the room till the transport of the voting machines and election records to the District Headquarters. As far as possible, the same guard should be used for protection during the transport also, and this fact should be mentioned in the log book maintained by the guard.

CHAPTER XX

DECLARATION AND PUBLICATION OF RESULT OF ELECTION

1. INTRODUCTORY

After the counting has been completed in all respects you have to proceed to make the formal declaration of result of election.

Before proceeding to do so, you must, however, verify and satisfy yourself that there is no case of any kind which requires to be referred to the SEC for its directions and that there is no general or special direction from the SEC's Observers to withhold the declaration of result in any ward of your Municipality. If that be so, send a detailed report to the SEC forthwith giving all required information and obtain its prior approval before making the declaration of result.

2. DECLARATION OF RESULT

After you have obtained the necessary approval of the SEC, wherever required, to declare the result, you should complete and sign the Final Result Sheet. The candidate to whom the largest number of valid votes have been given should then be declared elected.

3. EQUALITY OF VOTES

If two candidates contesting any seat happen to secure the highest number of votes and their votes are equal in number, the result will have to be declared by draw of lot.

Example - If in a ward A, B, C and D are the contesting candidates and the total number of votes they have secured is as follows :

A-12703
B-17567
C-17567
D-16394

A lot will be drawn between B and C who have each polled the highest number of votes and which are equal. The name of whichever of them is drawn will be declared elected.

4. FORM OF DECLARATION OF RESULT

The formal declaration of result should be made by you in **Annexure - XLVI**.

The date to be given in the declaration should be the date on which result of the election is declared and not the date on which the declaration is dispatched. Even if an occasion arises when you have to rectify some error in your original declaration, there should be no change in that date which should continue to be the date on which the result was declared.

CHAPTER – XXI

Account of election expenses

1. Statutory provisions:

Section 13E of the Act, 1971, deal with matters relating to maintenance, scrutiny, fixing ceiling limits and filing of election expenditure incurred by contesting candidates in elections to Member of Municipality. There is a penal provision in Section 13D of the Act, 1973 read with section 10A of the Representation of People Act, 1951 for failure to lodge election expenditure accounts within the stipulated time and in the manner required by or under the said Act. The above provisions are reproduced below for ready reference.

Account of election expenses (Section 13E):- (1) Every candidate, at any election held under this Act shall, either by himself, or by his election agent, keep a separate and correct account of all expenditure incurred in connection with the election, between the date on which the candidate concerned has filed nomination papers, and the date of declaration of the result of the election, both dates inclusive (hereinafter in this chapter referred to as 'election expenses').

Explanation – 1: Election Expenses' for purpose of this Act shall mean all expenses in connection with the election,-

- (a) incurred, or authorised by the contesting candidate, or by his election agent;
- (b) incurred by any association, or body of persons, or by any individual (other than the candidate or his election agent), aimed at promoting or procuring the election of the candidate concerned; and
- (c) incurred by any political party, by which the candidates is set up, so as to promote or procure his election:

Provided that any expenses incurred by any political party as part of its general propaganda, (which is distinguishable from its election campaign, for the promotion or procuring the election of a particular candidate), by words, either written or spoken, or by signs or visible representations, or by audiovisual devises, or through print or electronic media or otherwise, shall not constitute 'election expenses' for purpose of this Act.

(2) The account of election expenses shall contain such particulars, as may by order, be specified by the SEC.

(3) The total of the said expenses shall not exceed such amount, as may be order, be specified by the SEC.

Lodging of account with the Deputy Commissioner :- Every contesting candidate at an election shall, within thirty days from the date of declaration of the result of the election, lodge with the Deputy Commissioner, an account of his election expenses, which shall be a true copy of the account kept by him, or by his election agent.

Disqualification for failure to lodge account of election (Section 13E):- If the SEC is satisfied that a person,-

- (a) has failed to lodge an account of election expenses within the time limit specified and in the manner required by or under this Act, and
- (b) has no good reason or justification for the failure, the SEC shall, after following the procedure prescribed, by order published in the Haryana Gazette, declare him,-
 - (i) to be ineligible for a period of three years from the date of the said order to contest any election held for any office under this Act, and

- (ii) to have ceased to hold office, in case he is elected.”,

Maximum election expenses-

- (1) No expenses, exceeding such amount, as may be specified by the SEC, by notification, from time to time, shall be incurred or authorized to be incurred by a contesting candidate or his election agent, if any, or on account of or in connection with the conduct and management of the election to the office of member of a ward.
- (2) Every candidate at an election shall, either by himself or by his election agent, keep a separate and correct day to day account of all expenditure in connection with the election, incurred or authorized to be incurred by him, or by his election agent between the date on which he has been nominated and the date of declaration of the result thereof, both dates inclusive.
- (3) It shall be competent for the SEC to issue such instructions, as they may deem necessary for the purpose of carrying out the provisions of sub-section (2) and (3) of Section 13E of the Act, 1973.

Instructions issued by the SEC:

Under Article 243ZA of the Constitution of India and Sections 3A, 13D and 13E of the Act, 1973, the SEC issued instructions on maintenance and scrutiny of accounts of election expenditure and also prescribed formats in which the day-to-day expenditure and periodical abstract of election expenditure shall be maintained by the candidates in its Notification No. SEC/4ME/2006/9706, dated 19.12.2006 (copy thereof is enclosed as **Annexure - XLVII**).

2. Officers designated for inspection:

The SEC has also designated officers for inspection and scrutiny of day to day election expenditure and periodical expenditure maintained by the candidates during campaign period in its Notification No. SEC/4ME/2006/9706, dated 19.12.2006. The expenditure accounts maintained by the contesting candidates for the office of member in the proformas prescribed can be inspected and scrutinized by the returning officer. As per the provision of section 13D read with Section 20B of the Representation of People Act, 1951, the SEC also appoints Election Expenditure Observers during ordinary elections who are also authorized to inspect the election expenditure accounts maintained by the candidates contesting for the said offices.

3. Making election expenditure a public document:

The SEC also issued orders in the Notification No. SEC/4ME/2006/9706, dated 19.12.2006 (that the daily returns and periodical returns of the expenditure should be made transparent by making them available to the public and other contesting candidates. The Returning Officer shall make available photo copies of the returns to other candidates, any member of the public or Non-Gazetted Organizations on demand and on payment of Xeroxing charges or a certified copy as per section 76 of Indian Evidence Act, 1872 and to the media, free of cost, so as to enable them to assist the SEC in effectively implementing the ceiling imposed on election expenditure to be incurred by the contesting candidates.

4. Ceiling limits on election expenditure:

The SEC by notification specifies the ceiling limits on election expenditure that can be incurred by contesting candidates in election to the office Member of Municipality. You shall obtain a copy of the notification from the election authority and circulate among all contesting candidates after obtaining due acknowledgement.

5. Furnishing copies of the notifications, orders issued by the SEC to the candidates:

The Returning Officer shall furnish a copy of the following documents to all the contesting candidates.

1. Notification issued by the SEC fixing ceiling on election expenditure.
2. Orders issued by the SEC on maintenance, scrutiny and inspection of election expenditure accounts by the candidates in the prescribed proforma.

6. Final return of election expenses:

As per the provision of section 13E of the Act, 1973, the final return of election expenses shall be lodged with the Deputy Commissioner in respect of a candidate who has contested election within 30 days from the date of publication of results. Such return of election expenses shall be signed by the candidate and his election agent, if any, appointed.

Failure to lodge election expenditure accounts will make the contesting candidate liable for penal action contemplated in section 13D read with Section 10A of the Representation of People Act, 1951.

The Returning Officer shall scrupulously follow the provisions of the Act and rules issued there under and instructions issued by the SEC on matters relating to accounts of election expenditure incurred by candidates to curb the role of money power and to ensure free and fair elections.

CHAPTER – XXII

Miscellaneous

1. INDEX CARD:

The Commission desires to prepare statistical part of the report as early as possible after the completion of election. To achieve this, it is essential that it should have requisite information with it. In view of this it is requested that you shall invariably fill in the “Index Card” of **Annexure-XLVIII** as early as possible but not later than fifteen days after the poll and send it through the Deputy Commissioner to the SEC.

STATE ELECTION COMMISSIONER

ANNEXURE – I

Draft list of Polling Stations

..... Municipality

Ward No.	Sl. No.	Locality of polling station	Building in which it will be located	Area of the Polling Station	Whether there is a separate entrance and exit if not reasons	Polling area *	Whether for all voters or men only or women only	Total number of voters assigned	Maximum distance that voter will have to travel to reach the station	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)

1. Total number of voters
2. Total number of polling stations proposed
3. Average number of voters per polling station:-

Date :

Returning Officer

* Here given names of streets, localities, house numbers and part number of the electoral roll assigned. In case part is split up into two polling stations, then the serial number (not the house numbers) of the votes assigned should also be mentioned.

ANNEXURE – II

Notice of publication of list of polling stations

I..... the Returning Officer of Municipality hereby provide for the Municipality with the previous approval of the State Election Commissioner, the polling stations specified in the appended list for the polling areas or groups of voters noted against each.

Returning Officer

Date :..... Municipality.....

List of polling stations for
.....of Municipality.

Ward No	Sl. No	Locality of Polling station	Building in which it will be located	Polling area	Whether for all voters or men only or women only
(1)	(2)	(3)	(4)	(5)	(6)

Returning Officer

Date :.....

Place :.....

ANNEXURE – III

FORM-1

[See Rule 23(2)]

NOMINATION PAPER

Election to the Committee _____

I nominate as a candidate for election to the Committee from Ward No. _____

Candidate's name _____

His postal address _____

His name is entered at serial No. _____ in Ward No. _____ of the electoral roll for the _____ Committee.

My name is _____ and it is entered at serial No. _____ in Ward No. _____ of the electoral roll for the _____ Committee.

Date _____

(Signature of proposer)

I, the above mentioned candidate, assent to this nomination and hereby declare:-

- (a) that I have completed _____ years of age;
- (b) that I am set up at this election by the _____ party;
- (c) that the symbols I have chosen are in order of preference-

- (i) _____
- (ii) _____ ; and
- (iii) _____

I further declare that I am a member of the _____ Caste which is a Scheduled Caste or Backward Class of the State of _____ in relation to _____ (area) in the State and for which the seat has been so reserved.

*I further declare that I am a women candidate for which the seat has been so reserved.

Signature of candidate.

VERIFICATION BY MAGISTRATE

The above declaration is solemnly affirmed before me by _____ who is personally known to me or who has been identified to my satisfaction by _____,

Place: _____
Date: _____

Signature of verifying authority
with full designation.

(To be filled in by the Returning Officer)

Serial No. of nomination paper _____. This nomination was delivered to me at my office at _____ (hour) on _____ (date).

Returning Officer

Decision of Returning Officer accepting or rejecting the nomination paper.

I have examined this nomination paper in accordance with rule 27 of the Haryana Municipal Election Rules, 1978 and decide as follows:-

*Strike out which is not applicable.

Date: _____

Returning Officer

The symbol assigned to the candidate is _____

Date: _____

Returning Officer

**Receipt for Nomination Paper and Notice of Scrutiny
(To be handed over to the person presenting the nomination paper)**

Serial No. of nomination paper _____

The nomination paper of _____ a candidate for election to _____ committee from constituency (Ward) No. _____ was delivered to me at my office at _____ (hour) on _____ (date) by the candidate/proposer. All nomination papers will be taken up for scrutiny at _____ (hour) on _____ (date) at _____ (place).

Date: _____

Returning Officer

"FORM 1-C"
(See rule 23A)

Please affix your recent passport size photograph here

Affidavit to be filed by the candidate alongwith nomination paper before the returning officer for election to..... (ward No.) from (Name of the Municipal Council/Municipal Committee)

PART-A

I.....**son/daughter/wife agedyears, resident of..... (mention full postal address), a candidate at the above election, do hereby solemnly affirm and state on oath as under:

(1) I am a candidate set up by(**name of the political party)**am contesting as an Independent candidate.

(**strike out whichever is not applicable)

(2) My name is enrolled in (Name of the Municipal Council/Committee), at Serial Noin Part No.....

(3) My contact telephone number(s) is/areand my e-mail id (if any) is

(4) Details of Permanent Account- Number (PAN) and status of filing of Income Tax return:

SL No.	Names	PAN	The financial year for which the last Income-Tax return has been filed	Total income shown in Income-Tax return (in Rs.)
1	Self			
2	Spouse			
3	Dependent-1			
4	Dependent-2			
5	Dependent-3			

(5) I am/am not accused of any offence(s) punishable with imprisonment for two years or more in a pending case(s) in which a charge(s) has/have been framed by the court(s) of competent jurisdiction. If the deponent is accused of any such offence(s) he shall furnish the following information: -

The following case (s) is/are pending against me in which charges have been framed by the court for an offence punishable with imprisonment for two years or more:-

(a)	Case/First Information Report No./Nos. together with complete details of concerned Police Station/ District State.	
(b)	Section(s) of the concerned Act(s) and short description of the offence(s) for which charged	
(c)	Name of the Court, Case No. and date of order taking cognizance:	

(d)	Court(s) which framed the charge(s)	
(e)	Date(s) on which the charge(S) was/were framed	
(f)	Whether all or any of the proceeding(s) have been stayed by any Court(s) of competent jurisdiction	

(ii)The following case(s) is/are pending against me in which cognizance has been taken by the court [other than the cases mentioned in item (i) above]:-

(a)	Name of the Court, Case No.and date of order taking cognizance:	
(b)	The details of cases where the court has taken cognizance, section(s) of the Act(s) and description of the offence(s) for which cognizance taken	
(c)	Details of Appeal(s)/Application(s) for revision (if any) filed against the above order(s)	

(6) I have been/have not been convicted of an offence(s) [other than any offence(s) referred to in sub-section (1) or sub-section (2), or covered in sub-section (3), of section 8 of the Representation of the People Act, 1951 (43 of 1951)] and sentenced to imprisonment for one year or more. If the deponent is convicted and punished as aforesaid, he shall furnish the following information: In the following cases, I have been convicted and sentenced to imprisonment by a court of law:

(a)	The details of cases, Section(s) of the concerned Act(s) and description of the offence(s) for which convicted	
(b)	Name of the Court(s), Case No. and date(s) of order(s):	
(c)	Punishment imposed	
(d)	Whether any appeal was/has been filed against the conviction order. If so, details and the present status of the appeal:	

(7) That I give herein below the details of the assets (movable and immovable etc.) of myself, my spouse and all dependents:

A. Details of movable assets:

Note: 1: Assets in joint name indicating the extent of joint ownership will also have to be given.

Note: 2. In case of deposit/Investment, the details including Serial Number, Amount, date of deposit, the scheme, Name of the Bank/Institution and Branch are to be given

Note: 3. Value of Bonds/Share Debentures as per current market value in Stock exchange in respect of listed companies and as per books in case of non-listed companies should be given.

Note: 4. Dependent here has the same meaning as assigned in Explanation (v) under section 75A of the Representation of the People Act. 1951. .

Note:5. Details including amount is to be given separately in respect of each investment

SR. No.	Description	Self	Spouse	Dependent-1	Dependent-2	Dependent-3
(i)	Cash in hand					
(ii)	Details of deposit in Bank accounts (FDRs. Term					

	Deposits and all other types of deposits including saving accounts). Deposits with financial institutions. Non-Banking financial Companies and Cooperative societies and the amount in each such deposit					
(iii)	Details of investment in Bonds debentures / shares and units in companies/ mutual funds and others and the amount					
(iv)	Details of investment in NSS. Postal Saving. Insurance policies and investment in any Financial instruments in Post office or Insurance Company and the amount					
(v)	Personal loans/ advance given to any person or entity including firm. company. Trust etc and other receivables from debtors and the amount					
(vi)	Motor Vehicles/ Aircrafts/Yachts/ Ships (Details of Make registration number etc. year of purchase and amount)					
(vii)	Jewellery, bullion and valuable thing(s) (give I details of weight and value)					
(viii)	Any other assets such as value of claims/ interest					
(ix)	Gross Total Value					

B. Details of Immovable Assets:

Note: 1. Properties in joint ownership indicating the extent of joint ownership will also have to be indicated

Note: 2. Each land or building or apartment should be mentioned separately in this format

Sr. No.	Description	Self	Spouse	Dependent-1	Dependent-2	Dependent-3
(i)	<p>Agricultural Land Location(s) Survey number(s) Area (total measurement in acres) Whether inherited property (Yes or No) Date of purchase in case of self acquired property Cost of Land (in case of purchase) at the time of purchase Any investment on the land by way of development, construction etc. Approximate current market value</p>					
(ii)	<p>Non-Agricultural Land: Location(s) Survey number(s) Area (total measurement in sq.ft.) Whether inherited property (Yes or No) Date of purchase in case of self-acquired property Cost of Land (in case of purchase) at the time of purchase Any investment on the land by way of development, construction etc. Approximate current market value</p>					

(iii)	<p>Commercial buildings (including apartments) - Location(s) " - Survey number(s) Area (total measurement in sq.ft.) Built-up Area (total measurement in sq. .ft.) Whether inherited property (Yes or no) Date of purchase of self-acquired property Cost of property (in case of purchase) at the time of purchase Any investment on the property by way of development, Approximate current market value</p>					
(iv)	<p>Residential Buildings (including apartments) :- Location(s)- Survey number(s) area Built up area (Total measurement in sq.ft.) Whether inherited property (Yes or No) Date of purchase in case of self-acquired property Cost of property (in case of purchase) at the time of purchase Any investment on the land by way of development, construction etc. Approximate current market value</p>					

(v)	Others (such as interest in property)					
(vi)	Total of current market value of (i) to (v) above					

(8) I give herein below the details of liabilities/dues to public financial institutions and government:-
 (Note: please give separate details of name of bank, institution, entity or individual and amount before each item)

Sr. No.	Description	Self	Spouse	Dependent-1	Dependent-2	Dependent-3
(i)	Loan or dues to Bank/financial institution(s) Name of the Bank or financial institution, Amount outstanding, Nature of Loan Loan or dues to any Other individuals/ entity other than mentioned above Name(s) Amount Outstanding, nature of loan Any other liability Grand total of liabilities					
(ii)	Government dues: Dues to departments dealing with government accommodation Dues to department dealing with supply of water Dues to department dealing with supply of electricity Dues to department dealing with supply of telephones/ mobiles Dues to department dealing with government transport (including aircrafts and					

	helicopters) Income tax dues Wealth tax dues Service tax dues Municipal/Property Tax dues Sales Tax dues Any other dues					
(iii)	Grand total of all Government dues					
(iv)	Whether any other liabilities are in dispute, if so, mention the amount involved, and the authority before which it is pending.					

(9) Details of profession or occupation:

(a) Self

(b) Spouse

(10) My educational qualification is as under:-

.....
(Give details of highest School/University education mentioning the full form of the certificate/diploma/degree course, name of the School/College/University and the year in which the course was completed.)

PART-B

(11) ABSTRACT OF THE DETAILS GIVEN IN (1) TO (10) OF PART-A:

1.	Name of the candidate	Sh./ Smt./Kum.			
2.	Full postal address				
3.	Name of the Municipal Council/Committee				
4.	Name of the political party which set up the candidate (otherwise write 'Independent')				
5.	(i) Total number of pending cases where charges have been framed by the Court for offences punishable with imprisonment for two years or more (ii) Total number of pending cases where the court(s) have taken cognizance [other than the cases mentioned in item (i) above				
6.	Total Number of cases In which convicted and sentenced to imprisonment for one year or more [except for offences referred to in subsections (1), (2) or (3) of section 8 of Representation of the People Act, 1951]				
7.		PAN of	Year for which last income Tax return filed	Total income shown	
	Candidate				
	Spouse				
	Dependents				

8.		Details of Assets and Liabilities in Rupees					
		Description	Self	Spouse	Dependent-I	Depenent-II	Dependent-III
A		Moveable Assets (Total value)					
B.		Immovable Asset					
	I.	Purchase Price of self-acquired immovable property					
	II.	Development/ construction cost of immovable property after purchase (if applicable)					
	III.	Approximate Current market price of-					
		(a) self-acquired assets (Total Value)					
		(b) inherited assets (Total Value)					
9.		Liabilities					
	(i)	Government dues (Total)					
	(ii)	Loans from Bank, Financial Institutions and others (Total)					
10.		Liabilities that are under dispute					
	(i)	Government dues (Total)					
	(ii)	Loans from Bank, Financial Institutions and others (Total)					
11.		Highest educational qualification: (Give details of highest School/ University education mentioning the full form of the certificate/ diploma/degree course, name of the School/College/ University and the year in which the course was completed.)					

VERIFICATION

I, the deponent, above named, do hereby verify and declare that the contents of this affidavit are true and correct to the best of my knowledge and belief and no part of it is false and nothing material has been concealed there from. I further declare that:-

- (a) there is no case of conviction or pending case against me other than those mentioned in items 5 and 6 of Part A and B above;
- (b) I, my spouse, or my dependents do not have any asset or liability, other than those mentioned in items 7 and 8 of Part A and items 8, 9 and 10 of Part B above.

Verified at..... this theday of.....,

DEPONENT

- Note: 1. Affidavit should be filed latest by 10 A.M. on the date of scrutiny of nominations
- Note: 2. Affidavit should be sworn before an Oath Commissioner or Magistrate of the First Class or before a Notary Public.
- Note: 3. All column should be filled up and no column to be left blank. If there is no information to furnish in respect of any item, either "Nil" or "Not applicable", as the case may be, should be mentioned,
- Note: 4. The Affidavit should be either typed or written legibly and neatly."

ANNEXURE – IV

STATE ELECTION COMMISSION, HARYANA Nirvachan Sadan, Plot No. 2, Sector 17, Panchkula

Notification

The 12th March, 2014

No.SEC/3ME/2014/609 - Whereas, the superintendence, direction and control of all elections to Municipal Councils and Municipal Committees in the State are vested in the State Election Commission by the Constitution of India and the Haryana Municipal Act, 1973 (Haryana Act No.24 of 1973),

And whereas, it is necessary and expedient to provide in the interest of purity of elections to Municipal Councils and Municipal Committees in the State of Haryana and in the interest of conduct of such elections, in a fair and efficient manner, for the specification, reservation, choice and allotment of symbols and for the recognition of political parties and for matters connected therewith;

Now, therefore, in exercise of the powers conferred under article 243ZA of the Constitution of India, Section 3A of the Haryana Municipal Act, 1973 (Haryana Act No.24 of 1973), and rule 18 of the Haryana Municipal Election Rules, 1978 and all other powers enabling it in this behalf, the State Election Commission, Haryana hereby makes the following Order:-

1. **Short title, extent, application and commencement.**- (1) This Order may be called the Haryana Municipal Councils and Municipal Committees Election Symbols (Reservation and Allotment) Order, 2014.

(2) It shall extend to the whole of the State of Haryana in relation to elections in all Municipal Councils and Municipal Committees.

(3) It shall come into force on the date of its publication in the Haryana Government Gazette, which date hereinafter referred to be the date of commencement of this Order.

2. **Definitions and interpretation.**- (1) In this Order, unless the context otherwise requires, ----

(a) "Act" means the Haryana Municipal Act, 1973;

(b) "clause" means a clause of the paragraph or sub-paragraph in which the word occurs;

(c) "contested election" means an election in a Municipal Council or Municipal Committee ward where a poll is taken;

- (d) “election” means an election to fill a seat or seats in Municipal Council or Municipal Committee and in which this Order applies;
- (e) “Form” means a form appended to this Order;
- (f) “National party” means and includes every political party which has been recognised by the Election Commission of India as a National Party under the Election Symbols (Reservation and Allotment) Order, 1968;
- (g) “political party” means an association or body of individual citizens of India registered with the Election Commission of India as a political party under section 29A of the Representation of the People Act, 1951(43 of 1951);
- (h) “State party” means and includes every political party which has been recognised by the Election Commission of India as a State party in the State of Haryana under the Election Symbols (Reservation and Allotment) Order, 1968;
- (i) “registered but un-recognised political party” means and includes every political party registered under section 29A of the Representation of the People Act, 1951 with the Election Commission of India, and head office of which is located in the State of Haryana ;
- (j) “paragraph” means a paragraph of this Order;
- (k) “rules” mean the Haryana Municipal Elections Rules, 1978;
- (l) “State Election Commission” means the State Election Commission, Haryana constituted under Article 243K and 243ZA of the Constitution of India vide Haryana Government, Development and Panchayat Department, notification No. S.O.101/Const./Art. 243A/243ZA/93, dated the 18th November, 1993;
- (m) “sub-paragraph” means a sub-paragraph of the paragraph in which the word occurs.
- (n) “ward” means the ward of Council or Committee Constituted by the State Government under Section 34 of the Act, 1973; and
- (o) words and expressions used but not defined in this order but defined in the Representation of the People Act, 1950, or the rules made thereunder or in the Representation of the People Act, 1951, or the rules made thereunder or the Haryana Municipal Act, 1973 or the rules made thereunder, shall have the meaning respectively assigned to them in those Acts and rules.

(2) The Punjab General Clauses Act, 1898 (Punjab Act 1 of 1898) shall, as far as may be, apply in relation to the interpretation of this Order as it applies in relation to the interpretation of a Haryana Act.

3. Allotment of symbols.- In every contesting election, a symbol shall be allotted to a contesting candidate in accordance with the provisions of this Order and different symbols shall be allotted to different contesting candidates at an election in the same ward.

4. Classification of symbols.- (1) For the purpose of this Order, symbols are either reserved or free.

(2) Save as otherwise provided in this Order, a reserved symbol is a symbol which is reserved by the Election Commission of India under the Election Symbols (Reservation and Allotment) Order, 1968 for a recognised political party.

(3) A free symbol is a symbol other than a reserved symbol.

5. Notification by the State Election Commission containing lists of political parties and the symbols.- (1) The State Election Commission shall, by one or more notifications in the State Gazette, publish lists specifying-

- (a) the National parties and the symbols, respectively reserved for them;
- (b) the State parties for the State of Haryana and the symbols, respectively reserved for them ; and
- (c) the free symbols for the independent candidates.

(2) Every such list shall, as far as possible, be kept up-to-date.

6. Choice of symbols by candidates of National and State parties and allotment thereof.- (1) A candidate, set up by a National Party at any election in any ward of Municipal Council or Municipal Committee, shall be allotted the symbol reserved for that party and no other symbol.

(2) A candidate, set up by a State party at an election in any ward of the Municipal Council or Municipal Committee, shall be allotted the symbol reserved for that party in the State of Haryana and no other symbol.

(3) A reserved symbol shall not be allotted to any candidate in any ward other than a candidate set up by a National party for whom such symbol has been reserved or a candidate set up by a State party in the State of Haryana for whom such symbol has been reserved in the State of Haryana even if no candidate has been set up by such National or State party in that ward.

7. Choice of symbols by other candidates and allotment thereof.- (1) Any candidate of an election in a ward in any Municipal Council or Municipal Committee other than -

- (a) a candidate set up by a National party, or
- (b) a candidate set up by State Party (recognised for the State of Haryana), or

(c) a candidate referred to in paragraph 8, shall choose and shall be allotted in accordance with the provisions hereinafter set out in this paragraph, one of the symbol specified as free symbol for that Municipal Council or Municipal Committee by notification under paragraph 5.

(2) Where any free symbol has been chosen by only one candidate of such election, the returning officer shall allot that symbol to that candidate and to no one else.

(3) Where the same free symbol has been chosen by several candidates of such election, then –

(a) if, of those several candidates, only one is a candidate set up by a registered but unrecognized political party and the rest are independent candidates, the returning officer shall allot that free symbol to the candidate set up by the unrecognized political party, and to no one else and, if, of those several candidates, two or more are set up by different unrecognized political 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 the different unrecognized political 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:

Provided that where of the two or more such candidates set up by such different unrecognized political parties, only one is, or was, immediately before such election, a sitting member of Municipal Council or Municipal Committee (irrespective of the fact as to whether he was allotted that free symbol or any other symbol at the previous election when he was chosen as such member), the returning officer shall allot that free symbol to that candidate, and to no one else;

(b) if, of those several candidates, no one is set up by any unrecognized political party and all are independent candidates, but one of the independent candidates is or was, immediately before such election a sitting member of Municipal Council or Municipal Committee, and was allotted that free symbol at the previous election when he was chosen as such member, the Returning Officer shall allot that free symbol to that candidate, and to no one else; and

(c) if, of those several candidates, being all independent candidates, no one is, or was, a sitting member as aforesaid, the returning officer shall decide by lot to which of those independent candidates that free symbol shall be allotted,

and allot that free symbol to the candidates on whom the lot falls, and to no one else.

Provided that every independent candidate shall give in his/her nomination form choice of three symbols in order of preference, from the list of free symbols published by the State Election Commission.

8. When a candidate shall be deemed to be set up by a political party.- For the purposes of an election from any Municipal Council or Municipal Committee ward to which this Order applies, a candidate shall be deemed to be set up by a political party in any such Municipal Council or Municipal Committee ward, if, and only if, -

- (a) the candidate has enclosed a declaration to that effect along with the nomination paper;
- (b) the candidate is a member of that political party and his name is borne on the rolls of members of the party;
- (c) a notice by the political party in writing, in Form B, to that effect has, not later than 3.00 P.M. on the last date for making nominations, been delivered to the Returning Officer of the ward;
- (d) the said notice in Form B is signed by the President, the Secretary or any other office bearer of the party, and the President, Secretary or such other office bearer sending the notice has been authorised by the party to send such notice;
- (e) the name and specimen signature of such authorised person are communicated by the party, in Form A, to the Returning Officer of the Municipal Council or Municipal Committee not later than 3.00 P.M. on the last date for making nominations; and
- (f) Forms A and B are signed, in ink only, by the said office bearer or person authorised by the party:

Provided that no facsimile signature or signature by means of rubber stamp, etc. of any such office bearer shall be accepted and no form transmitted by fax shall be accepted.

9. Concession to candidates set up by a State party recognised for the States/Union Territories other than the State of Haryana.- If a political party which is recognised as a State party, in the State or Union Territory other than the State of Haryana, sets up a candidate at an election in a ward in any Municipal Council or Municipal Committee in the State of Haryana, then such candidate may, to the exclusion of all other candidates in the ward, be allotted the symbol reserved for that party in the States

or Union Territories in which it is a recognised State party, on the fulfilment of each of the following conditions, namely :-

- (a) that an application is made to the State Election Commission by the said party for exclusive allotment of that symbol to the candidate set up by it, not later than the third day after the publication in the Official Gazette of the notification calling the election;
- (b) that the said candidate has made a declaration in his nomination paper that he has been set up by that party at the election and that the party has also fulfilled the requirements of clauses (b), (c), (d), (e) and (f) of paragraph 8 read with paragraph 10 in respect of such candidate ; and
- (c) that in the opinion of the State Election Commission there is no reasonable ground for refusing the application for such allotment:

Provided that nothing contained in this paragraph shall apply to a candidate set up by the State party recognised for other State or Union Territory at an election in any ward of the Council or Committee where the same symbol is already reserved for State party recognised for the State of Haryana.

Provided further that, if the symbol reserved for the said State party recognised for other State/ Union Territory by the Election Commission of India, is not available in the list of free symbols published by the State Election Commission, the party concerned shall make available the sketch/drawing, of symbol along with application to be submitted under sub para (a) of this paragraph.

10. 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 under paragraph 8 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 ward:

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 ward, not later than 3.00 p.m. on the last date for making nominations, and the said revised notice in Form B is signed by the authorized person referred to in clause (d) of paragraph 8:

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.

11. Preparation of list of validly nominated candidates.- (1) List of validly nominated candidates shall be prepared by the Returning Officer alphabetically in Hindi language as per the following Order:-

- (a) name of the candidates set up by the recognised political party;
- (b) name of candidates set up by the registered but un-recognised political party;
and
- (c) names of independent candidates.

12. Power of State Election Commission to debar the contesting candidate or to withdraw the reserved symbol of a recognized political party for its failure to observe Model Code of Conduct or to follow lawful directions and instructions of the State Election Commission.- Notwithstanding anything contained in this Order, if the State Election Commission is satisfied on information in its possession that a recognized political party under the provisions of this Order, has failed or has refused or is refusing or has shown or is showing defiance by its conduct or otherwise

- (a) to observe the provisions of the “ Model Code of Conduct for Guidance of Political parties and candidates” as issued by the State Election Commission or as amended by it from time to time, or
- (b) to follow or carry out the lawful directions and instructions of the State Election Commission given from time to time with a view to furthering the conduct of free, fair and peaceful elections of safeguarding the interests of the general public and the electorate in particular,

the State Election Commission may, after taking into account all the available facts and circumstances of the case and after giving the party a reasonable opportunity of showing cause in relation to the action proposed to be taken against it, either debar the contesting candidate or to withdraw the reserved symbol of such party for such period as the State Election Commission may deem appropriate.

Provided that if a symbol of a contesting candidate set up by a political party has been withdrawn, he can contest election on a free symbol.

13. Power of State Election Commission to issue instructions and directions.- The State Election Commission may issue instructions and directions,-

- (a) for the clarification of any of the provision of this Order;

- (b) for the removal of any difficulty which may arise in relation to the implementation of any such provisions; and
- (c) in relation to any matter with respect to which this Order makes no provision or makes insufficient provision, and provision is in the opinion of the State Election Commission necessary for the smooth and orderly conduct of elections.

14. Repeal and savings.- The Haryana Municipal Election Symbols (Reservation and Allotment) Order, 1996, are hereby repealed:

Provided that any order made or action taken under the order so repealed shall be made or taken under the corresponding provisions of these orders.

FORM-A

COMMUNICATION WITH REGARD TO AUTHORISED PERSONS TO INTIMATE NAMES OF CANDIDATES SET UP BY RECOGNISED NATIONAL OR STATE POLITICAL PARTY OR REGISTERED UN-RECOGNIZED POLITICAL PARTY.

[See paragraph 8)

To

The Returning Officer for the

_____Municipal Council/Municipal Committee.

Subject: General Elections to Municipal Council/ Municipal Committee _____
_____ -Allotment of Symbols-Authorisation of persons to intimate names of candidates.

Sir,

In pursuance of the Haryana Municipal Election Symbols (Reservation and Allotment) Order, 2014, I hereby communicate that the following person(s) has/have been authorised by the party, which is National party/State party in the State of _____
_____Registered but Un-recognised party to intimate the names of the candidates proposed to be set up by the party at the election cited above.

Name of person authorised to send notice	Name of office held in the party	Municipal Council/ Municipal Committee Ward in respect of which he has been authorised.
1	2	3
1.		
2.		
3.		
4.		
5.		

2. The specimen signatures of the above mentioned person(s) so authorised are given below:-

1. Specimen signatures of Shri _____
(i) _____ (ii) _____
(iii) _____
2. Specimen signatures of Shri _____
(i) _____ (ii) _____
(iii) _____.
3. Specimen signatures of Shri _____
(i) _____ (ii) _____
(iii) _____.

Yours faithfully,

President/Secretary
Name of the Party.
(Seal)

Place:

Date:

N.B.

1. This must be delivered to the Returning Officer not later than 3.00 p.m. on the last date for making nominations.
2. Form must be signed in ink by the office bearer(s) mentioned above.
3. No facsimile signature or signature by means of rubber stamp, etc. of any office bearer shall be accepted.
4. No form transmitted by fax shall be accepted.

FORM B

NOTICE AS TO NAME OF CANDIDATE SET UP BY THE POLITICAL PARTY

(See paragraph 8)

To

The Returning Officer for the _____ Municipal Council/ Municipal Committee.

Subject: General/bye Election to Municipal Council/ Municipal Committee
_____ -Setting up of candidate.

Sir,

In pursuance of the Haryana Municipal Council and Municipal Committee Election Symbols (Reservation and Allotment) Order, 2014, I hereby give notice on behalf of _____(Party).

- (i) that the person whose particulars are furnished in columns(2) to (4) below is the approved candidate of the part above named, and
- (ii) the person whose particulars are mentioned in columns (5) to (7) below is the substituted candidate of the party, who will step –up on the approved candidate’s nomination being rejected on scrutiny or on his withdrawing from the contest, if the substitute candidate is still a contesting candidate, at the ensuing general/bye-election from this constituency:

Name of the Municipal Council/ Municipal Committee	Name of the approved candidate	Father’s/ Mother’s/ Husband’s Name of approved candidate.	Postal address of approved candidate	Name of the substituted candidate who step-in on the approved candidate’s nomination being rejected on scrutiny or on his withdrawing from the contest if substituted candidate is still a contesting candidate.	Father’s/ Mother’s/ Husband’s name of substituted candidate.	Postal address of substituted candidate.
1	2	3	4	5	6	7

2. The notice in Form "B" given earlier in favour of Shri/Smt./Sushri _____ as party's approved candidate/Shri/ Smt./ Sushri _____ as Party's substituted candidate is hereby rescinded.

3. It is certified that each of the candidates whose name is mentioned above is a member of this political party and his name is duly borne on the rolls of members of this party.

Yours faithfully,

(Name and Signature of the
Authorized person of the Party).
(Seal of Party)

Place:

Date:

N.B.

1. This must be delivered to the Returning Officer not later than 3.00 p.m. on the last date for making nominations.
2. Form must be signed in ink by the office bearer(s) mentioned above. No facsimile signature or signature by means of rubber stamp, etc. of any office bearer shall be accepted.
3. No form transmitted by fax shall be accepted.
4. Para 2 of the Form must be scored off, if not applicable or must be properly filed, if applicable.

Dated Panchkula
the 11th March, 2014

DHARAM VIR
STATE ELECTION COMMISSIONER HARYANA

ANNEXURE - V

List of Nominations received on _____ (date) for election as member _____ Ward
_____ Municipality.

Sl. No.	Name of the candidate	Father's/ Husband Name	Age	Sex	Occupation and Address	Where the candidate is a member of SC/SC(W)/ BC/Women, the particular Caste/Class to which the candidate belongs	Name of the proposer	Serial No. of proposer in the list in which his name is included
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)

Note : Column No.7 to filled up only in the case of a (Ward) where the seat to be filled up is reserved for the SC/SC(W)/ BC/Women. In other cases this column shall be struck off.

Returning Officer or other Authorized person.

ANNEXURE – VI

List of Validity Nominated Candidates Election to the Office of the member _____ Ward
_____ Municipality.

Sl. No.	Name of the Candidate	Name of *Father/ Mother/ Husband	Address of Candidate	Party Affiliation
(1)	(2)	(3)	(4)	(5)

Place :

Date :

Returning Officer

*Strike off the inappropriate alternative.

ANNEXURE – VII

APPLICATION WITHDRAWAL OF CANDIDATURE

Election to the Municipal Council/Committee.....

To
The Returning Officer

I.....a candidate nominated at the above election, do hereby give notice that I withdraw my candidature.

Place.....
Date.....

Signature of Candidate

This notice was delivered to me at my office of..... (hour) on
.....(date) by.....(name), the Date.....

Returning Officer

Receipt for Notice of Withdrawal (To be handed over to the person delivering the notice)

The notice of withdrawal of candidature by.....a candidate at the election to
the.....was delivered to me by theat my office
at.....(hour) on(date).

Returning Officer

ANNEXURE – VIII

Notice of Withdrawal of Candidature

ELECTION TO THE WARD MEMBER _____ MUNICIPALITY.

Notice is hereby given that the following validly nominated

- * Candidate/ candidates at the above election withdraw his
- * Candidature/ their candidatures today.

Sl. No.	Name of validly nominated candidate	Address of validly nominated candidate	Remarks
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
Date :		Returning Officer	

- * Strike off the inappropriate alternative.

ANNEXURE – IX

The list of contesting candidates

Names of the Municipality _____

Election to the office of Member of Ward No. _____

Sl. No.	Name of the Candidate	Sex	Address of Candidate	Party Affiliation, if any	Distinctive symbol assigned to candidate.
(1)	(2)	(3)	(4)	(5)	(6)

Note : The poll will be taken between the hours of _____ and _____ (date) at the polling stations fixed for the poll to be published separately.

Place :

Date :

Returning Officer

ANNEXURE - X

FORM 2A

[See rule 39A]

APPOINTMENT OF ELECTION AGENT

Election of Member of Municipality _____ from the
_____ * Ward.

To

The Returning Officer

I _____ a candidate at the above election do hereby
appoint Sh. _____ (Name and Address) as
my election agent from this day at the above election.

Place _____
Date _____

Signature of Candidate

I accept the above appointment.

Place _____
Date _____

Signature of Election Agent

* - Appropriate particular of the election to be indicated here.

A N N E X U R E – X I
FORM-2
[See Rule 39(2)]
APPOINTMENT OF POLLING AGENT

Election to the Municipal Committee _____ from Constituency (Ward) No. _____.

I, _____ a candidate at the above election, do hereby
appoint _____ son/daughter of _____ as a polling agent to
attend to Polling Station No. _____ at/place fixed for the poll at _____.

Place: _____
Date: _____

Signature of Candidate

I agree to act as such Polling Agent.

Place: _____
Date: _____

Signature of Polling Agent

Declaration of Polling Agent to be signed before Presiding Officer

I hereby declare that at the above election, I will not do anything forbidden by the
Municipal Election Rules, 1978.

Date: _____

Signature of Polling Agent

Signed before me.

Date: _____

Signature of Presiding Officer

A N N E X U R E – X I I

FORM 2B

[See rule 39B (2)]

APPOINTMENT OF COUNTING AGENT

Election of Member to the Municipality of _____ from the
_____ *Ward

To

The Returning Officer/Presiding Officer,

I _____ a candidate/** the election agent of
_____ who is a candidate at the above election hereby
appoint the following persons as my/his** counting agents to attend the counting of votes at
_____.

Name of the Counting Agent

Address of the Counting Agent

- 1
- 2
- 3
- 4
- 5
- 6
- etc.

Place _____
Date _____

Signature of Candidate/
Election Agent**

We agree to act as such Counting Agents.

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- etc.

Place _____
Date _____

Signature of the Counting Agents

DECLARATION OF THE COUNTING AGENTS

(To be signed before the Returning Officer/Presiding Officer)

We hereby declare that at the above election, we shall not do anything forbidden under sub-sections (1) and (2) of section 275 of the Haryana Municipal Act, 1973 (24 of 1973), which we have read/has been read over to us.

- 1
- 2
- 3
- 4
- 5
- 6
- etc.

Place _____
Date _____

Signature of Counting Agents

Signed before me

Signature of the Returning Officer/
Presiding Officer

* - Appropriate particulars of the Election to be inserted.

** - Strike off the inappropriate alternative.

Section 275 – (1) Every employee, agent or other person who performs any duties in connection with the recording or counting votes at an election shall maintain an aid in maintaining the secrecy of the voting and shall not (except for some purpose authorized by or under any law) communicate to any person any information calculated to violate such secrecy.

1(A) Notwithstanding anything contained in this Act or the rules made thereunder, the casting and recording of votes by voting machines may be adopted in such manner as may be prescribed, in such municipality or municipalities as the State Election Commission may, having regard to the circumstances of each case, specify.

Explanation.- For the purpose of this sub-section “voting machine” means any machine or apparatus whether operated electronically or otherwise used for casting or recording of votes and any reference to a ballot box or ballot paper in this Act or the rules made thereunder shall, save as otherwise provided, be construed as including a reference to such voting machine wherever such voting machine is used at any election.

(2) Any person who willfully acts in contravention of the provisions of this section shall be punished with imprisonment of either description for a term not exceeding three months, or with fine, or with both.

A N N E X U R E – X I I I

MODEL CODE OF CONDUCT

MODEL CODE OF CONDUCT FOR THE GUIDANCE OF THE CONTESTING CANDIDATES, GOVERNMENT DEPARTMENTS AND GOVERNMENT EMPLOYEES IN THE ELECTIONS TO THE MUNICIPAL COUNCILS/MUNICIPAL COMMITTEES AND MUNICIPAL CORPORATION

PART – I : FOR CANDIDATES

1. General Conduct for Candidates

- (1) No party or candidates shall indulge in any activity, which may aggravate existing differences or create mutual hatred or cause tension between different castes and communities, religious or linguistic.
- (2) There shall be no appeal to caste or communal feelings for securing votes.
- (3) Houses, Churches, Temples or other places of worship shall not be used as forum for election propaganda.
- (4) All parties and candidates shall refrain from criticism of all aspects of private life, not connected with the public activities of the leaders or workers of other parties. Criticism of other parties or their workers based on unverified allegations or on distortion shall be avoided.
- (5) Criticism of other political parties, when made, shall be confined to their parties and programmes, past record and work. They should not be criticized on unverified allegations.
- (6) The right of every individual for peaceful and undisturbed life shall be respected, however, much the political parties or candidates may resent his political feelings or activities. Organizing demonstrations or picketing before the houses of individuals by way of protesting against their opinions shall not be resorted to under any circumstances.
- (7) Political parties and candidates should avoid such activities which are offences under the election Law for example:
 - (i) Transport and conveyance of voters to and from polling stations.
 - (ii) Holding Public Meeting during the period of 48 hours ending with the hour fixed for close of poll.
 - (iii) Canvassing within 100 meters of a polling station.
 - (iv) Bribing of voters, intimidation of voters, personation of voters.
- (8) On the day of polling or two days prior to it, the liquor shall neither be purchased nor shall it be offered to any person or distributed. Every candidate will ask his supporters also not to indulge in such activities.
- (9) No candidate shall permit his followers to make use of any individual's land building, compound wall etc. without his permission for erecting flag staffs, suspending banners, pasting notices, writing slogans etc.
- (10) No political party or candidate shall allow his supporters to remove the flags or posters pasted by other parties or candidates.
- (11) Identification slips given to the voters will be on plain paper containing the name of the candidate. It should not have name of the candidate and his election symbol. The identification/slips will contain the name of voters; his father/husband's name, ward

number, polling station number and serial number in the voting list and will not contain anything else.

- (12) The candidate/political party will give full co-operations to the polling staff on duty for the peaceful conduct of the elections.

II. Meeting and Processions

- (i) The party or candidates shall inform the local police authorities of the venue and time of any proposed meeting/procession well in time so as to the police to make necessary arrangements for controlling traffic and maintaining peace and order.
- (ii) A party or candidate shall ascertain in advance if there are any restrictive or prohibitory orders in force in the place proposed for the meeting/procession. If such orders exist, they will be followed strictly. If any exemption is required from such orders, it shall be applied for and obtained well in time.
- (iii) The organizers shall take steps in advance or arrange for passage of the procession so that there is no block or hindrance to traffic. If the procession is very long, it shall be organized in suitable lengths so that at convenient intervals, especially at points where the procession has to pass road junctions, the passage of held-up traffic could be allowed by stages thus avoiding heavy traffic congestion.
- (iv) If two or more political parties or candidates propose to take processions from the same route or parts thereof at the same time, the organizers shall contact well in advance and decide upon the measures to be taken to see that the processions do not clash or cause hindrance to the traffic. Local police shall be availed of for arriving at a satisfactory arrangement. For this purpose, the parties shall contact the police at the earliest possible.
- (v) The political parties or candidates shall exercise control to the maximum extent possible in the matter of processionists carrying articles which may be put to misuse by undesirable elements, especially in moments of excitement.
- (vi) Organizers of a meeting shall invariably seek the assistance of the police on duty for dealing with persons disturbing a meeting/procession or otherwise attempting to create disorder. Organizers themselves shall not take action against such persons.
- (vii) The carrying of effigies purporting to represent members of other political parties or their leaders, burning such effigies in public and such other forms of demonstration shall not be countenanced by any political party or candidate.

III. Polling Day

All political parties and candidates shall: -

- (i) supply to their authorized workers suitable badges or identity cards;
- (ii) agree that the identity slips supplied by them to voters shall be on plain (white paper) and shall not contain any symbol, name of the candidate or the name of the party;
- (iii) refrain from serving or distributing liquor on polling day and during the twenty-four hours preceding it;

- (iv) not allow unnecessary crowds to be collected near the camps set-up by the political parties and candidates near the polling booths so as to avoid confrontation and tension among workers and sympathizers of the parties and candidates.
- (v) ensure that the candidate's camps shall be simple. They shall not display any posters, flags, symbols or any other propaganda material. No eatables shall be served or crowds allowed at the camps;
- (vi) co-operate with the authorities in complying with the restrictions to be imposed on the plying of vehicles on the polling day and obtain permits for them.

IV. Polling Booth

Except the voters, no one without a valid pass from the Election Commission shall enter the polling booths.

PART-II : FOR GOVERNMENT DEPARTMENTS AND GOVERNMENT SERVANTS

1. No Government servant shall take part in, subscribe in aid of, or assist in any way, any candidate.
2. Attendance at public meetings organized by candidate would always be contrary to the Government Servants Conduct Rules unless all the following conditions are satisfied: -
 - (1) (a) that the meeting is public meeting and not in any sense private or restricted meeting;

(b) that the meeting is not held contrary to any prohibitory order or without permission where permission is needed; and

(c) that the Government servant in question does not himself speak at, or take active or prominent part in organizing or conducting the meeting.
 - (2) Even where the said conditions are satisfied, while occasional attendance at such meetings may not be construed as a participation, frequent or regular attendance by a Government servant at meetings of any particular candidate is bound to create the impression that he is a sympathizer of the aims and objects of that particular candidate. Conduct which give cause for such an impression may well be construed as assisting a candidate.
3. During election campaign, if any Minister visits a private house in connection with some election programme, the Government servant should not attend that function.
4. While giving permission for any meeting no candidate should be discriminated.
5. If on a particular day a number of candidates apply for holding a meeting at a particular place, the permission should be given to only that candidate who had applied first.
6. Rest Houses or Circuit Houses should be given for use to all candidates on the same and equal conditions. No candidate will be given permission to use these places or premises for election propaganda.
7. (a) During the election period, if any, meeting is conducted it should be considered a meeting for political purpose and Government should not spend any amount on it; leaving aside the Govt. servants who are there for maintaining law and order, no other Government employee should attend such meetings.

(b) During the period of elections, if any Minister visits any Municipal Committee/Corporation and Panchayat where the elections are due, such tour must be considered as election tour and no Government servant should accompany the Minister/those who are to be provided for security. During such tours Government vehicles should not be made available.

(c) From the date when the election is announced till the election is complete, the Government, Local Government, Cooperative Institutions and such other Institutions which receive aid from the Government would not make available their vehicles to the Ministers, Members of Parliament, Member of Legislative Assembly or candidates and such vehicles will not be utilized for election purposes.

8. Ministers will not combine their official tours with the tours for the purpose of election propaganda nor will they utilize the Government servants or vehicles during the election period, which can be considered as being utilized for the purpose of favouring a candidate.
9. From the date election is announced till the election is complete, Ministers will not give any grant from the discretionary fund or from the Government fund nor will they sanction any scheme. During this period no foundation stone will be laid nor will any plan be inaugurated.
10. **During election period such advertisements will not be released by Government Institutions in the newspapers, which will highlight the achievements of the party in power which may lead to favouring a candidate.**

A N N E X U R E – X I V

FORM-10
[See Rule 50-A(1)]

LETTER OF INTIMATION TO RETURNING OFFICER

To

The Returning Officer
_____ Constituency, Ward No. _____
Municipality _____

Sir,

I intend to cast my vote by post at the ensuing Municipal election from
_____ Constituency, Ward No. _____.

I have been posted on election duty at polling station No. _____ of _____
Constituency, Ward No. _____ in Municipality the electoral rolls for _____ Constituency,
Ward No. _____ of Municipality _____.

The ballot paper may be sent to me at the following address.

Place _____
Date _____

Yours faithfully,

Signature

A N N E X U R E – X V

FORM 11

[See rule 69N(1)]

APPLICATION FOR ELECTION DUTY CERTIFICATE

Election to the Municipal _____ of _____ Ward Number _____

To

The Returning Officer,
Ward Number _____

Sir,

I intend to cast my vote in person at the ensuing election to the above ward. My name is entered at Serial Number _____ in part No. _____ of the electoral roll for the above Ward.

I have been posted on election duty at Polling Station Number _____ Polling Station Name _____ of Ward Number _____.

I request that an Election Duty Certificate in Form 13 may be issued to enable me to vote at the polling station where I shall be on duty on the polling day. It may be sent to me at the following address:-

Yours faithfully,

Date _____

(Applicant's name)

ANNEXURE – XVI

FORM 12

[See rules 69G, 69H(7), 69M, 69P(1)(b) and 69X(1)(e), Form 18]

REGISTER OF VOTERS

Election to the Municipality _____ from Ward No. _____

Number and Name of Polling Station _____

Part No. of Electoral Roll _____.

Serial Number	Serial number of elector in the electoral roll	Signature/thumb impression of elector	Remarks

1

2

3

4

5

etc.

Signature of the Presiding Officer

A N N E X U R E – X V I I
FORM 13
[See rules 69M, 69N(1)(a) and 69P(1)(e)]

ELECTION DUTY CERTIFICATE

Certified that _____ S/o/ D/o/ W/o
_____ is an elector in the
_____ * Ward, his electoral roll number being
_____ that by reason of his being on election duty, he is unable to vote at
the polling station, where he is entitled to vote and as such is hereby authorized to vote at any
polling station, he may be on duty on the date of poll.

Place _____
Date _____

Signature of Returning Officer

Seal

* - Appropriate particulars to be inserted.

A N N E X U R E – XVIII

FORM 14

[See rule 69N(4)(a) and (6)(b) and (c) and Form 17]

DECLARATION BY ELECTOR FOR USE OF POSTAL BALLOT PAPER

(This side is to be used only when the elector signs the declaration himself)

Election of Member to the Municipality of _____ from the
_____ *Ward.

I hereby declare that I am the elector to whom the postal ballot paper bearing serial
number _____ has been issued at the above election.

Date _____

Signature of the Elector

Address _____

ATTESTATION OF SIGNATURE

The above has been signed in my presence by _____ (elector)
who is personally known to me/has been identified to my satisfaction by
_____ (identifier) who is personally known to me .

Signature of the Identifier

If any _____

Address _____

Signature of the Attesting Officer,

Designation _____

Address _____

Date _____

(This side is to be used when the elector cannot sign himself)

I hereby declare that I am the elector to whom the postal ballot paper bearing serial number _____ has been issued at the above election.

Date _____

Signature of Attesting Officer
On behalf of Elector
Address of Elector _____

CERTIFICATE

I hereby certify that –

- (1) the above named elector is personally known to me/has been identified to my satisfaction by _____ (identifier) who is personally known to me;
- (2) I am satisfied that the elector is illiterate/suffers from _____ (infirmity) and is unable to record his vote himself or sign his declaration.
- (3) I was requested by him to mark the ballot paper and to sign the above declaration on his behalf; and
- (4) The ballot paper was marked and the declaration signed by me on his behalf in his presence and in accordance with his wishes.

Signature of the Identifier
If any _____
Address _____

Signature of the Attesting Officer,
Designation _____
Address _____

Date _____

A N N E X U R E – X I X
FORM 15
[See rule 69N(4)(b) and (6)(a)]
COVER “A”

NOT TO BE OPENED BEFORE COUNTING

Election of Members to the Municipality of _____ from
the _____ * Ward

POSTAL BALLOT PAPER

Serial Number of ballot paper _____

ANNEXURE – XX

FORM 16

[See rule 69N(4)(c)]

LARGE COVER “B”

To be used at an election of Members to the Municipality of _____ from _____ *Ward.

COVER “B”

SERVICE UNPAID

Every Officer under whose care or through whom a postal ballot paper is sent shall ensure its delivery to the address without delay. [Rule 50A(4)]

ELECTION – IMMEDIATE

Postal Ballot Paper

For _____ * Ward of the Municipality of _____.

(NOT TO BE OPENED BEFORE COUNTING)

To

The Returning Officer

** _____

Signature of the Sender _____

* Returning Officer to insert here the appropriate particulars of the Ward.

** Returning Officer to mention here the full address.

A N N E X U R E – X X I

FORM 17

[See rules 69N(4)(d) and (6)(a) and (c) and 69W(1)]

INSTRUCTION FOR THE GUIDANCE OF ELECTORS FOR USE OF POSTAL BALLOT PAPER

Election of Members to the Municipality of _____ from
_____ * Ward.

The person whose names are printed on the ballot paper sent herewith are candidates at the above election. If you desire to vote you shall record your vote in accordance with the directions given in Part-I below and then follow the instructions detailed in Part-II.

PART I

DIRECTIONS TO ELECTORS

1. The number of members to be elected is one.
2. You have only one vote.
3. You must not vote for more than one candidate. If you do so your ballot paper shall be rejected.
4. Record the vote by placing clearly a mark opposite the name of the candidate to whom you wish to give that vote.
5. The mark shall be so placed as to indicate clearly and beyond doubt to which candidate you are giving your vote. If the mark is so placed as to make it doubtful to which candidate you have given the vote, that vote shall be invalid.
6. Do not put your signature or write any word or make any mark, sign or writing whatsoever on the ballot paper other than the mark which you are required to make thereon in accordance with paragraph 4.
7. An elector shall obtain the attestation of his signature on the declaration in Form 14 by a magistrate or a Gazetted Officer, if he is on election duty, by any Gazetted Officer or by the Presiding Officer of the polling station in which he is on election duty; and

PART II

INSTRUCTIONS FOR ELECTORS

- (a) After you have recorded your vote on the ballot, place the ballot paper in the smaller cover marked "A" sent herewith. Close the cover and secure it by seal or otherwise.
- (b) You have then to sign the declaration in Form 14 also sent herewith in the presence of a Magistrate or any other Officer competent to attest your signature (see direction 7 above). Take the declaration to any such Officer and sign it in his presence after he has been satisfied about your identity. The Officer shall attest your signature and return the declaration to you. You must not show your ballot paper to the Attesting Officer nor tell him how you have voted.

- (c) If you are unable to mark the ballot paper and sign the declaration your self in the manner indicated above by reason of illiteracy, blindness or other infirmity you are entitled to have your vote marked and the declaration signed on your behalf by any Officer referred to in item (b). Such an Officer shall at your request mark the ballot paper in your presence and in accordance with your wishes. He shall also complete the necessary certificate in this behalf.
 - (d) After your declaration has been signed and your signature has been attested in accordance with item (b) or item (c) place the declaration in Form 14 as also the smaller cover marked "A" containing ballot paper, in the larger cover marked "B". After closing the larger cover, sent it to the Returning Officer by post or by messenger. You have to give your full signature in the space provided on the cover marked "B" No postage stamp need be affixed by you.
 - (e) You must ensure that the cover reaches the Returning Officer before **
_____ on _____
 - (f) Please note that:
 - (i) If you fail to get your declaration attested or certified in the manner indicated above, your ballot paper shall be rejected; and
 - (ii) If the cover reaches the Returning Officer after _____ on the _____ your vote shall not be counted.
-

* - Appropriate particulars of the election to be inserted.

** - Here specify the hour and date fixed for the commencement of counting of votes.

A N N E X U R E – XXII
(Register for Preparation of EVMs)

Name of District:

Name of Municipality:

Address of Preparation of EVM hall:

Date:

Sr.No	Name of candidate	Name of representative of candidates with party affiliation, if any	Identity document No. with date	Signature of candidates/ His representative	Remarks, if any.

Note: If a candidate or his representative is absent the proof of due service of notice to the candidate should be pasted in the register.

(Name and signature of engineers of BEL/ECIL with ID No.)

(Name, designation, signature of officers nominated by District Election Officer)

Annexure-XXIII
(Certification of EVMs by BEL)

Name of District:

Name of Municipality:

Address of hall:

Date:

It is certified that tests prescribed by BEL to ascertain that all components are original were carried out on the Ballot Unit listed below on..... (date). On the basis of these tests it is certified that all components of the Ballot Unit listed below are original.

BU Identification No.

(Name & signature of BEL/ECIL engineers with ID No.)

Annexure-XXIV
(Mock Poll certification during Preparation of EVMs)

Date:.....

Name of District:

Name of Municipality:

Address of hall:

It is certified that I have done mock poll on..... EVMs and I am fully satisfied with the functioning of EVMs.

Sr.No.	Name of candidate	Name of representative of candidates with party affiliation, if any	Identity document No. with date	Signature of candidate/his representative	Remarks, if any.

Annexure-XXV

(Mock Poll certification during Preparation of EVMs)

Date:.....

Name of District:

Name of Municipality:

Address of hall:

It is certified that a printout of the result of mock poll as well as a sequential print out of every vote polled during the mock poll has been taken out from EVMs picked up by me. There are no discrepancies between the votes polled during the mock poll and result in the print out.

Sr.No.	Name of candidate	Name of representative of candidates with party affiliation, if any	Identity document No. with date	Signature of candidate/his representative	Remarks, if any.

Annexure-XXVI
(Register for Sealing of Ballot Unit of EVMs using Paper Seal)

Name of District:

Name of Municipality:

Address of FLC hall:

Date:

It is certified that the sealing of the Ballot Units using Paper Seals has been done in my presence. I have put my signature on the Paper Seals after sealing of the Ballot Units and I am satisfied with the sealing of the Ballot Units.

Sl.No	Unique ID No. of Ballot Unit	Paper Seal Number

Sr.No.	Name of candidate	Name of representative of candidates with party affiliation, if any	Identity document No. with date	Signature of candidate/his representative

Annexure - XXVII
Mock Poll Certificate

This is certified that I Presiding Officer at the Polling Station No -----of -----
----- ward No. of _____Municipality conducted the mock poll at ----
AM today, the poll day i.e. -----, following scrupulously all the instructions issued by the State
Election Commission, Haryana.

A total of ----- votes were polled in the mock poll and after the mock poll I have carefully
cleared the memory of the mock poll and the total votes polled showed '0' after clearing the
memory.

A. At the time of mock poll the following of polling agents representing the candidates whose
names mentioned against the names of such agents were present and I have obtained their
signatures.

Sl.No. Name of Polling Agent Name of Party Name of candidates Signature of Polling Agent

- 1.
- 2.
- 3.
- 4.
- 5.

B. At the time of mock poll the agent of only one contesting candidate was present. After waiting
for fifteen more minutes, I conducted the mock poll along with other polling staff at ----- I have
mentioned before the name of the agent present at the time of mock poll including the name of the
candidate whom he represented.

(In case, no agent was present it shall be mentioned “ No Polling agent was present at the time of
mock poll”)

Name of the agent	Name of the Candidate (with Party affiliation)	Signature of the agent
-------------------	---	------------------------

Signature of micro-observer (if posted at the polling station)

Date:
Time:

Name & Signature of the Presiding
Officer Polling Station No.

Annexure – XXVIII

(Report on getting result data from Control Unit whose CLOSE button was not pressed by
Presiding Officer at the end of poll)

Name of District:

Name of Municipality:

Date of Counting:

It is certified that the result has been obtained from the following Control Unit(s) after pressing CLOSE button in the presence of the contesting candidates/their counting agents. The result of the election has been declared taking into consideration the result from this machine as well.

Sl.No.	Polling Station No.	Unique ID No. of Control Unit	Detailed Report	No. of votes polled in the Control Unit as per Form 18

Final statement showing votes polled by the winning and runner up candidates

S.No.	Name of candidate	Party affiliation, if any	Votes polled

(Name & Signature of Returning Officer)

(Name & Signature of Observer)

Annexure-XXIX

(Report on discrepancy in total votes shown in the Control Unit whose CLOSE button was not pressed by Presiding Officer at the end of poll and as mentioned in Form 18)

Name of District:

Name of Municipality:

Date of Counting:

It is certified that the discrepancy has been noticed in the total votes polled in the following Control Unit(s), after pressing TOTAL button of the Control Unit and comparing it with the total votes polled mentioned in Form 18.

Sr.No.	Polling Station No.	Unique ID No. of Control Unit	No. of votes polled displayed by Control Unit on pressing TOTAL button	No. of votes polled in the Control Unit as per Form 18	Remarks

Final statement showing votes polled by the winning and runner up candidates

S.No.	Name of candidate	Party affiliation, if any	Votes polled

As the margin of votes between the candidate having highest votes and the runner up is more than the votes polled mentioned in the Form 18 relating to the Control Unit(s) mentioned above, the matter is being referred to the Commission for permission to set aside the votes polled in the said Control Units (s) and to declare the result.

(Name & Signature of Returning Officer)

(Name & Signature of Observer)

Annexure-XXX

(Report on discrepancy in total votes shown in the Control Unit whose CLOSE button was not pressed by Presiding Officer at the end of poll and as mentioned in Form 18)

Name of District:

Name of Municipality:

Date of Counting:

It is certified that the discrepancy has been noticed in the total votes polled in the following Control Unit(s), after pressing TOTAL button of the Control Unit and comparing it with the total votes polled mentioned in Form 18.

Sr.No.	Polling Station No.	Unique ID No. of Control Unit	No. of votes polled displayed by Control Unit on pressing TOTAL button	No. of votes polled in the Control Unit as per Form 18	Remarks

As the margin of votes between the candidate having highest votes and the runner up is less than the votes polled mentioned in the Form 18 relating to the Control Unit(s) mentioned above, the matter is being referred to the Commission for appropriate orders.

Statement showing votes polled by the candidates having highest votes and runner up

S.No.	Name of candidate	Party affiliation, if any	Votes polled

(Name & Signature of Returning Officer)

(Name & Signature of Observer)

Annexure-XXXI

(Report on retrieving result data from Control Unit by using Auxiliary Display Unit and Printer)

Name of District:

Name of Municipality:

Date of Counting:

It is certified that the result has been retrieved from the following malfunctioned Control Unit (s) by using Auxiliary Display Unit/Printer in the presence of the contesting candidates/their counting agents. The result of the election has been declared taking into consideration the result from this machine as well.

Sl.No.	Unique ID No. of Control Unit	Detailed Report	No. of votes polled in the malfunctioned Control Unit as per Form 18

Final statement showing votes polled by the winning and runner up candidates

S.No.	Name of candidate	Party affiliation, if any	Votes polled

(Name & Signature of Returning Officer)

(Name & Signature of Observer)

Annexure-XXXII

(Report on non-retrieving result from Control Unit by using Auxiliary Display Unit and Printer)

Name of District:

Name of Municipality:

Date of Counting:

It is certified that the result could not be retrieved from the following malfunctioned Control Unit (s) by using Auxiliary Display Unit and Printer.

Sl.No.	Unique ID No. of Control Unit	Detailed Report	No. of votes polled in the malfunctioned Control Unit as per Form 18

Final statement showing votes polled by the winning and runner up candidates

S.No.	Name of candidate	Party affiliation, if any	Votes polled

As the margin of votes between the candidate having highest votes and the runner up is more than the votes polled in the malfunctioned Control Unit (s) mentioned above, the matter is being referred to the Commission for permission to set aside the votes polled in the said Control Units (s) and to declare the result.

(Name & Signature of Returning Officer)

(Name & Signature of Observer)

Annexure-XXXIII

(Report on non-retrieving result from Control Unit by using Auxiliary Display Unit and Printer)

Name of District:

Name of Municipality:

Date of Counting:

It is certified that the result could not be retrieved from the following malfunctioned Control Unit (s) by using Auxiliary Display Unit and Printer.

Sl.No.	Unique ID No. of Control Unit	Detailed Report	No. of votes polled in the malfunctioned Control Unit as per Form 18

As the margin of votes between the candidate having highest votes and the runner up is less than the votes polled in the malfunctioned Control Unit (s) mentioned above, the matter is being referred to the Commission for appropriate orders.

Statement showing votes polled by the candidates having highest votes and runner up

S.No.	Name of candidate	Party affiliation, if any	Votes polled

(Name & Signature of Returning Officer)

(Name & Signature of Observer)

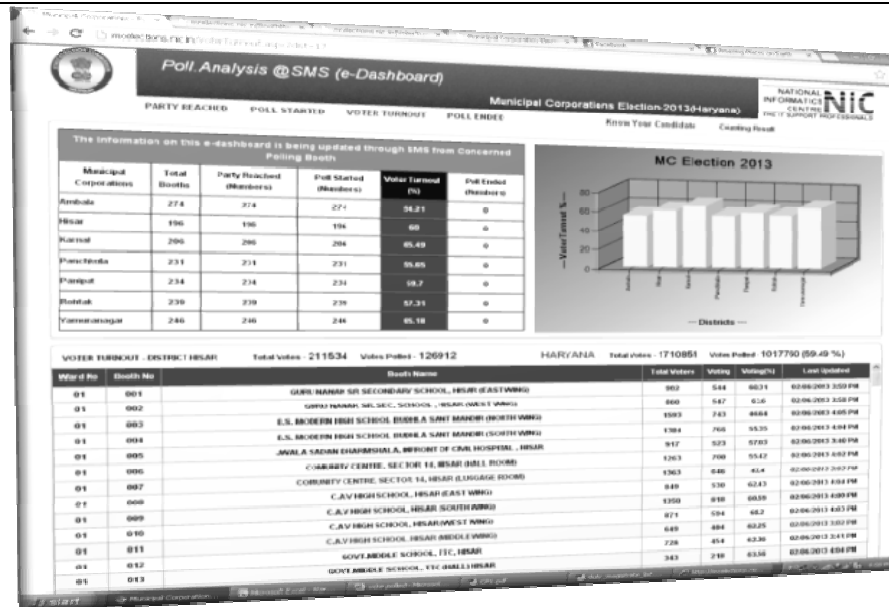
ANNEXURE – XXXIV

General Election to the Municipal Corporations -2013 (Haryana) (Hisar, Ambala, Yamunanagar, Karnal, Panipat, Rohtak, Panchkula)

E-Dashboard – Web Portal populated with SMS during the poll day

Know Your Candidates – Web Portal to know the Credentials of the contesting candidates

Counting Results Dashboard – Web portal updating directly from counting centers (<http://mcelections.nic.in>)



ICT Support: - National Informatics Centre, Haryana State Center,
Chandigarh

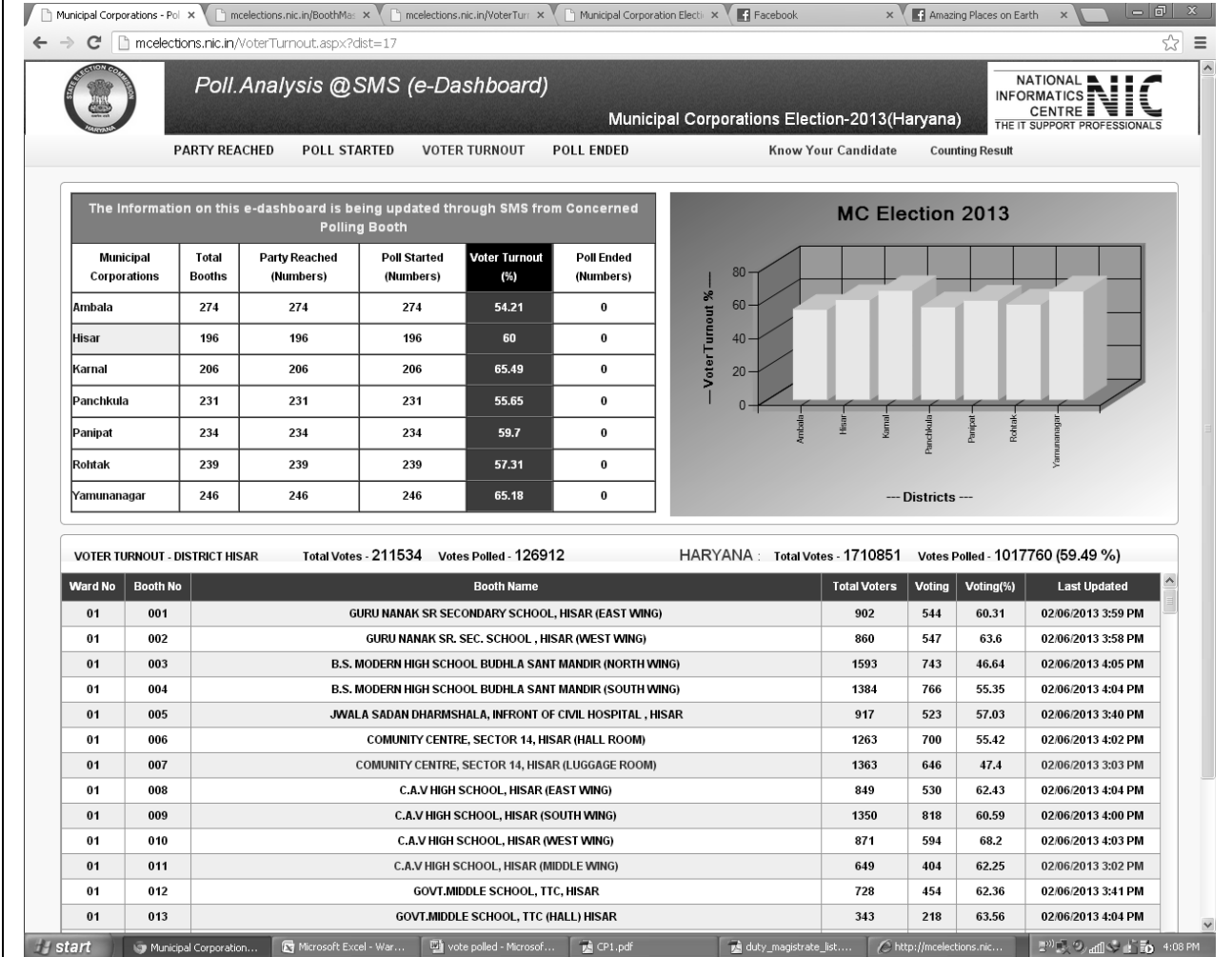
E-Dashboard – During the poll day

Preamble

Monitoring of the election process by the different authorities at different level and the excitement & interest of the public are the key factors leading to developing a real time & authentic e-dashboards and other web portals which introduced lot of transparency in whole of the election process.

E-Dashboard (Poll.Analysis@SMS)–NIC-Haryana team developed a web based Mobile application and operationalized a SMS based e-Dashboard for all the seven numbers of Municipal Corporations of Haryana where on June 02, 2013 General Elections were conducted.

The SMS e-Dashboard was updated successfully, achieving 100% reporting from all the Booths



Methodology–SMS, Domain, Gateway, Format and Timelines

(1) Updating the Dashboard by SMS

The software developed at the NIC-District Unit, Hisar (Haryana) and hosted & maintained at the server of NIC-Haryana at Chandigarh. The Dashboard was updated by the mobile based SMS services. The SMSs were sending by the Presiding Officer directly from the respective polling booths and the same were reflected instantly on the Dashboard.

(2) Domain made available to the public

The e-Dashboard was hooked under the domain <http://mcelections.nic.in> and publically made available.

(3) Capturing of Mobile Number of Each Presiding Officer deployed on the polling booth

The mobile numbers of each Presiding Officers were collected during the dispatch of the polling parties to the respective polling booths and the same numbers were registered in the software and it was ensured that the system would only recognize the same number for accepting the SMS and reflecting instantly on the portal

(4) NIC Gateway for sending Push/Pull the SMS to Dashboard

Each Presiding officer has to send SMS in specific format at different time lines to single number 9215156503 for updating the information on Dashboard



(5) Format, timeline and frequency of sending SMS to Dashboard

S#	Time Line	SMS Format	Number at Which SMS send
1	Reaching of Polling party Information and after establishing booth prior to day of poll	SECHR PR	(To be provided by the NIC)
2	Poll start Information	SECHR ST	
3	Voters Turn Out Detail at every 30 minutes compulsory	SECHR VP xxx	
4	Poll ended information	SECHR PE	

5 (a) Monitoring Feature for any interruption in the poll process during the poll day(Group SMS alerts and privileged web based access)

The mobile numbers of senior authorities of the Elections like State Election Commissioner, Assistant State Election Commissioner, Deputy Commissioners, Observers, Deputy Commissioners and Superintendent of Police were also captured. The officers under the group were simultaneously cautioned by auto generated SMS, if any SMS from the presiding officers send for interruption to the dashboard.

S#	Time Line	SMS Format	Number at Which SMS send
1	Any type of interruptions during the poll (No poll)	SECHR NP	(To be provided by the NIC)

The information of any interruptions was also made available to officers on dashboard under role based privileged.

(6) Silent Features

The information on the Dashboard was presented in tabular form as well as in 3D graphical form in real time mode. The dashboard facilitated the public by depicting the details as hereunder

1. Party Reached information with time stamps from all the booths
2. Poll started information from all booths
3. Voter turnout in percentage from all the booths
4. Poll ended information from all the booths
5. Group SMS and web based alerts under privileged access for any interruption during poll process
6. Booth wise updating of information and depicting on the portal with time stamp for all the booths
7. Number of MIS reports for the use of District Administrations and election office

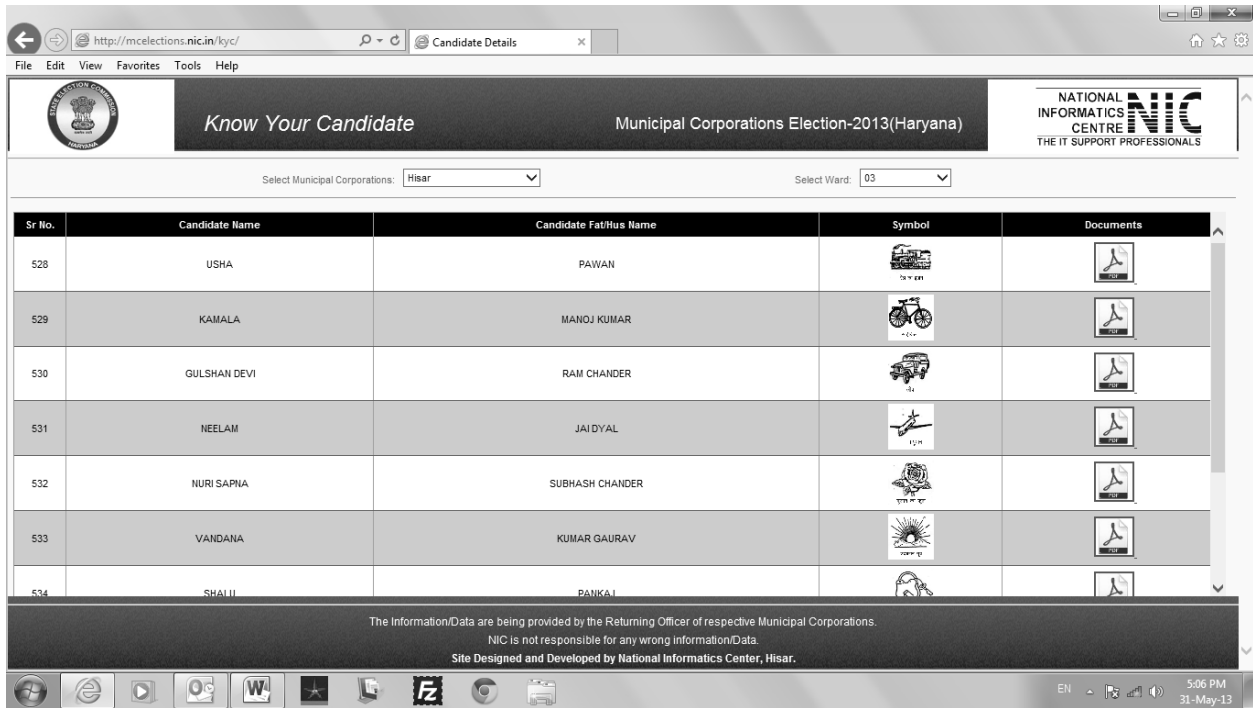
Know Your Candidate –Portal to know the credentials of the contesting candidates

Preamble

For every voters it is essential to know about the credentials of the candidate and base of candidature to whom he/she has to cast the vote. NIC-District Unit, Hisar (Haryana) developed web based portal and the same was hosted and maintained at NIC-Haryana State Center, Chandigarh.

Implementations of the portal in all Municipal Corporations

The KYC portal was utilized in all the municipal Corporations of Haryana in the General Election of Municipal Corporations -2013 of Haryana. This enabled lot of transparency in the system and as well empowered the voters to understand the qualification, financial positions, assets details and criminal background (if any) of the candidate contesting the elections before casting the valuable vote.



Silent Features

The software was capable of capturing the details and declaration made by the candidate before the respective returning officer. The same document made public by enabling in the portal. All the affidavits filed by the candidate hooked on the portal for public disclosure and the same was downloadable in pdf file format.

e-Dashboard for counting Results – Portal updating from counting centers

Preamble

The dashboard was displaying the leading candidate position on the homescreen from all the wards of all Municipal Corporations of Haryana linking with the details of the candidates contesting from the particular wards and votes gained were made to the public.

The screenshot shows the 'Counting Analysis (e-Dashboard)' for Municipal Corporations Election-2013 (Haryana). It features a grid of candidates across different wards. The grid is organized by ward (01 to 09) and lists candidates with their names and margins. The dashboard also indicates 'Counting in Progress - Leading Candidate' and 'Counting Completed - Candidate Wise'.

Ward No	Ambala	Hisar	Karnal	Panchkula	Panipat	Rohtak	Yamunanagar
01	(7) SONIA RANI Margin: 1517	(1) ANIL JAIN Margin: 702	(7) RAKESH KUMAR Margin: 1184	(8) SOM NATH Margin: 296	(1) KAMAL BHATLA Margin: 1973	(3) RAJIB Margin: 1645	(13) RAM SAWROOP Margin: 926
02	(2) DINESHNA DEVI Margin: 1361	(1) KAMLA DEVI Margin: 416	(8) BALWINDER SINGH Margin: 355	(4) SANGAT SINGH Margin: 343	(1) KAMLESH KUMARI Margin: 249	(12) SURBIZY Margin: 49	(8) NISHA DEVI Margin: 69
03	(9) RAMESH LAL Margin: 139	(7) SHALU Margin: 2364	(2) KIRANSHI GOEL Margin: 1070	(5) SURJEET KUMAR Margin: 1731	(1) SURESH KUMAR SHARMA Margin: 1112	(23) SUSHIL INDORA Margin: 163	(8) POORNAM RANI Margin: 206
04	(4) SMA RANI Margin: 1409	(10) REKHA Margin: 2308	(10) SUMATA Margin: 721	(9) SATINDER SINGH Margin: 2234	(7) BEEMA Margin: 550	(12) RENJU Margin: 1145	(2) PARMOD SETHI Margin: 102
05	(4) RUPAM GUGLANI Margin: 3996	(10) BHIM Margin: 92	(1) KAMLESH LATHER Margin: 59	(1) KRISHAN LAL LAMBA Margin: 1853	(5) JIN KUMAR Margin: 80	(18) SURAJ MAL Margin: 819	(2) DAVINDER SINGH Margin: 455
06	(2) DAVANU AGGARWAL Margin: 486	(8) MANAN SINGH Margin: 713	(4) MOHIT KUMAR Margin: 115		(11) SANJITA Margin: 41		(9) PRIYI JOHAR Margin: 469
07	(2) DALJEET SINGH BHADIA Margin: 1165	(3) PREENAD Margin: 146	(8) PARSHAL MITAL Margin: 674		(18) DURESH Margin: 1241	(10) SARBITA Margin: 1059	(4) KAMRUPA TRAGI Margin: 927
08	(4) KUSHINDERKUMAR Margin: 2888	(8) DAYA NAND Margin: 354	(8) SUDHARSHAN KUMAR Margin: 2211		(1) ASHOK KUMAR Margin: 3584	(11) PASANA DEVI Margin: 408	(3) SANGITA SINGHAL Margin: 611
09	(8) HIMMAT PARKASH SINGH Margin: 1211	(1) ANITA RANI Margin: 370	(11) MANOJ KUMAR WADHWA Margin: 641		(8) ROHITA BEVER Margin: 8403		(2) DARSHAN BEDI Margin: 2393

The Details of the all candidates with number of votes scored ward wise

From the e-Dashboard by just one click of leading candidate, one may view the all candidates position ward wise. Number of votes gained was also depicted against each candidate

Counting Results (04/06/2013) Municipal Corporations Election-2013(Haryana)

Municipal Corporation: Ambala Ward: 01

counting completed SONIA RANI (Winner) and JASBIR KAUR (Runner up) Margin: 1817 (votes)

Sr No.	Ward No.	Candidate Name	Candidate Father's Name	Symbol	Votes
7	01	SONIA RANI	VIJAY KUMAR		3676
4	01	JASBIR KAUR	JOBAL SINGH		1759
3	01	GEETA	RAJESH KUMAR		1620
5	01	BHARTI SASAN	ASHOK KUMAR SASAN		856
6	01	SUNITA YADAV	RAM BABU YADAV		439
1	01	AMRIKO DEVI	AMARNATH		400
2	01	KRISHANA DEVI	NEKI RAM		17

Results of all wards in respective Municipal Corporations - Winner and Runner-up candidate details

Complete scenarios of all wards of respective municipal corporations were also made available, in which the picture of winner/leading candidate and runner-up candidates were displayed.

Counting Results (04/06/2013) Municipal Corporations Election-2013(Haryana)

Municipal Corporation: Hisar

Ward	Leading / Winning Candidates				RunnerUp Candidates			
	Candidate Name	Symbol	Votes	Margin	Candidate Name	Symbol	Votes	Last Updated
01	ANIL JAN		2538	702 Won	KRISHAN KUMAR		1836	11:25 AM
02	KAMILA DEVI		1790	416 Won	SAVITRI		1374	11:26 AM
03	SHALU		4266	2364 Won	HEELAM		1902	11:26 AM
04	REKHA		3933	2308 Won	BHM SARI		1630	11:27 AM
05	BHM		1800	92 Won	RAJENDER GODARA		1708	11:28 AM
06	H&LN KISHI		4686	713 Won	PLV& NANN		421	11:28 AM

The Information/Data are being provided by the Returning Officer of respective Municipal Corporations. NIC is not responsible for any wrong information/Data. Site Designed and Developed by National Informatics Center, Hisar.

Final Counting e-Dashboard

Counting Analysis (e-Dashboard) Municipal Corporations Election-2013(Haryana)

Counting in Progress - Leading Candidate Counting Completed - Candidate Won

Ward No.	Ambala	Hisar	Karnal	Panchkula	Panipat	Rohtak	Yamunanagar
01	(7) SONIA RANI Margin: 1817	(1) ANIL JAN Margin: 702	(7) RAJESH KUMAR Margin: 1184	(8) SOM NATH Margin: 296	(1) KAJAL BHATIA Margin: 1973	(18) BABBAR Margin: 1645	(13) RAM SAINIHOPE Margin: 526
02	(2) DARSHNA DEVI Margin: 3261	(1) KAMILA DEVI Margin: 416	(8) BAL WINDER SINGH Margin: 359	(6) RANJAT SINGH Margin: 343	(3) KAMLESH KUMAR Margin: 249	(4) MANITA RANI Margin: 297	(8) NISHA DEVI Margin: 89
03	(3) RAMESH LAL Margin: 139	(7) SHALU Margin: 2264	(2) KALASH GOEL Margin: 1070	(5) SURJEET KUMAR Margin: 1721	(14) HARSHI KUMAR SHARMA Margin: 1112	(23) SUSHIL BHOORA Margin: 163	(9) PONNAM RANI Margin: 208
04	(4) RIMA RANI Margin: 1409	(19) REKHA Margin: 2308	(10) SUJATA Margin: 721	(9) SATINDER SINGH Margin: 2234	(7) SEEMA Margin: 650	(12) RENU Margin: 1145	(2) PARMOO SETHI Margin: 102
05	(15) BIPAL CHOLANI Margin: 3896	(18) BHM Margin: 92	(1) KAMLESH LATHER Margin: 59	(1) KISHAN LAL LAMBRA Margin: 1853	(8) ANI KUMAR Margin: 80	(16) PURA LAL Margin: 618	(2) DILINDER SINGH Margin: 455
06	(2) PAWAN AGGARWAL Margin: 406	(8) MAAN SINGH Margin: 713	(4) MOHIT KUMAR Margin: 115	(8) SEEMA DEVI Margin: 248	(11) SANJITA Margin: 41	(3) MANJULI Margin: 2958	(6) PIRITHI KOHAR Margin: 460
07	(2) DALJIT SINGH BHATIA Margin: 1165	(3) PREHLAD Margin: 146	(8) YASHPAL MITTAL Margin: 678	(12) VINOD KUMAR Margin: 278	(14) SURJESH Margin: 1241	(10) SARITA Margin: 1058	(4) KUSUM TYAGI Margin: 927
08	(1) BISHUPINDER KUMAR Margin: 2888	(8) DAYA NAND Margin: 354	(8) SUKHARSHAN KUMAR Margin: 2211	(2) KULJIT KAUR Margin: 261	(1) ASHOK KUMAR Margin: 3564	(11) PARASH DEVI Margin: 498	(3) SANGEETA SINGHAL Margin: 611
09	(8) HIMMAT PARKASH SINGH Margin: 1711	(1) ANITA RANI Margin: 370	(11) MANOJ KUMAR WADHWA Margin: 813	(1) CHANDER BHAN GOEL Margin: 129	(8) ROHITA REWRI Margin: 8403	(8) BALRAJ SINGH Margin: 659	(2) PARWAN BITTU Margin: 2393

Silent Feature

- ✓ The role based power was given to different counting centers to enter data directly from all the counting centers
- ✓ E-Dashboard was disseminating the leading candidate positions on the home screen from all wards of all Municipal Corporations
- ✓ Color mechanism was utilized to extend the privileged view and instant focus. The background color of leading candidate during the counting process was blue and after declaring the winning of any candidate after completion of counting the background color becomes red.
- ✓ Ward wise and candidate wise details were made available under public disclosures with just single click of mouse
- ✓ The information displayed on the portal was authentic and in real time as the same was disseminated from counting centers after due authentications of returning officers or the officers of elections.

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The e-dashboard application was a very good contender for making it a generic Mobile based application by making requisite enhancements for the Elections Projects, which always have fixed time lines for each activity. **Sh. Dharam Vir, IAS (Retd.) State Election Commissioner, Haryana**

ANNEXURE – XXXV

List of polling materials for a polling station where Electronic Voting Machine is used.

1	Control Unit	1 PS
2	Battery/Power Pack	1 PS
3	Balloting Unit(s) (Depending upon the Nos. of Candidates)	1 PS or as per requirement
4	Register of voters(Form 12)	Big _____ Small _____
5	Voter.s Slip	As per No. of Electors
6	Working Copies of Electoral Rolls	3 PS
7	Ballot Papers (for tendered votes)	5 PS
8	Indelible Ink	1 Phial of 5 C.C. each
9	Address Tag for Control Unit	5 PS
10	Address Tag for Balloting Unit	4 PS
11	Special Tag (From Sr. No. _____ to _____)	2 PS
12	Paper Seals for EVM (From Sr. No. _____ to _____)	4 PS
13	Strip Seal (From Sr. No. _____ to _____)	3 PS
14	Rubber Stamp Arrow Cross Mark	1 PS
15	Stamp Pad (Purple)	1 PS
16	Metal Seal for Presiding Officer	1 PS
17	Metal Seal for RO	1 PC
18	Presiding Officer's Diary (Form)	2 PS
19	Distinguishing Mark Rubber Stamp	1 PS
20	FORMS/BOOKS	
	(i) Hand Book of Presiding Officer	1 PS
	(ii) List of Challenged Votes (Form-3)	2 PS
	(iii) List of Blind and Infirm Voters (Form-4)	2 PS
	(iv) List of Tendered Votes (Form-5)	2 PS
	(v) Accounts of votes Recorded] (Form-18)	5 PS
	(vi) Record of paper seals used]	
	(vii) Receipt Book for deposit of challenged votes fee	1 Book PS
	(viii) Letter to S.H.O.	5 PS
	(ix) Declaration by the Presiding Officer before the Commencement of Poll and at the end of poll (Part I to IV)	2 PS
	(x) Passes for Polling Agents	5 PS
	(xi) Appointment of Polling Agents (Form-2)	10 PW
	(xii) Appointment of Election Agents (Form-2A)	10 PW

(xiii)	Appointment of Counting Agents (Form-2B)	10 PS
(xiv)	Letter of Intimation to RO (Form-10)	5 PS
(xv)	Maintenance and submission of Accounts, day today account Expenditure acknowledgement, statement of election Expenditure, form of affidavit.	15 PW
(xvi)	Model Code of conduct	10 PC
(xvi)	Application of Election Duty Certificate (Form-11)	5 PW
(xvii)	Election Duty Certificate (Form-13)	5 PW
(xviii)	Declaration by Electors for use of Postal Ballot paper (Form-14)	5 PW
(xix)	Instruction for Use of Postal Ballot Paper (Form-17)	5 PW
(xx)	Step-by-Step operations during sealing of EVM by the RO	2 PS
(xxi)	List of Polling Material	2 PS
(xxii)	Performa for submission of the Report to the Commission on the day of Polling.	2PS
(xxiii)	Notice regarding Date, Time and Place for Counting.	5 PW
(xxiv)	Consolidation of Accounts of the Counted Ballot Paper (Form-8)	5 PW
(xxv)	Certificate of Election	2 PW
(xxvi)	Form for declaration by the companion of blind and infirm voter	5 PS

21 **ENVELOPES**

(i)	For smaller envelopes (Statutory Covers)	Small size	1
(ii)	For marked copy of electoral rolls	Big size	1
(iii)	For other copies of electoral rolls	Big size	1
(iv)	For Tendered Ballot Paper	Medium size	1
(v)	For Declaration by the Presiding Officer before commencement of the poll and at the end of the poll	Medium size	1
(vi)	For account of votes recorded (Form-18)	Medium size	1
(vii)	For list of challenged votes	Small size	2
(viii)	For unused and spoiled paper seals	Medium size	1
(ix)	For appointment letters of Polling Agents	Medium size	1
(x)	For list of blind and infirm voters	Small size	1
(xi)	For Presiding Officer's Diary's report	Medium size	1
(xii)	For Election Duty Certificate	Medium size	1
(xiii)	For Receipt Book and Cash forfeited	Medium size	1
(xiv)	For smaller envelopes (others)	Medium size	1
(xv)	For Register of Voters containing signatures of voters (Form-12)	Big size	1
(xvi)	For unused ballot papers	Medium size	1

(xvii)	For any other paper that the R.O. has decided to keep in the sealed cover	1
(xviii)	Cover for unused and damaged special tag Small size	1
(xix)	Cover for unused and damaged strip seal Small size	1
(xx)	Cover for Tendered Votes Lists Small size	1
(xxi)	Cover for Counter Foil of Ballot Paper	1

(Wherever the envelopes are smaller in size the packing paper may be used and where the relevant printed envelope is not available plain envelope can be used and purpose may be indicated with red ink)

22 SIGN BOARDS

(a)	Layout of Polling Station	1
(b)	Polling Station (Display Card)	1

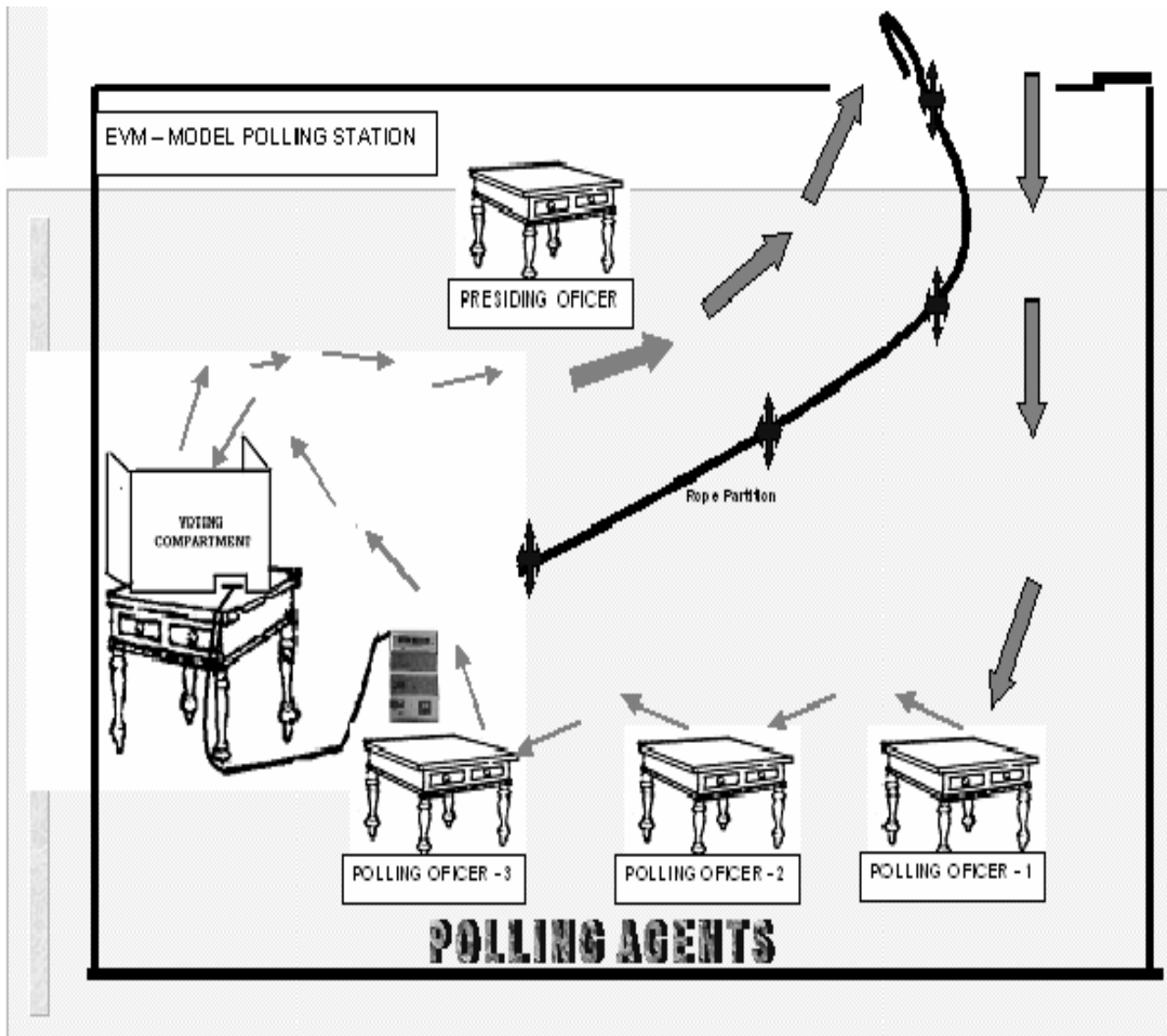
23 STATIONERY

(i)	Ball Pen	3 Blue + 1 Red
(ii)	Blank Paper	8 sheets
(iii)	Pins	25 pieces
(iv)	Sealing Wax	6 sticks
(v)	Tags	25 Nos.
(vi)	Gum paste	1 bottle
(vii)	Blade	1
(viii)	Candles	2 sticks
(ix)	Thin Twine Thread	10 mtrs.
(x)	Metal rule	1
(xi)	Carbon Paper	2
(xii)	Duster/Cloth	1
(xiii)	Rubber Bands	20 pieces
(xiv)	Cello Tape	1
(xv)	Kit Bag	1
(xvi)	Material for Voting Compartment (Screen)	1
(xvii)	Card Board Piece	1
(xviii)	Match Box	1

Lists of material to be returned by the Presiding Officer to the Authorised Officer separately who in turn will deposit them in store at the office of the Deputy Commissioner.

1. Arrow Cross Mark Rubber Stamp
2. Metal Seal of Presiding Officer.
3. Stationery bag containing
 - (i) Self inking pad
 - (ii) Material for voting compartment
 - (iii) Metal Rule
 - (iv) All other unused items

ANNEXURE – XXXVI



A N N E X U R E – XXXVII

FORM 18

[See rules 69Q(1), 69R(1)(ii), 69U(2) (a) and (b), 69V(1)]

PART-I – ACCOUNT OF VOTES RECORDED

Election to the Municipality _____
From Ward Number _____

Number and Name of Polling Station _____

Identification Number of Voting Machine used at the Polling Station

Control Unit _____

Balloting Unit _____

1. Total Number of electors assigned to the Polling Station.
2. Total Number of voters entered in the Register of Voters (Form 12)
3. Number of voters deciding not to record votes under rule 69M
4. Number of voters not allowed to vote under rule 69G or 69H
5. Total Number of votes recorded as per voting machine.
6. Whether the total Number of votes as shown against item 5 tallies with the total Number of voters as shown against item 2 minus Numbers of voters deciding not to record votes as against item 3 minus Number of voters as against item 4 (2-3-4) or any discrepancy noticed.
7. Number of voters to whom tendered ballot papers were issued under rule 55
8. Number of tendered ballot papers.

Serial number
From _____ To _____

- (a) received for use _____
(b) issued to electors _____
(c) not used and returned _____
9. Account of papers seals
Serial numbers
From _____ To _____
- Signature of Polling Agents

- | | |
|--|----------|
| 1. Serial number of paper seals supplied. | 1. _____ |
| From _____ to _____ | 2. _____ |
| 2. Total numbers supplied. | 3. _____ |
| 3. Number of paper seals used. | 4. _____ |
| 4. Number of unused paper seals returned to | 5. _____ |
| Returning Officer (Deduct item 3 from item 2) | 6. _____ |
| 5. Serial number of damaged paper seal, if any | 7. _____ |

Date _____
Place _____

Signature of Presiding Officer
Polling Station No. _____

PART-II – RESULT OF COUNTING

S. No.	Name of Candidate	No. of votes recorded
1		
2		
3		
4		
5		
6		
.....		
<hr/>		
Total		

Whether the total numbers of votes shown above tallies with the total Number of votes shown against the item No.5 of Part-I or any discrepancy noticed between the two totals.

Place _____
Date _____

Signature of Counting Supervisor/Presiding Officer

Name of Candidate/election agent/counting agents Full Signature

1
2
3
4
5
6
7
8
.....
.....

Signature of Returning Officer/Presiding Officer

ANNEXURE – XXXVIII

DECLARATION BY PRESIDING OFFICER PART-I

Declaration by the Presiding Officer before the commencement of the Poll Election from Ward No. Name of the Ward Serial No. and name of Polling Station..... Date of Poll

I hereby declare :

- (1) that I have demonstrated to the polling agents and others presents-
 - (a) by holding a mock poll that the voting machine is in perfect working order and that no vote is already recorded therein;
 - (b) that the marked copy of the electoral roll to be used during the poll does not contain any marks other than those used for issuing postal ballot papers and election duty certificates;
 - (c) that the Register of Voters (Form-12) to be used during the poll does not contain any entry in respect of any elector;
- (2) that I have affixed my own signature on the paper seal(s) used for securing the Result Section of control unit of the voting machine and obtained thereon the signatures of such of the polling agents as are present and desirous of affixing the same.
- (3) that I have written the serial number of the Control Unit on the special tag, and I have affixed my signature on the back side of the special tag and also obtained thereon the signatures of such of the candidates/polling agents as are present and desirous of affixing their signature.
- (4) that I have affixed my signature on the strip seal and also obtained thereon the signatures of such of the candidates/polling agents as are present and desirous of affixing their signature.
- (5) that I have read out the pre-printed serial number of the special tag and asked the candidates/ polling agents present, to note down the serial number.

Signature.....
Presiding Officer

Signature of polling agents

- 1(of candidate.....) 2(of Candidate.....)
- 3(of candidate.....) 4(of candidate.....)
- 5 (of candidate.....) 6(of candidate.....)
- 7(of candidate.....) 8(of candidate.....)
- 9 (of candidate.....), etc.

The following polling agent(s) declined to affix his/her signature(s), on this declaration.

- 1(of candidate.....) 2(of candidate.....)
- 3(of candidate.....) 4(of candidate.....)

Date
Time

Signature.....
Presiding Officer

PART-II

Declaration by the Presiding Officer at the time use of subsequent voting machine, if any.

Election from Ward No..... Name of the Ward Serial No. and name
of Polling Station.....

Date of Poll.....

I hereby declare ;

- (1) that I have demonstrated to the polling agents and others present by holding a mock poll that the subsequent voting machine is in perfect working order and that no vote is already recorded therein;
- (2) that I have affixed my own signature on the paper seal(s) used for securing the Result Section of control unit of the voting machine I have affixed my own signature and obtained thereon the signatures of such of the polling agents as are present and desirous of affixing the same.
- (3) that I have written the serial number of the Control Unit on the special tag, and I have affixed my signature on the back side of the special tag and also obtained thereon the signatures of such of the candidates/polling agents as are present and desirous of affixing their signature.
- (4) that I have affixed my signature on the strip seal and also obtained thereon the signatures of such of the candidates/polling agents as are present and desirous of affixing their signature.
- (5) that I have read out the pre-printed serial number of the special tag and asked the candidates/ polling agents present, to note down the serial number.

Signature.....
Presiding Officer

Signature of polling agents

- 1.....(of candidate.....) 2(of candidate.....)
- 3.....(of candidate.....) 4(of candidate.....)
- 5..... (of candidate.....) 6(of candidate.....)
- 7.....(of candidate.....) 8(of candidate.....)
- 9..... (of candidate.....), etc.

The following polling agent(s) declined to affix his/her signature(s), on this declaration.

- 1.....(of candidate.....) 2(of candidate.....)
- 3.....(of candidate.....) 4(of candidate.....)

Date
Time

Signature.....
Presiding Officer

PART-III

DECLARATION AT THE END OF POLL

I have furnished to the polling agents, who were present at the polling station at the close of the poll and whose signatures are affixed below, an attested copy of each of the entries in Part I- Accounts of Votes Recorded. of Form-18.

Date Signature
Time Presiding Officer

Received an attested copy of the entries in the account of votes recorded (Part I of Form-18)

Signature of polling agents

- 1.....(of candidate.....) 2(of candidate.....)
- 3.....(of candidate.....) 4(of candidate.....)
- 5..... (of candidate.....) 6(of candidate.....)
- 7.....(of candidate.....) 8(of candidate.....)
- 9 (of candidate.....)

The following polling agents who were present at the close of the poll declined to receive an attested copy of the Part I of Form XXIII and to give a receipt therefor and so an attested copy of that Form was not supplied to them:

- 1.....(of candidate.....) 2(of candidate.....)
- 3.....(of candidate.....) 4(of candidate.....)
- 5..... (of candidate.....) 6(of candidate.....)
- 7.....(of candidate.....) 8(of candidate.....)
- 9 (of candidate.....)

Date Signature
Time Presiding Officer

PART-IV

DECLARATION AFTER THE SEALING OF THE VOTING MACHINE

I have affixed my seals, and I have allowed the polling agents who were present at the polling station at the close of poll to affix their seals, on the carrying cases of the control unit and balloting units of the voting machine.

Date

Signature

Time

Presiding Officer

The following polling agents have affixed their seals.

Signature of polling agents

1.....(of candidate.....) 2(of candidate.....)

3.....(of candidate.....) 4(of candidate.....)

5..... (of candidate.....) 6(of candidate.....)

The following polling agents refused or did not want to affix their seals.

1.....(of candidate.....) 2(of candidate.....)

3.....(of candidate.....) 4(of candidate.....)

Date

Signature

Time

Presiding Officer

ANNEXURE – XXXIX

LETTER OF COMPLAIANT TO THE S.H.O. POLICE

To

The Station House Officer,
.....
.....

Sub:- Election to ward.....ofMunicipality–
Impersonation at Polling Station (Number and
name) Date of Poll.....

Sir,

I am to report that Sri..... Son of Sri..... and resident
of.....has challenged the identity of the person who his being handed over
to..... This person claimed to be.....whose name appears at
serial No..... Part No.....of the electoral roll of.....Ward. He could not
prove himself to be this voter. In my opinion he is an impersonator. I am to report this under
Section 171-F of the Indian Penal Code.

Yours faithfully,

**Signature
Presiding Officer**

Place :

Date :

Copy forwarded to the Returning Officer.....Municipality
and.....

**Signature,
Presiding Officer.**

RECEIPT

The above letter and the person referred to there in were handed over to me
at..... (hour) on(date) by the Presiding Officer.

Signature

*Here insert ex-officio designation of the Returnng Officer.

A N N E X U R E – X L
FORM-3

[See Rule 46(2)(c)]
LIST OF CHALLENGED VOTES

Election to the Municipal Committee _____ from Constituency (Ward) No. _____

Polling Station _____

Signature Sheet No. _____

Serial No. of entry	Name of elector	Serial number of elector's name in the roll	Signature or thumb impression of the person challenged	Address of the person challenged	Name of identifier, if any	Name of challenger	Order of Presiding Officer	Signature of challenger on receiving refund of deposit
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)

Date: _____

Signature of Presiding Officer

A N N E X U R E – X L I
FORM-4

[See Rule 53(2)]
LIST OF BLIND AND INFIRM VOTERS

Election to the Municipal Committee _____
From the Constituency (Ward) No. _____
No. of Polling Station/place of poll _____

Serial number of elector on the roll	Full name of elector	Full name of companion	Address of companion	Signature of companion
1	2	3	4	5

Date: _____

Signature of Presiding Officer

A N N E X U R E – X L I I

PRESIDING OFFICER'S DIARY

1. Name of the constituency (in block letters):
2. Date of poll :
3. Number of the polling station :
Whether located in-
 - (i) Government or quasi-government building;
 - (ii) Private building;
 - (iii) Temporary structure;
4. Number of polling officers recruited locally, if any :
5. Appointment of polling officer made in the absence of duly appointed polling officer, if any, and the reasons for such appointment :
6. Voting Machine-
 - (i) Number of Control Units used :
 - (ii) S. No. (s) of Control Units used :
 - (iii) Number of balloting units used :
 - (iv) S. No. of balloting units used :
7.
 - (i) Number of paper seals used :
 - (ii) Sl. Nos. of paper seals used :
- 7A.
 - (i) Number of special tags supplied:
 - (ii) S.No.(s) of special tags supplied:
 - (iii) Number of special tags used:
 - (iv) S.No.(s) of special tags used:
 - (v) S.No.(s) of special tags returned as unused:
- 7B.
 - (i) Number of Strip Seals supplied:
 - (ii) S.No.(s) of Strip Seals supplied:
 - (iii) Number of Strip Seals used:
 - (iv) S.No.(s) of Strip Seals used:
 - (v) S.No.(s) of Strip Seals returned as unused:
8. Number of polling agents and the number who arrived late :
9. Number of candidates who had appointed polling agents at the polling stations :
10.
 - (i) Total no. of voters assigned to the polling station:
 - (ii) Number of electors allowed to vote according to marked copy of the electoral roll:
 - (iii) Number of electors who actually voted as per the Register of Voters (From-12).
 - (iv) Number of votes recorded as per the voting machine:

Signature of first Polling Officer

Signature of Polling Officer
in-charge of Register of Voters

11. Number of electors who voted-
 - Men.....
 - Women
 - Total
12. Challenged vote-
 - Number allowed
 - Number rejected
 - Amount forfeited Rs.
13. Number of persons who have voted on production of Election Duty Certificate (EDC) :
14. Number of electors who voted with the help of companions :
15. Number of tendered votes :
16. No. of electors-
 - From whom declarations as to their age obtained
 - Who refused to give such declaration
17. Whether it was necessary to adjourn the poll and if so, the reasons for such adjournment :
18. Number of votes cast from
 - 8 a.m. to 10 a.m.
 - from 10 a.m. to 12 Noon.
 - from 12 Noon to 2 p.m.
 - from 2 p.m. to 4 p.m.
19. Number of voter's slips issued at the closing hour of the poll :
20. Electoral offences with details :
 - Number of cases of-
 - (a) canvassing within one hundred metres of the polling station :
 - (b) impersonation of voters :
 - (c) fraudulent defacing, destroying or removal of the list of notice or other document at the polling station.
 - (d) bribing of voters :
 - (e) intimidation of voters and other persons :
 - (f) booth capturing
21. Was the poll interrupted or obstructed by-
 - (1) riot :
 - (2) open violence :
 - (3) natural calamity :
 - (4) booth capturing:

(5) failure of voting machine:

(6) any other cause :

Please give details of the above.

22. Was the poll vitiated by any voting machine used at the polling station having been-

(a) unlawfully taken out of the custody of the Presiding Officer:.

(b) accidentally or intentionally lost or destroyed :

(c) damaged or tampered with :

Please give details

23. Serious complaints, if any, made by the candidate/agents :

24. Number of cases of breach of law and order :

25. Report of mistakes and irregularities committed, if any, at the polling station :

26. Whether the declarations have been made before the commencement of the poll and if necessary during the course of poll when a new voting machine is used and at the end of poll as necessary :

Place

Date

Presiding Officer

This diary should be forwarded to the Returning Officer along with the voting machine and other sealed papers.

ANNEXURE – XLIII

PROFORMA FOR SUBMISSION OF THE REPORT TO THE COMMISSION ON THE DAY OF POLLING

Name of the Municipality No. and Name of the ward

Time of Report

1. Interruption or obstruction of poll due to riots, open violence, natural calamity or any other cause.
2. Vitiating of the poll by any of the EVMs having been unlawfully taken out of the custody of the Presiding Officer, accidentally or unintentionally lost or destroyed or damaged or tampered with.
3. Votes having been unlawfully recorded by any person in the EVMs.
4. Booth capturing.
5. Serious complaints.
6. Violence and breach of law and order.
7. Mistakes and irregularities which have a bearing on the elections.
8. Weather conditions.
9. Poll percentage.
10. Whether all the diaries of Presiding Officers have been scrutinized and irregularities, if any detected.
11. Recommendations regarding repoll/fresh poll, if any.
12. Any other remarks.

Place

Date

Signature of Returning Officer

N.B.

- 1) The Returning Officer shall send ward wise reports in the above proforma to the SEC through Deputy Commissioner.
- 2) The reports in respect of all wards in the Municipality shall reach the Commission before 7 A.M on the day next to poll day.

A N N E X U R E – XLIV

**NOTICE TO CANDIDATE OR THEIR ELECTION AGENTS
REGARDING THE DATE, TIME AND PLACE FOR COUNTING**

ELECTION TO THE WARD NO..... NAME OF THE WARD
.....Municipality

(When Counting takes place at one place)

**I hereby give notice that I have, fixed the.....day of
(month).....200.....a.m./p.m. as the date and time for
the counting of votes in the Ward No..... and (Place)
in.....as the place for such counting.**

Place

Signature

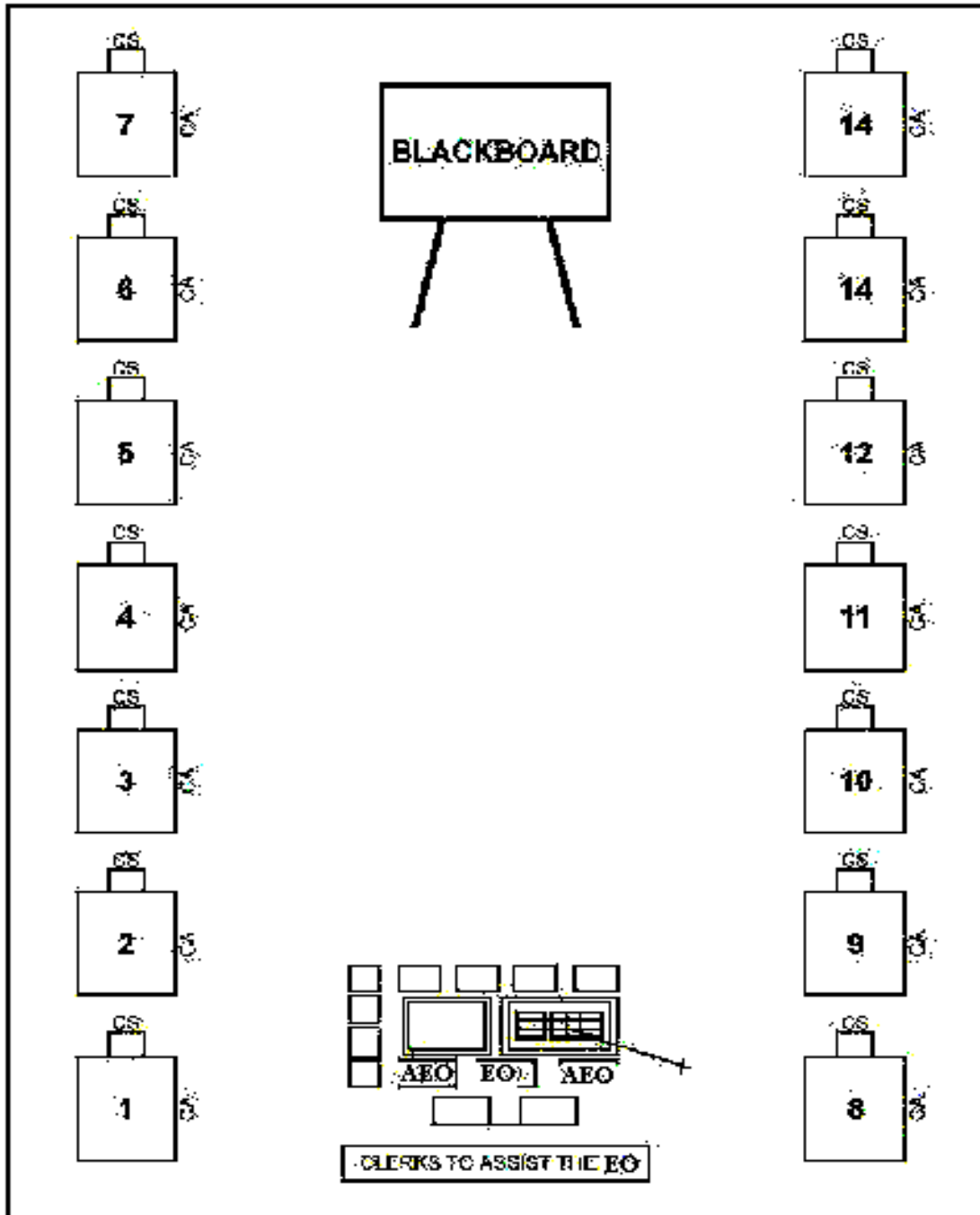
Date

Returning Officer

To

All candidates or their election agents.

ANNEXURE - XV



ANNEXURE – XLVI

FORM 8

[See rules 62, 69U(2)(c), 69V(1) and 69W(2)]

Form of consolidation of account of the counted ballot papers

Election to the Municipal Committee _____ from the Constituency
(Ward) No.

Polling Station No.	Total votes found in the ballot box(es)/ EVM(s)	Number of tendered votes	Candidate's valid votes								Valid votes Total	Number of rejected ballot papers	Valid and rejected votes total.	
			A	B	C	D	E	F	G	H				
1														
2														
3														
4														
5														
Etc.														
Total														

Place _____

Date _____

Returning Officer”

ANNEXURE – XLVII

CERTIFICATE OF ELECTION

I, Returning Officer for the election of Members to the Municipal Corporation/Council/Committee, _____ hereby certify that I have on this _____ day of _____ declare Sh./Smt./Ms. _____ S/o, W/o., D/o _____ the candidate sponsored by _____* recognized/registered political party, to have been duly elected to Ward No.** _____ of the Council to be Member from the said Ward and that in token thereof, I have granted to him/her this Certificate of election.

Place _____
Date _____

Signature _____
Name of Returning Officer of
Municipal Corporation/Council/Committee _____

* Strike of inappropriate alternative

** Appropriate particulars of the Election to be inserted

ANNEXURE – XLVIII

STATE ELECTION COMMISSION, HARYANA S.C.O.NO.16-17, SECTOR 20 D, CHANDIGARH NOTIFICATION

No.SEC/4ME/2006/9706

Dated:-19.12.2006

Whereas, the Superintendence, direction and control of all elections to Municipalities in the State of Haryana are vested in the State Election Commission by the Constitution of India and the Haryana Municipal Act, 1973 (Haryana Act No.24 of 1973);

AND, whereas the State Election Commission being deeply aware of the increasingly vitiated roll of unaccounted financial resources in election and the fragility of existing Law in curbing such vitiation, and to render the accounts of election expenses, it is necessary and expedient to provide, in the interest of purity of elections to the Municipalities in the State of Haryana and in the interest of conduct of such elections in fair and efficient manner and ways and means to render the accounts of expenditure at an elections by the contesting candidate in relation thereto and for matters connected therewith;

Now, therefore, in exercise of the powers conferred under Article 243ZA of the Constitution of India and Section 3A, 13D and 13E of the Haryana Municipal Act, 1973 all other powers enabling it in this behalf and in supersession of the Haryana Municipal Election Expenditure (Maintenance and submission of Accounts) order, 1996 the State Election Commission, Haryana hereby makes the following order:-

1. Short title, extent, application and commencement:-

- (1) This order may be called the Haryana Municipal Election Expenditure (Maintenance and submission of accounts) Order, 2006.
- (2) It shall extend to the whole of Haryana State in relation to elections in all Municipalities.
- (3) It shall come into force on the date of its publication in the Haryana Government Gazette which date is hereinafter referred to the commencement of this order.

2. Definition and Interpretation:-

- (1) In this order unless the context otherwise required:-
 - (a) "ACT" means the Haryana Municipal Act, 1973 (Haryana Act No.24 of 1973) ;
 - (b) "ELECTION EXPENDITURE" means any expenditure incurred or authorised by a candidate or his election agent in connection with the election between the dates on which he has filled his/her nomination and the date of declaration of results thereof both days inclusive;
 - (a) "MUNICIPALITY" means an Institution of Self Government constituted under Section 2(A) of the Haryana Municipal Act, 1973 which may be a Municipal Committee or Municipal Council ;
 - (b) "RULE" means the Haryana Municipal (Election) Rules, 1978 ;

- (c) "SECTION" means the Section of the Haryana Municipal Act, 1973;
- (d) "STATE ELECTION COMMISSION" means the State Election Commission, Haryana constituted under Article 243K and 243ZA of the Constitution read with and Section 3A of the Acts.;
- (e) "SUB-PARAGRAPH" means a sub paragraph of the paragraph in which the word occurs; and

(2) Words and expressions used but not defined in this Order but defined in the Representation of the People Act, 1950 or Rules made thereunder or in the Representation of the People Act, 1951 or the Rules made thereunder or the Haryana Municipal Act, 1973 or the Rules made thereunder shall have meaning respectively assigned to them in these Acts and Rules.

(3) In the absence of such definition the Punjab General Clauses Act, 1898, (Punjab Act No.1 of 1898) shall as far as may be, apply in relation to the interpretation of this Order as it applies in relation to the interpretation of a Haryana Act.

3. **Notification by State Election Commission to prescribe the election expenditure limit:-** For the purpose of this Order the State Election Commission shall notify under sub section (3) and section 13E of the Act from time to time the election expenditure limit at an election to be incurred by a candidate or his authorised election agent.
4. **Maintenance of election expenditure account:-** For the purpose of this Order every contesting candidate at an election shall have to maintain the day to day election expenditure account in accordance with the procedure laid down in Para 5 of this Order. The Returning Officer shall in writing as given in Annexure-I give a notice to the contesting candidate regarding maintenance of Election Expenditure account in the manner prescribed therewith.
5. **The election expenditure shall be maintained in accordance with the procedure laid down below:-**
 - (1) A register in a standard proforma as shown in Annexure 1 to this order shall be issued to each candidate by the Returning Officer immediately after his nomination for keeping the day to day record of expenditure.
 - (2) The register shall be duly authenticated by the Returning Officer at the time of issue.
 - (3) All day to day account shall be faithfully recorded in this register and in no other document by the candidate or his agent authorised by him in this behalf.
 - (4) All documents such as vouchers, receipts, acknowledgements etc. in support of the expenditure incurred shall be obtained from day to day as the expenditure is incurred and maintained in the correct chronological order alongwith the aforesaid register.
 - (5) (a) The day to day account maintained in the aforesaid register together with the supporting documents shall be made available for inspection at any time during the process of election by the Deputy Commissioner, Returning Officer, Election Expenditure Observer appointed by the Commission or any other such authority nominated by the Commission in this behalf

- (b) Failure to produce this register on demand by the authority mentioned in (a) above will be considered as a major default.
- (6) (a) Each contesting candidate shall also maintain account of election expenditure in the proforma as per Annexure III to this Order for showing the total expenditure on various items listed therein and shall within 30 days from the date of declaration of the result of the election lodged with the Deputy Commissioner or any other officer, in duplicate, as authorised by the state election commission by his election agent in the proforma at Annexure-III. The Deputy Commissioner or any other officer as authorised by the state election commission shall check account of election expenses and a copy of Election Expenditure Statement submitted by the candidates shall be sent to this Commission within seven days from the date of filing such account and the list of contesting candidates who had not submitted his account of election expenses in time and who has made excess expenditure beyond of expenditure limit fixed by the State Election Commission.
- (b) The Deputy Commissioner or the Officer authorised in sub-para(a) above shall, within 2 days from the date on which the account of election expenses have been lodged by a candidate under sub-para(a) above, cause a notice to be affixed to the notice board of his office specifying—
- (i) the date on which the account has been lodged;
 - (ii) the name of the candidate ; and
 - (iii) the time and place at which such accounts can be inspected.
- (c) Any person shall on payment of a fee of Rs.5 be entitled to inspect any such account and on payment of such fee as may be fixed by the State Election Commission in this behalf be entitled to obtain attested copies of such account or of any part thereof.
- (7) (a) While lodging the account of election expenditure the candidate shall file the prescribed register as a part of the record.
- (b) Each candidate while lodging the returns of his election expenditure shall also file an affidavit on oath as in Annexure-IV that the expenditure shown as nil, if any, on items listed in the proforma or left blank therein, has not been incurred by him, the affidavit will also clearly state that all election expenditure on listed items relating thereto has been completely and unexceptionally included in the return and there is nothing that has not been disclosed.
- (8) A register in a standard proforma as shown in Annexure-II, Proforma as at Annexure-III and specimen of affidavit on oath as in Annexure-IV to this Order shall be issued to each candidate by Returning Officer after filling his nomination for keeping the day to day account of expenditure and for showing the total expenditure on various items.
- (9) Since the return of election expenditure filed by a candidate has to reflect “correct” account of “all” election expenses the Deputy Commissioner or the officer specified in sub-para (a) of para 6 above before accepting the account of the candidate as being in accordance with the manner prescribed, shall conduct such enquiry as he deems necessary and at the time of communicating his report to the Commission, certify to the Commission with reference to the documents filed before him and as verified by him through an appropriate enquiry that the statement of accounts is in the manner prescribed.

- (10) The Commission intends to super-check the authenticity of the returns filed through the above procedure and shall hold the candidate personally responsible for any lapse or misrepresentation.
- (11) Disqualification for failure to lodge account of election expenses.

If the State Election Commission is satisfied that a person:-

- (a) has failed to lodge an account of election expenses within the time and in the manner required under this order ; and
- (b) has no good reason or justification for the failure, the State Election Commission shall by order published in the Official Gazette, declare him to be disqualified and may such person shall be disqualified for a period of three years from the date of the order.
- (12) These directions are absolutely mandatory and cannot be locally ordered or modified in any manner without prior written approval of the Commission. The Deputy Commissioner will not be competent to permit any relaxation.
- (13) Power of State Election Commission to issue instructions and directions :- The State Election Commission, Haryana has been authorized under sub-section (2) of Section 13E of the said Act to notify the particulars of the account to be maintained by the contesting candidate and has power to issue instructions and directions:-
- (a) in relation to any matter with respect to maintenance and submission of election expenditure return, by the contesting candidates, for which this order makes no provision or make, insufficient provision, and provision is in the opinion of the State Election Commission necessary for the smooth and orderly conduct of elections.
- (14) A copy of this order may be made available to the local unit of all recognised National and State Political Parties immediately, and a copy letter in Annexure-I to each candidate or the agent authorised by him at the time of his nomination (repeat nomination and not scrutiny of nominations) under acknowledgement.
- (15) This order may be given to the widest possible publicity through the quickest and all possible means.

(BY ORDER AND IN THE NAME OF STATE ELECTION COMMISSIONER)

Sd/- CHANDER SINGH

To

1. The Commissioner, Ambala, Hisar, Gurgaon and Rohtak Division.
2. All the Deputy Commissioner in Haryana State.
3. The Commissioner and Secretary to Government, Haryana, Urban Local Bodies Department.
4. Director, Urban Local Bodies, Department, Chandigarh.
5. All the Secretary of Municipal Councils/ Municipal Committees in the Haryana State.

Copy to:-

1. Controller printing and stationery Deptt. Haryana, Chandigarh
2. All the Political Parties for information and necessary action.

No.....

To

.....(name and address of candidate)

Subject:- Maintenance of account of election Expenses and lodging of true copy thereof.

Sir/Madam,

Your attention is invited to Section 13E of the Haryana Municipal Act, 1973 which stipulates that every candidate at an election, shall, either by himself or by his election agent, keep a separate and correct account of all expenditure in connection with the election between the date on which he has been nominated and the date of declaration of the result thereof, both dates inclusive.

1. Your attention is also invited to sub-section (1) of Section 13E of the said Act which further stipulates that every candidate at an election shall, either himself or by his election agent, keep a separate account of all expenditure in connection with the election incurred or authorized by him or by his election agent from the date of filing of nomination paper to the date of declaration of this result thereof, both dates inclusive and such account shall be submitted to the Deputy Commissioner concerned within 30 days from the date of declaration of result.
2. Even if a contesting candidate does not seriously contest the election, for any reason whatsoever, and incurs only a nominal expenditure on his security deposit etc., he is required by law to lodge his account of election expenses.
3. A contesting candidate who fails to comply with the requirements of law regarding the lodging of account of election expenses is liable to be disqualified by the Election Commission under Section 13D of Haryana Municipal Act read with Section 10A of the Representation of People Act, 1951 for a period of three years.
4. The account of election expenses to be kept by a candidate or his election agent under Section 13E of the Haryana Municipal Act, 1973 shall contain the particulars of expenditure, incurred/authorized from day to day, as per proforma annexed herewith.
5. A Register is being furnished to you herewith. You are required to maintain your day to day account of election expenses in this very Register and in no other document. All supporting vouchers, bills etc., should also be kept along with the Register arranged in proper chronological order at all times. An abstract statement of expenditure is also to be prepared by you after the declaration of result of election.
6. All documents such as vouchers, receipts, acknowledgements etc. in support of the expenditure incurred or authorised shall be obtained on day-to-day basis and shall be maintained in the correct chronological order alongwith the Register showing the day-to-day account.
7. You should make this Register and the supporting documents available for inspection if demanded at any time during the process of election by the Deputy Commissioner, Returning Officer, Election Observer appointed by the Election Commission or any other such authority nominated by the Commission in this behalf. Failure to produce this register when demanded will be considered as a major default on your part in maintaining your day to day account and you may render yourself liable to penal action under Section 171-1 of the Indian Penal Code.

8. This very Register in which you are to maintain your day to day account of election expenses should itself be filed by you as your account of election expenses after the election as required under Section 13E of the Haryana Municipal Act, 1973 mentioned above. You should keep a copy of the account as maintained in that Register for your record and reference. Alongwith the Register, you must file the abovementioned abstract statement containing details of expenditure, and the same must be supported by an affidavit in the format enclosed. The affidavit should be sworn before a Magistrate of the First Class or an Oath Commissioner or a Notary Public.
9. **If you contest election from more than one constituency, you are required to maintain and lodge a separate account of your election expenditure in respect of each such constituency.**
10. Kindly acknowledge receipt of the letter alongwith its enclosures immediately in the enclosed acknowledgment form.

Yours faithfully,

RETURNING OFFICER FOR
Ward No. _____ Municipal
Committee/Council _____

** Strike off whichever is inapplicable*

Enclosures :

1. Register bearing serial no..... containing pages..... for maintenance of election expenses, along with (i) the format for maintaining the abstract statement of accounts and (ii) the format of affidavit.
2. Extracts of Section 13D and 13E read with Section 10A of Representation of People Act, 1951.
3. Form of Acknowledgement receipt.

Abstract of Section 13D and 13E of the Haryana Municipal Act, 1973 and section 10A of the Representation of People Act, 1951.

13D. Application of certain section of Central Act 43 of 1951- The provisions of sections 10A, 20B, 28A, 33A, 33B, 125A, 134A, 134B, 135B, and 135C of the Representation People Act, 1951 (Central Act 43 of 1951), shall mutatis mutandis apply to the provisions of the Act.

13E Account of election expenses and maximum thereof –

- (1). Every candidate at an election shall, either himself or by his election agent, keep a separate and correct account of all expenditure in connection with the election incurred or authorized by him or by his election agent from the date of filing of nomination papers to the date of declaration of the result thereof, both dates inclusive.
- (2). The account shall contain such particulars, as may be notified by the State election commission in this behalf.
- (3). The total of the said expenditure shall not exceed such amount as may be notified by the State Election Commission from time to time.

10A. Disqualification for failure to lodge account of election expenses. If the Election Commission is satisfied that a person:-

- (a) has failed to lodge an account of election expenses within the time and in the manner required by or under this Act; and
- (b) has no good reason or justification for the failure;

the Election Commission shall, by order published in the Official Gazette, declare him to be disqualified and any such person shall be disqualified for a period of three years from the date of the order.

PROFORMA FOR THE SUBMISSION OF ELECTION EXPENDITURE

Name of the Candidate :
 Name of the political party, if any :
 Constituency from which contested :
 Date of declaration of result :

(DAY TO DAY ACCOUNT)

Date of Expenditure	Nature of Expenditure	Amount of _____ Paid	Expenditure _____ Outstanding	Date of payment	Name and address of Payee	Serial No. of Voucher in case of amount paid	Serial No. of Bill in case of an amount outstanding is	Name and address of person to whom the amount outstanding is payable	Remarks
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.

Certified that this is a true copy of the account kept by me/my election agent.

Signature of the contesting Candidate.

ACKNOWLEDGEMENT

The account of the election expenses in respect of _____ (candidate) from _____ (Constituency) result of which was declared on _____ (Date) has been filed by him on his behalf on _____ (Date) has been received by me today the _____ (Date) of _____ (Month) _____ (Year).

District Election Officer
District _____

ABSTRACT STATEMENT OF ELECTION EXPENSES

Item of Expenditure	Quantity/ number	Name of person/ Political Party/ Body/ Association Incurring or Authorising the Expenditure	Amount of Expenditure	Dates(s) of payment	Mode of payment	Evidence of payment Enclosed with the Account	Remarks		
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.
1.		Cost of nomination forms.							
2.		Expenditure on security deposit							
3.		Expenditure on purchase of copies of electoral rolls.							
4.		Expenditure on hiring of campaign offices.							
5.		Expenditure on printing of manifestos							
6.		Expenditure on printing of personal history							
7.		Expenditure on printing of posters							
8.		Expenditure on printing of handbills							
9.		Expenditure on pasting of posters							
10.		Expenditure on distribution of handbills							
11.		Expenditure on writing of wall writings							
12.		Expenditure on publication for advertisements							
13.		Expenditure on propaganda for public meetings							
14.		Hiring charges on places for public meetings							
15.		Hiring charges of pendals etc. for public meetings							
16.		Hiring Charges for loud-speakers for public meetings							
17.		Hiring charges for photo-graphers for public meetings							

18. Expenditure on production and playing of video cassettes
19. Expenditure on production and playing of audio cassettes
20. Visits of VIPs
21. Expenditure on construction of gates and arches
22. Hiring charges and POL on vehicle used by the candidate
23. Hiring charges and POL on vehicle used by Election agent
24. Hiring Charges and POL on vehicle used by polling agent
25. Hiring charges and POL on vehicles used by counting agents
26. Remuneration/ cost of refreshment given to election agent
27. Remuneration/ cost of refreshment given to polling agents
28. Remuneration/ cost of refreshment given to counting agents
29. Remuneration/ cost of refreshment to house to house workers
30. Expenditure on travelling to party head office by public transport
31. Misc. expenses (other than those listed above)

Signature of the contesting candidate

- N.B.**
1. This proforma must be accompanied by an affidavit. No return of expenditure will be accepted as complete without this affidavit.
 2. The account shall be countersigned by the candidate if it is lodged by his election agents and should be certified by the candidate to be correct copy of the account kept.

Form of Affidavit

Before the Deputy Commissioner _____ (District)/ Returning Officer for _____ Municipal Councils/Committees Ward in the District of _____.

Affidavit of Shri _____, S/o _____.

I _____, Son/Wife/
Daughter of _____ aged _____ years
R/o _____ do hereby
solemnly and sincerely state and declare as under:-

(1) That I was a contesting candidate at the general election/ bye-election to the Municipal Councils/Committee of _____ from _____ ward. The result of which was declared on _____.

(2) That I/My election agent kept a separate and correct account of all expenditure in connection with the above election incurred or authorised by me or by my election agent between _____ (the date on which I was nominated) and the date of declaration of the result thereof, both days inclusive.

(3) That the said account was maintained in the proforma devised by the State Election Commission for the purpose and a true copy thereof is annexed hereto with the supporting vouchers/ bills mentioned in the said account.

(4) That the account of my election expenditure as annexed hereto includes all items of election expenditure incurred or authorized by me or by my election agent and nothing has been concealed or withheld/ suppressed there from.

(5) That the expenditure which is shown as nil on items listed in Part-II of the account has not been incurred or authorized by me or by my election agent but by others mentioned in the proviso Under Sub Paragraph (l) of para 4 of the order issued by the Commission vide its No. _____ dated _____.

(6) That the statement in the foregoing paragraphs (l) to (5) are true to my personal knowledge, that nothing is false and nothing material has been concealed.

Deponent

Solemnly affirmed/sworn by _____ at _____ this day of 200 ____ before me.

(Signature and seal of the Attesting Authority, i.e. Magistrate of the first class or oath Commissioner or Notary Public).

ANNEXURE – XLIX

ELECTION INDEX CARD FOR MUNICIPAL COUNCIL/ COMMITTEE ONLY

(AT ELECTION WHERE ELECTRONIC VOTING MACHINES ARE USED)

Name of Municipal Council/Committee _____ Ward No. _____

Ward reserved for

(Unreserved/SC/SC(W)/BC/Women) _____

Date of election _____

I	CANDIDATES	Men	Women	Total
1.	Nominated			
2.	Nominations Rejected			
3.	Withdrawn			
4.	Contested			
5.	Forfeited Deposits			
II	ELECTORS	Men	Women	Total
1.	General			
2.	Service			
	Total			
III	VOTERS	Men	Women	Total
1.	General			
2.	Proxy			
3.	Postal			
	Total			
IV	DETAILS OF VOTES			
1.	Rejected Votes (Postal)			
2.	Votes not retrieved from EVM			
3.	Total Valid Votes Polled			
4.	Tendered Votes			
V	DETAILS OF POLL			
1.	Total No. of polling stations set up in the constituency/Ward.			
2.	Average No. of electors assigned to a polling station.			
3.	Date(s) of Poll			
4.	Date of Re-poll, if any.			
5.	No. of polling stations where Re-poll was ordered.			
6.	Date(s) of counting			
7.	Date of declaration of result.			

VI. DETAILS OF VOTES POLLED BY EACH CANDIDATE

Sl. No.	Names of the Contesting Candidates (in Block Letters)	Sex (M/F)	Age (Yrs)	Category (SC/SC(W)/BC/Women)	Party Abbreviation	Valid Votes Polled		
						General	Postal	Total
1.								
2.								
3.								
4.								
5.								
6.								
7.								
8.								
9.								
10.								
11.								
12.								
13.								
14.								
15.								
16.								
	Total							

Note : Arrange serially contesting candidates in descending order of valid votes polled.

Certified that the Election Index Card has been checked with Form-1, List of Nominations, List of Contesting Candidates, Form-8 and Returning Officer's Report etc. and that there is no discrepancy.

Date _____	(Signature)
(Seal) Deputy Commissioner	(Seal) Returning Officer