



**ELECTIONS TO HARYANA PANCHAYATI RAJ INSTITUTIONS**

**HAND BOOK  
FOR  
RETURNING OFFICERS  
(At Elections where electronic voting machines are used)**

***2021***

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# CHAPTER I

## GENERAL

This booklet is issued for your guidance for use of Electronic Voting Machines (EVMs) in supplement to the guidelines issued to the RO/ARO in a separate booklet. The instructions contained in this booklet are only supplementary to the relevant statutory provisions of the Haryana Panchayati Raj Act, 1994, Haryana Panchayati Raj Election Rules, 1994 and Haryana Panchayat Raj Voting & Counting of Votes by Electronic Voting Machines (EVMs) Order, 2008 in case of election to Panchayati Raj Institutions (PRI's) 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 be thorough with the recent amendments made to the various provisions of the Act and Rules. You must also have a copy of the Instructions to Presiding Officers issued by the State Election Commission (SEC). The law and procedure relating to the conduct of Elections are amended from time to time in many important respects. You should therefore keep yourself informed of these changes before the commencement of the election process.

The smooth conduct of an election right from the issue of public notice for 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. You have a well-defined and vital role to play in the entire process. It is, therefore, necessary to acquaint yourself fully with up-to-date rules and procedure connected with the conduct of elections and also familiarise yourself thoroughly with the steps to be taken at various stages. This Handbook is designed to serve that purpose.

## CHAPTER II

### CONDUCT OF POLL THROUGH VOTING MACHINES

#### 1. DESIGN OF VOTING MACHINE

Under rule 40 read with rule 39 of the Rules, 1994, every voting machine shall have a control unit and balloting unit and shall be of such design as may be approved by the State Election Commission (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 41 read with rule 39 of the Rules, 1994, the ballot paper on the balloting unit [referred above shall contain such particulars and shall be in such language or languages as the State Election Commission (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 Gram Panchayat/Panchayat Samiti/Zila Parishad and the year of election shall be printed in such language or languages as the SEC may specify. Code marks specified for each District are given in **Annexure-A**. The following illustrations will make the position clear:-

**Name of Gram Panchayat/Panchayat Samiti/Zila Parishad/Year/  
Nature of election /District Code**

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 Sarpanch in Blue Ink, Member Panchayat Samiti in Yellow Ink and Member Zila Parishad in Red Ink on white paper or on respective coloured paper with Black Ink.

### **3. IMPLEMENTATION OF “NONE OF ABOVE” (NOTA) OPTION:-**

The State Election Commission has issued the directions for the implementation of NOTA “None of the Above (NOTA)” in the election of Member Zila Parishad, Member Panchayat Samiti and Sarpanch, so that the voters who came to the polling booth and decided not to vote for any of the candidates in the fray, are able to exercise their right not to vote while maintaining their right of secrecy. The orders issued in this respect are available at Annexure-VIII

### **4. 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.

### **5. TENDERED BALLOT PAPERS**

Under rule 53 of the Rules, 1994, if a person representing himself to be a particular voter seeks to vote after another person has already voted as such voter, 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.

### **6. 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 has 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 GP/PS/ZP.

- (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.

## **7. ARRANGEMENTS FOR PRINTING OF BALLOT PAPERS**

The arrangements for printing of ballot papers required for your Ward/ GP/PS/ZP will be made by the SEC. It is therefore, necessary that you should furnish to the SEC the list of contesting candidates in Form 6, 7, 8 & 9, as the case may be, 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, E-mail, 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.

## **8. 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 DC-cum-DEO (P) or kept in the treasury under the orders of the DC-cum-DEO(P) these undistributed ballot papers are destroyed as per the direction of the SEC.

## CHAPTER III

### 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 PRI's, including the reserve machines. The machines are kept at some selected places in PRI's under the charge of the DC-cum-DEO(P). 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. Ensuring that formal appointment orders for the Presiding Officers and Polling Officers for each polling station in PRI's have been issued by you.
- iii. Organising comprehensive and exhaustive training of polling personnel on conduct of elections on EVMs;
- iv. Issuing of postal ballot papers and election duty certificates to the polling personnel;
- v. Requisitioning of vehicles required for the poll including the vehicles required for transport arrangements of polling personnel and polling materials;
- vi. Finalising the transport arrangements for polling personnel and polling materials;
- vii. Checking up the deployment of police forces and their movement to synchronies with the movement of the polling parties;
- viii. 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;
- ix. Meetings with contesting candidates with a view to seeking their cooperation and removing their misapprehensions, if any;
- x. 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;
- xi. Preparing required number of working copies of the relevant parts of the voter list for use in each polling station;



- xii. 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;
- xiii. Publicity about the location of polling stations;
- xiv. Distribution of polling materials to the polling parties;
- xv. Supply of copies of 'Instructions to Voters' for recording their votes by means of voting machines to political parties/candidates for distribution among voter s;
- xvi. 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;
- xvii. Arrangements for the safe custody of these voting machines and other election papers on completion of poll;
- xviii. 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 voter is denied of his right to vote, the SEC has issued instructions, prescribing alternative documents of identification for the benefit of those voters who have not been issued Electoral Photo Identity Card or the voters 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 voters 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 PRI's, 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 PRIs. A copy of the Model Code of Conduct is enclosed as Annexure-IX.

The Model Code of Conduct comes into operation from the day the Commission announces the programme for election in PRI's. 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 VOTER LISTS**

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

First Polling Officer responsible for identification of voters	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 as specified by the Commission, 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 voter list ;
- (ii) part number of the voter list ; 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 180 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  
..... GP, PS & ZP  
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 IV

### PREPARATIONS FOR THE POLL - COMMISSIONING OF ELECTRONIC VOTING MACHINES

1. **Assessment of the requirement of voting machines for use in the PRI's elections** shall be made on the following basis:-
  - i. 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.
  - ii. **The requirement of ballot units for use at the polling stations will be depend upon the number of contesting candidates at the election. If the number of candidates is upto fifteen including NOTA (in the case of Multi Post EVM) or sixteen including NOTA (in the case of single post EVM) 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 including NOTA (in case of Multi Post EVM) or thirty two including NOTA (in the case of single post EVM). This requirement will become three times or four times higher if the numbers of contesting candidates are increased.**
  - iii. Over and above the requirements of control units and balloting units for actual use at the polling stations as worked out above, 10% of such numbers or such percentage as may be directed by the SEC, the control units and balloting units shall be procured extra to be kept as reserve machines as may be directed by the SEC.

### 2. THOROUGH TESTING OF MACHINES

Each and every machine has to be thoroughly tested for its 100% error free functioning at the time of poll. For this purpose, you should draw up a suitable programme in consultation with the Deputy Commissioner and the Master Trainer prepared by the Deputy Commissioner-cum-District Election Officer can make a visit to your headquarter and make a thorough checking of the machines.

### 3. COMMISSIONING OF MACHINES

Before a voting machine is supplied to a Presiding Officer for use at a polling station, some preparations are to be made in it at the Returning Officer's level. The details of such preparations on the balloting units and the control units are explained in the following paragraphs. These preparations have to be made in the presence of the candidates and/or their agents.

You should decide well in advance as to when the voting machines shall be prepared as aforesaid. This will depend on the number of machines to be prepared, the time required for the movement of polling parties with the voting machines to the polling stations, the time likely to be taken in the printing of ballot papers for use on the

balloting units and such other factors. In any case, all required EVMs must be duly prepared one week before the date of poll in the PRI's.

#### **4. NOTICE TO THE CANDIDATES ABOUT DATE AND TIME OF PREPARATION OF VOTING MACHINES**

You should, at least one week before the date on which the preparation of the voting machines is to be taken up, give notice of the same in writing to each candidate or his election agent intimating him the place or places where the machines will be so prepared and the date and time at which such preparation will commence. You should intimate the candidate/his election agent the number of representatives that every candidate will be permitted to bring with him at the aforesaid place or places. This will again depend on the number of machines to be prepared for use.

If for any reason, none of the candidates or their agents is present on the date and time given in the notice sent to them, you should not postpone the operation of preparing the voting machines. You should go ahead even if no candidate or agent is present.

When the candidates and their agents are present, you should explain to them the procedure to be followed by you for preparing the voting machines. You should allow them to inspect the control units and balloting units during the process of their preparation.

#### **5. PREPARATION OF THE BALLOTING UNIT & FIXING THE BALLOT PAPER.**

Each balloting unit has to be prepared at the Returning Officer's level by :-

- (A) Inserting and fixing ballot paper in the space meant for the purpose;
- (B) Masking the candidates buttons which are not required to be used, depending on the number of contesting candidates;
- (C) Setting the slide switch at the appropriate position, i.e. , 1, 2, 3 or 4, as the case may be, according to the number of such units which are to be used depending upon the number of contesting candidates and the sequence in which each unit is to be used, and
- (D) Sealing the unit (detailed step-by-step operations during sealing of EVM may be seen at **Annexure - II**)

You should carefully read the instructions given in the following paragraphs and each instruction should be meticulously followed at the time of carrying out the above operations.

There is provision for fixation of ballot paper on the balloting unit under a transparent acrylic sheet (ballot paper screen). Every ballot paper before it is fixed on a balloting unit shall be either signed on its back by the Returning Officer or stamped on its back with a rubber stamp bearing the facsimile signature of the Returning Officer.

For fixing the ballot paper under that screen, you have first to open the top cover of the balloting unit. This can be done by pressing simultaneously, towards right, the latches at the top and bottom on the right edge of the unit and swinging the cover up. The top cover and the lower portion of the balloting unit will then open like a book. Thereafter, you should open the ballot paper screen which is hinged to the top cover on the extreme left side. The release latches of the screen are inside the top cover. By pressing the latches simultaneously, first slightly towards right and then pushing them downwards the ballot paper screen will become free for opening on the upper side of the top cover. While opening the screen, every care should be taken to ensure that it does not get damaged in the process. After so opening the ballot paper screen, the ballot paper should be placed in the space provided for the purpose on the upper side of the top cover of the balloting unit. The ballot paper should be properly aligned so that each candidate's name and his symbol are in line with the corresponding lamp and button and the thick lines dividing the panels of candidates on the ballot paper are in line with the corresponding grooves on the balloting unit. It should be noted that alignment of the ballot paper is a very important step. There should not be any misalignment as this will create confusion in the minds of the voters and may lead to serious complications. After ensuring such alignment, you should close and press-fit the ballot paper screen to secure the ballot paper firmly underneath that screen.

After ballot paper has been firmly fixed and the ballot paper screen has been pressed-fit on the upper side of the top cover, the screen should be sealed on the inner side of the top cover. This should be done by passing a thread through the two holes on the screen specially provided for the purpose on the inner side. The thread should be tightened and given a firm knot. The two ends of the thread should be placed on an address tag and you should put your seal on the thread and the address tag. The address tag should contain the following particulars :-

Name of GP/PS/ZP.....  
 Ward No. ....  
 Poll for .....  
 Ballot Unit No.....  
 Sr.No. & Name of Polling Station where used.....  
 Date of poll .....

**6. MASKING OF CANDIDATES BUTTONS WHICH ARE NOT TO BE USED**

On the balloting unit, only those candidate buttons should be visible which are to be used by voters. In other words, the number of candidate buttons which should be visible will be equal to the number of contesting candidates. For example, if the number of candidate is nine, the first nine from the top (i.e., 1 to 9) candidates buttons should be visible and the remaining seven buttons (i.e., 10 to 16) should be masked.

The masking of the unwanted buttons can be done by moving the white masking tabs on to the candidate's buttons, when the balloting unit is open like a book as explained in the preceding para.

**7. SETTING OF SLIDE SWITCH**

Inside the balloting unit, on the top right side, there is a slide switch which has four positions 1, 2, 3, and 4. The positioning of this slide switch determines the serial

order in which a particular balloting unit is to be linked with the control unit and kept inside the voting compartment for use at a polling station.

Where the number of contesting candidates is upto sixteen, only one balloting unit will be used. In such case, the slide switch shall be set to the position marked 1. Where the number of contesting candidates is more than sixteen and upto thirty two, two balloting units will be used. In the first balloting unit in which the ballot paper containing the names of candidates at serial nos. 1 to 16 is fixed, the slide switch shall be set to the position marked "1" and the second balloting unit where the ballot paper containing the names of candidates from 17 onwards is fixed shall be set to the position "2." Likewise, if three balloting units are to be used in a ward where the number of contesting candidates exceeds thirty two and is upto forty eight the slide switch will be set to the position marked '1' in the first balloting unit in which the names of candidates at serial nos. 1 to 16 appear, to the position marked '2' in the second balloting unit in which the names of contesting candidates at serial nos., 17 to 32 appear and to the position marked '3' in the third balloting unit. Similarly, if the fourth balloting unit is also to be used in case the number of contesting candidates exceeds forty eight, then the slide switch will be set to the position marked '4' in the last balloting unit.

**Note:** Any wrong setting of a slide switch will render the voting machine non-functional. It is, therefore, absolutely essential to ensure that the slide switch is set in the appropriate position in each balloting unit.

## 8. SEALING OF THE BALLOTING UNIT

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 GP/PS/ZP.....  
Ward No. ....  
Poll for .....  
Ballot Unit No.....  
Sr.No. & Name of Polling Station where used.....  
Date of poll .....

The candidates or their 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.

## 9. INTER-LINKING OF BALLOTING UNITS AND CONTROL UNIT

Where the number of contesting candidates exceeds sixteen, more than one balloting unit, depending upon the actual number of contesting candidates, are to be used. All such balloting units to be used at a polling station are to be inter-linked and the first balloting unit will alone be linked with the control unit.

The balloting units shall be so inter-linked that the second balloting unit, i.e. , the balloting unit in which the slide switch is set at position 2, is linked with the first balloting unit in which the slide switch is set at position 1. Where three balloting units are to be used, the third balloting unit will be linked with the second balloting unit and the second with the first, and where all the four balloting units are to be used, the fourth unit will be linked with the third unit, the third with the second and so on.

For linking one balloting unit with another, there is a socket provided in a compartment at the bottom portion of the balloting unit. The connector of the interconnecting cable of the second balloting unit will be plugged into the above mentioned socket of the first balloting unit. Likewise, the connector of the third balloting unit's interconnecting cable will be plugged into the second unit and that of the fourth unit into the third unit.

As mentioned above, the first balloting unit alone will be plugged into the control unit. The socket for plugging the interconnecting cable of the balloting unit into the control unit is provided in the rear compartment of the control unit.

That rear compartment in the control unit also contains the "Power" switch and this switch when put to 'ON' position makes the battery of the voting machine operational and supplies the power both to the control unit as well as to all the balloting units when linked to the control unit in the manner described above.

### **NOTE:**

- A. Where more than one balloting unit are used, the same should be interlinked in the proper sequential order as explained in the above paragraph, as any wrong linking of the balloting units will render the machine non-functional and on pressing any buttons on the control unit the letters 'LE' indicating linking error will appear on the display panel of the control unit. The linking error should be set right by interlinking the balloting units in the proper sequential order.
- B. The connector of the interconnecting cable - one end of which is fused with the balloting unit - is a multi-pin connector. The connector goes into the socket of the other balloting unit or of the control unit only one way which can be found out easily by looking at the orientation of the pins and the word 'Top' written or inscribed on the hood of the connector.
- B. The connector of the interconnecting cable can be disconnected from the control unit or from the other balloting unit only by releasing the spring type clips on both sides of the connector hood. These spring type clips will be released when pressed inward simultaneously and the connector should then be pulled out while keeping the spring type clips so pressed.



- C. The pins of the connector are quite delicate and the connector should not be forced in the socket in such a way as may damage or bend the pins. The machine will work only when the connection is made properly.
- D. Connecting the balloting units and the control unit or disconnecting them properly requires some practice so as to avoid any damage to the machine. This aspect should be clearly impressed and stressed upon during training to all officers on election duties including Presiding Officers and Polling Officers, who handle and operate the voting machines.

## **10. PREPARATION OF CONTROL UNIT**

Like the balloting unit some preparations are to be made also in the control unit of the voting machine at the Returning Officer's level. These preparations are :-

- i. Installation of the battery,
- ii. Setting the number of contesting candidates, and
- iii. Sealing that section of the control unit which is called "Candidate Set Section" (Refer **Annexure-II** for detailed step-by-step operations during sealing of EVM).

## **11. BATTERY INSTALLATION**

As mentioned above, the Electronic Voting Machine operates on a special battery which is supplied by the manufacturing company. A new battery only should be used whenever a machine is used at any election. There is provision for installation of the battery on the top side of the control unit in the "Candidate Set Section". For installing the battery in the compartment specifically provided for the purpose in the "Candidate Set Section." the cover of that section may first be opened by pressing slightly inwards the latch provided on the left side. The battery has a socket and that socket mates with a plug in the battery compartment in the "Candidate Set Section." The socket of the battery is covered with a small strip of adhesive tape. Remove this tape and install the battery by mating its socket to the plug and ensure that the battery is pressed tight.

## **12. SETTING THE NUMBER OF CONTESTING CANDIDATES**

A control unit of the voting machine can cater upto sixty four candidates. Therefore, at every election where the voting machine is used, the control unit has to be set according to the number of contesting candidates at that election.

For setting the number of contesting candidates, the following operations shall be performed :-

- i. The number of contesting candidates can be set in the control unit only by linking this unit with the balloting unit or with all the balloting units where more than one balloting units are to be used. The process of linking the balloting units with the control unit has already been explained at Para 9 above.

- ii. After the control unit and the balloting unit(s) have been linked, push the ".Power" switch to "ON" position so that both the units get the necessary power to make them operational.
- iii. Press the button marked "Cand Set" in the "Candidate Set Section" of the control unit. Thereupon, the two-digit Display Panel on the left side of the Display Section of the control unit will flash the letters "Cd" and the four-digit Display Panel on the right side will flash.
- iv. When the letters "Cd"/ "SET CANDIDATE –" Start flashing on the Display Panels on the control unit, the candidate's button against the last contesting candidate in the balloting unit should be pressed. For example, if there are nine contesting candidates and the machine is to be set for nine candidates, candidate's button of the ninth candidate on the balloting unit should be pressed. If the number of contesting candidates is more than '16' say '23', the candidate's button against the name of the contesting candidate at serial no. 23 in the second balloting unit should be pressed. On that button being pressed, the Display Panels will stop flashing the letters "Cd" /"SET CANDIDATE –" and instead the full panel will display the number of candidates for which the machine has been so set, like "Cd 9"/ "SET CANDIDATE 9". or, as the case may be "Cd 23" / "SET CANDIDATE 23".

If by mistake, a wrong button on the balloting unit has been pressed e.g. instead on 9, either 8 or 10 was pressed, such wrong setting can be corrected by pressing the "Cand Set" button again. The machine will again flash the letters "Cd" / "SET CANDIDATE –" and the correct button on the balloting unit should be pressed so as to set the correct number of contesting candidates.

**NOTE :**

- A. The number of contesting candidates can be set in any number of control units by using only one balloting unit or one set of balloting units (where more than one balloting units are to be used depending upon the number of contesting candidates). To ensure that no wrong button is pressed, mask all the candidates buttons except the button of the last contesting candidate on such balloting unit or set of balloting units. In the above example, mask the button 1 to 8 and 10 to 16 and leave only the button of candidate number 9 unmasked, if the number of contesting candidates is nine; or mask all the sixteen buttons on the first balloting unit and all the buttons, except the button of candidate no. 23, on the second balloting unit where the number of contesting candidates is 23.
- B. Where the work of setting the number of contesting candidates in different control units is distributed amongst different officers, each such officer may use a separate balloting unit, or as the case may be, a separate set of balloting units (where more than one units are used) for setting the number of contesting candidates in all the control units allotted to him.

### **13. CLEARING THE MACHINE**

After the number of contesting candidates has been set in the control unit in the manner described above, all the data recorded in the machine relating to a previous election, if any, should be cleared. For this purpose, the button marked "Clear" in the Result Section of the control unit should be pressed. On the "Clear" button being pressed, all the counts in the machine shall be automatically set to ZERO and the display panels on the control unit will start displaying that the number of votes recorded in the machine for each contesting candidate is '0' (ZERO).

After the control unit has been set according to the number of contesting candidates at the election, the power should be switched off and the control unit and the balloting unit(s) should be delinked by removing the interconnecting cable from the control unit.

### **14. SEALING THE , 'CANDIDATE SET SECTION'.**

After the battery has been installed in the 'Candidate Set Section' and the control unit has been set according to the number of contesting candidates, the 'Candidate Set Section' should be closed and sealed so that no body can have access to the battery and the 'Cand Set' button in the 'Candidate Set Section' thereafter.

The 'Candidate Set Section' shall be closed by replacing the cover and pressing it tight. It should be sealed by passing a thread through the two holes provided for the purpose on the left side, giving a tight knot to the thread and placing the two ends of the thread on an address tag which should be sealed with the Returning Officer's seal. The address tag shall contain the following particulars :-

Name of GP/PS/ZP.....  
Ward No. ....  
Poll for .....  
Control Unit No.....  
Sr.No. & Name of Polling Station where used.....  
Date of poll .....

The candidates and their agents shall be allowed to put their seals, if they so desire, on the address tag alongwith the seal of the Returning Officer. The control unit should then be put in its carrying case which will now be ready for transportation to the polling station. On the handle of the control unit also, an address tag should be attached containing the above particulars.

### **15. RANDOM CHECKING OF VOTING MACHINES**

In accordance with the instructions in the above paras, you must have already got each and every machine tested thoroughly with the help of the Master Trainer 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 the foregoing paragraphs. For this purposes, you may ask the candidates and their agents present to choose the machines which may be tested for such random check.

For conducting the above random test and check, you should hold a mock poll on those machines by casting a few votes at random for each of the contesting candidates. Detailed instructions as to how the machines should be operated for holding the mock poll are given in the succeeding paras. These instructions should be meticulously followed.

After the conduct of the mock poll, the machines should be cleared of the data recorded at the mock poll and all counts should again be put to ZERO in all the machines used for the mock poll.

## **16. SAFE PRESERVATION OF PREPARED VOTING MACHINES**

All the voting machines which have been prepared for use at the election, including the reserve machines, should be kept and preserved in safe custody in a strong room under double lock which should be sealed with the seal of the Returning Officer. The candidates and their agents may also be permitted to put their seals on the lock if they so desire.

The strong room should be opened only on the appointed date and time when the machines are to be supplied to polling parties before they leave for their polling stations. All contesting candidates or their election agents should be given a prior notice in writing of such date and time of opening of the strong room. A proper log book should be maintained giving details of closing and opening of the strong room.

If for any emergent or unavoidable reason, it becomes necessary to open the strong room before the appointed date and time, you should send written communication for the candidate or their authorised representative and open the room in their presence. The room should be again closed and sealed immediately after the purpose for which it was opened is over. Details of such opening and closing should also be accurately and fully reflected in the above mentioned log book.

The strong room should be kept fully guarded at all times under the charge of a senior police officer not below the rank of Inspector of Police.

## **17. MAINTENANCE OF RECORDS OF VOTING MACHINES**

You should maintain complete record of all the control units and balloting units used at the election. That record should show clearly the number of control units and balloting units used at each polling station along with the serial numbers of each such unit. The record should also show the number of control units and balloting units along with their serial numbers which have been prepared for use and kept in reserve. If any of such control units or balloting units is put to use, a complete record as to where each such unit was used should be properly maintained and it should show also the reasons for which the use of such reserve unit became necessary. EVMS USED FOR TRAINING AND DEMONSTRATION PURPOSES ARE NOT TO BE USED FOR TAKING POLL ON THE POLL DAY.

For the above purpose of maintenance of complete record of the voting machines, a master register should be kept containing the following particulars :-

- i. The total number of control units in the stock of the Returning Officer;
- ii. The total number of balloting units in such stock;

- iii. The total number of polling stations in the GP/PS/ZP;
- iv. The total number of control units required for use at the polling stations (total number of polling stations multiplied by one);
- v. The total number of balloting units required for use at the polling stations (Total number of polling stations multiplied by number of balloting units to be used at each polling stations);
- vi. Total number of control units in reserve stock;
- vii. Total number of balloting units in reserve stock;
- viii. Number and name of each polling station in the GP/PS/ZP;
- ix. Against such number and name of the polling station serial number of the control unit put to use at that polling station;
- x. Serial numbers of balloting units put to use at that polling station;
- xi. Serial number of the ballot paper fixed on each balloting unit;
- xii. Serial number of each control unit and balloting unit kept in reserve stock.

In the above register, a 'Remarks' column should be provided against the number and name of each polling station for the indication whether any control unit or balloting unit has been used at that polling station from out of the reserve stock and if so for what reason.

## **18. SUPPLY OF VOTING MACHINES TO POLLING PARTIES**

The voting machines should be supplied only to the Presiding Officer of the polling station against a proper receipt to be obtained from each Presiding Officer. For this purpose, you should keep a separate register showing the number and name of the polling station, the name of the Presiding Officer and serial numbers of control unit and balloting unit(s) supplied to him and his full signature in token of having received the same.

That register should have further provision for keeping proper account of the machines received back from the Presiding Officers. The officer who receives the machines back after the poll from the Presiding Officer should clearly note down the serial numbers of the control unit and balloting unit(s) so received back and should append his full signature in token of having received those unit back.

If any machine is received back in a damaged condition, full record of each such machine should be maintained.

The reserve machines should be kept at a central place or places fixed by Deputy Commissioner-cum-District Election Officer(P) on the day of poll so that the same may be supplied with least possible delay to any polling station where an emergent need arises for replacement of any control unit of balloting unit(s). These machines should be kept under the charge of one of the Assistant Returning Officers or some other senior officer specifically nominated for the purpose by you.

## **19. POLLING MATERIALS REQUIRED FOR VOTING MACHINES**

A list of various items of polling materials which will be required for use at a polling station where voting machines are used is given in **Annexure- III**. It will be seen from that list that there are some items which are not used at a polling station where the conventional method of voting by means of ballot papers and ballot boxes is followed. The important items of such materials are mentioned below.

## 20. REGISTER OF VOTERS

Under PARA 8 OF THE Haryana Panchayati Raj Voting & Counting of Votes by Electronic Voting Machines (EVM) Order, 2008 (**Annexure – IV**), there shall be a Register of Voters at every polling station. The form of that Register has been prescribed in Annexure-I appended with the above Order, 2008. The Presiding Officer has to record in that Register the voter list serial number of the voter as entered in the marked copy of the voter list and has also to obtain the signature or thumb impression of the voter on that Register. This Register is in fact the substitute for the counterfoil of the ballot paper which is used in the conventional system of voting.

This Register of Voters should be in a book form and should be printed on good quality paper of A4 size. Each Register should have a cover page containing the following particulars :-

### ANNEXURE - 1

*[See paragraph 8 (1) (a), 9(7), 11,13(1)(e) and 21 (1)(c)]*

### REGISTER OF VOTERS

Election to –

Panch of Gram Panchayat \_\_\_\_\_ Ward No. \_\_\_\_\_

Sarpanch, Gram Panchayat \_\_\_\_\_

Member of Panchayat Samiti \_\_\_\_\_ Ward No. \_\_\_\_\_

Member of Zila Parishad \_\_\_\_\_ Ward No. \_\_\_\_\_

On each page of the Register, there should be provision for recording the voter list serial numbers and obtaining of signatures/thumb impressions of voters.

Both sides of the paper should be used for printing the Register.

The Register prepared by the SEC containing 14 pages (printed both sides) is for 530 entries and one additional register containing 7 pages (printed both sides) for 266 entries. If number of entries exceeds more than 530, a small register provided at each polling station may be used, if the number of voters exceeds more than 750 additional register may be used as per suitability.

You should get the above Registers in sufficient quantity well in advance from the SEC.

## 21. VOTERS SLIPS

The record of every voter who comes to vote at a polling station and is allowed to vote shall be maintained in the above-mentioned Register of Voters. The first column in that Register will show the order in which the voters have been identified and allowed to vote after putting their signatures/thumb impressions on that register. It is absolutely essential that they record their votes in the voting machine exactly in the same sequence in which they have been entered in the Register of Voters. In order to ensure this, each voter after he has put signature/thumb impression on the Register of Voters should be given a voter's slip by the Polling Officer in charge of the Register of Voters.

The slip should contain the following particulars :-

### **VOTER'S SLIP**

Serial number of voter as per column 1 of the Register of Voters.....  
Serial number of voter as entered in the voter list .....  
Initials of Polling Officer .....

The voter will go to the Presiding Officer or Polling Officer incharge of the control unit of the voting machines with these Voter's Slip and the latter will allow him to vote in the same serial order as in the Register of Voters on the basis of that slip.

These voter's slips should be got in sufficient quantity well in advance on a paper of half the dimension of a post card. These slips should also be got stitched into bundles of 50 slips and 100 slips and should be supplied to the polling parties having regard to the number of voter s assigned to the polling station.

### **22. ADDRESS TAGS**

You must have observed that two types of address tags have been prescribed one for use on Control Units and the other for use on Balloting Units. You should get these address tags in sufficient quantity well in advance for use at the time of preparation of the machines at your level and for use at the polling stations, the details whereof are given in following paras.

Address tags should have a hole on the left hand side and this hole should be covered with a metal ring so that the thread passing through may not tear off the address tag easily.

### **23. SPECIAL TAG**

A special tag to seal the inner door of the Result Section of the control unit has to be arranged. The SEC will get the Special tag prepared at the Government Press and supply the same to you. High quality twine thread should also be supplied to the Presiding Officers for sealing with the Special tag.

Specifications of the Special tag are given below:-

- (i) Size of Special Tag = 7.5 cms x 5.5 cms  
Each special tag must have a specific serial number printed upon it.
- (ii) Thickness of Tag: Post-card thickness
- (iii) There shall be a hole with a metal ring to pass thread for sealing on the right corner of front side. Further, on the right hand side, a groove will be cut in the tag to fit with the door knob of Result compartment.
- (iv) There shall be an opening in the middle so that when this Tag is fixed in the 'CLOSE' button compartment of the Result Section, the 'CLOSE' button should be visible so that button can be reached to operate it without disturbing the Tag.

## **24. STRIP SEAL**

To further improve the sealing arrangements for Electronic Voting Machines, the SEC has introduced an additional outer seal for sealing the 'Result Section' of the Control Unit completely with an Outer Paper Strip Seal (hereafter referred to as "Strip Seal") so that this portion of the Control Unit cannot be opened once the polling has started and till the counting is taken up. This will ensure that from the time the first vote is cast in the machine at the polling station and till it is brought to the counting table, no person could have opened the Result Section without damaging the Strip Seal.

Accordingly at every polling station where the election is held with the use of EVM, the Control Unit shall be secured and sealed from outside completely with the Strip Seal so that this section cannot be opened without damaging the Strip Seal. The Strip Seal shall be positioned on the outer door of 'Result Section' just below the rubber cap covering the 'CLOSE' button in such a way that the covering the 'CLOSE' button is not covered by the Strip Seal.

### **STRIP SEAL - PHYSICAL FEATURES:**

- (i) Strip Seal is a paper seal with a measurement of 23.5. (twenty-three point five inches) in length and 1. (one inch) in width. The length of the strip is such that it can easily be draped round the breadth of the Control Unit to provide an extra outer seal of the Control Unit before the commencement of the poll and after the other standard seals have been affixed in the Control Unit.
- (ii) Each Strip Seal has a Unique Identity Number.
- (iii) These Strip Seals will be supplied by the SEC.
- (iv) At both the ends of the Strip Seal, there are FOUR (4) pre-gummed portions. Of these three are about one square inch area (identified by letter 'A', 'B' & 'C') and one is about two square inch area (identified by letter 'D'). Each gummed portion is covered by a strip of wax paper.
- (v) The Strip Seal has an inner side and an outer side. On the inner side of the strip, at one end there are two adjacent pre-gummed portions marked by letter 'A' & 'B'. At the other end of the inner side of the strip, there is about 2. (two inches) pre-gummed portion marked 'D'. On the outer side of the strip, there is only one pre-gummed portion marked 'C' The dark portions are the gummed portions on inner side and outer side of the strip.



# CHAPTER V

## 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 voters 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 GP/PS/ZP.

The legal provisions for the conduct of poll in a GP/PS/ZP where voting machines are to be used are contained in para 8 of the EVM Order, 2008. 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 GP/PS/ZP. For this purpose, the polling stations must have already been set up by the DC-cum-DEO(P). You should ensure well in advance of the date of poll that all arrangements for the setting up of polling stations at the places set-up by the DC-cum-DEO(P). 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 the Ward of GP/PS/ZP 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-III**. 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 GP/PS/ZP 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 GP/PS/ZP, 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-V**.

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

- (i) Voter al Photo Identity Cards,
- (ii) Passports,
- (iii) Driving Licenses,
- (iv) Income Tax Identity (PAN) Cards,
- (v) Service Identity Cards issued to its employees by State/Central Government, Public Sector Undertakings, Local Bodies or other Private Industrial Houses,
- (vi) Bank/Kisan/Post Office Passbooks,
- (vii) Student Identity Cards issued by Recognised Educational Institutions,
- (viii) Property Documents such as Pattadar Pass Books, Registered Deeds, etc,
- (ix) Ration Cards,
- (x) SC/ST/OBC Certificates issued by competent authority,
- (xi) Pension Documents such as ex-servicemen's Pension Book/Pension payment Order, ex-servicemen's widow/Dependent Certificates, Old Age Pension Order, Widow Pension Order,
- (xii) Railway Identification Cards,
- (xiii) Freedom Fighter Identity Cards,
- (xiv) Arms Licenses,
- (xv) Certificate of Physical Handicap issued by Competent Authority.
- (xvi) Or any other documents prescribed by the SEC.

(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 Voter list 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 Annexure-I appended with the EVM Order, 2008 (**Annexure-IV**). He will be responsible for maintaining in that Register the proper account of voter whose identity has been established and who vote at the Polling Station. He will obtain the signature of thumb impression of each voter on that Register before he is allowed to vote.

(c) THIRD POLLING OFFICER (incharge of voter's slip) After an voter '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 voter in the following form:

**VOTER'S SLIP**

"Serial No. of voter as per Col. (1) of the Register of voters.....  
Serial No. of voter as entered in the voter list .....  
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 voter s assigned to you polling station.

The Voter's Slips prepared by the Third Polling Officer in respect of each voter shall be delivered by him to that voter and the voter 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 voter 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 voter to proceed to the Voting Compartment, he will also check and ensure that the voter'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 a voter after entering into the polling station straightway proceeds to the First Polling Officer who is in charge of identification of voters and the marked copy of voter list, and from him to other Polling Officers in a systematic manner. No criss-cross movement of voters 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 voters, 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 voter from the Presiding Officer's or the Fourth Polling Officer's table to the voting compartment and the voter'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 Annexure-II appended with the EVM Order, 2008 (**Annexure-IV**).

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 VOTER LIST 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 voter list 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 voter .

Likewise, he should also demonstrate to them the Register of Voters Annexure-I appended with the EVM Order, 2008 (**Annexure-IV**) to show that the register is blank and no entry in respect of any voter 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 voter list 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 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 183 of the Act, 1994 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 voters who are present at the polling station premises 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 voters;
- 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 a voter;
- 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 voter 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 VOTERS**

When a voter enters the polling station, his identity will be checked by the First Polling Officer with reference to the entries in the voter list pertaining to such voter. He will also check the Voter's Photo Identity Card (EPIC) of the voter if it has been issued to him or any other alternative document that has been prescribed by the SEC and which the voter may be carrying to establish the identity of the voter. It should be noted that for identification of the voter the Presiding Officer and his team of Polling Officers will only rely on the EPIC issued to the voter 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 voter 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 voters. The voters are required to produce the voter's photo identity card (EPIC) to establish their identity. Those voters 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 voters where the SEC has issued orders. For compulsory identification of voters through EPIC or alternative identification documents, the polling officer in-charge of identification must satisfy himself about the identity of the voter after examining the EPIC or the alternative documents, as the case may be, and in case of any doubt the voter should be directed to present himself before the Presiding Officer who should make a further probe to satisfy himself about the identity of the voter. The Presiding Officer should hand over the person to the police with a written complaint 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 voter by depositing a sum of Rs.5/- in cash, in case of GP/PS/ZP, 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 II appended to the Rules, 1994.

## **27. APPLICATION OF INDELIBLE INK**

The left forefinger of every voter 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 voter 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 voter 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 VOTER HAS NO LEFT FOREFINGER**

If an voter 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 VOTER LIST NUMBER OF VOTER IN REGISTER OF VOTERS**

Before an voter is permitted to record his vote in the voting machine, his voter list number as entered in the marked copy of the voter list shall be recorded in the Register of Voters Annexure-I appended with the EVM Order, 2008 (**Annexure-IV**). 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 voter and is satisfied about the identity of a voter the Third Polling Officer should record this serial number in the Register of Voters and issue voter's slip. In order to indicate that a voter 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 voter list 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 voter if she is a female voter, 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 VOTER IN THE REGISTER OF VOTERS**

The signature or thumb impression of every voter must be obtained in the third column of the Register of Voters Annexure-I appended with the EVM Order, 2008 (**Annexure IV**) against the entry made in that register relating to him by the Third Polling Officer. If any voter 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.

### **33. ISSUE OF VOTER'S SLIPS**

After the voter list number of a voter 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 voter in the form prescribed.

The voter 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 voter, 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 VOTER 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 VOTER S**

Every voter 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 voter to vote. If the voter has already been issued the voter's slip. Such slip should be withdrawn from him and cancelled.

Where an voter 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 against the entry relating to that voter 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 voter or of any succeeding voter 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 voter 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 voter under para 10 of the EVM Order, 2008 (**Annexure IV**), 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 voter at any polling station on the same day.

### **38. VOTER S DECIDING NOT TO VOTE**

If an voter, after his voter list number has been duly entered in the Register of Voters in annexure-I of the EVM Order, 2008 (**Annexure-IV**) 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 voter shall be obtained against such remark under para 11 of the EVM Order, 2008. It shall, however, not be necessary to make any change in the serial number of the voter or of the succeeding voter s 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 voter after another person has already voted as such voter, the Presiding Officer shall satisfy himself about the identity of the voter concerned. If the Presiding Officer is satisfied about the identity of the voter on his satisfactorily answering such questions relating to his identity as the Presiding Officer

may ask, he shall allow the voter 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 voters, and (iii) not used and returned to you, in Item 8 Annexure-II appended with the EVM Order, 2008 **(Annexure IV)**.

The Presiding Officer shall also maintain the record of the tendered ballot papers issued to voters in Annexure-II appended with the EVM Order, 2008 **(Annexure IV)**. He shall also obtain the signature or thumb impression of the voter in the relevant column of that Form before delivering a tendered ballot paper to him.

On receiving the tendered ballot paper, the voter 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 voter 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 para 10 of the EVM Order, 2008 **(Annexure IV)**.

#### **40. 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 - I)**. 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.



#### **41. 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 voter s 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 voter s 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 in 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 Annexure-II appended with the EVM Order, 2008 (**Annexure IV**).

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 voter who was present at the time fixed for the close of poll remains to vote.

#### **42. PREPARATION OF ACCOUNT OF VOTES RECORDED**

After the close of poll, the Presiding Officer is required to prepare under para 14 of the EVM Order, 2008 (**Annexure IV**), an account of votes recorded in the voting machine. Such account shall be prepared in Annexure-II appended with the EVM Order, 2008 (**Annexure IV**). This should be prepared in duplicate.

The account of votes recorded in Annexure-II appended with the EVM Order, 2008 (**Annexure IV**) should be kept by the Presiding Officer in a separate cover with the words 'Account of Votes Recorded', super-subscribed thereon.

#### **43. 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 Annexure-II appended with the EVM Order, 2008, 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.

#### **44. 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 Annexure-II appended with the EVM Order, 2008 (**Annexure IV**) 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.

#### **45. 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 para 20 of the EVM Order, 2008 (**Annexure IV**).

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.

#### **46. 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.

## **47. 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.

## **48. 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.

#### **49. 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-cum-District Election Officer(P) 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.

#### **50. 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.

#### **51. DEATH OF A CANDIDATE BEFORE POLL**

Rule 36 of the Rules, 1994 may be provides that Poll shall not be countermanded due to death of contesting candidate before the commencement of poll. But if as a result of death of contesting candidate for any seat there remains only one contesting candidate, the Returning Officer (Panchayat) shall upon being satisfied of the fact of the death of the candidate countermand the poll and report the fact to the State Election Commissioner through the District Election Officer (Panchayat) and all proceedings with reference to the election shall be commenced afresh in all respects as if for a new election in accordance with the rules hereinbefore:

Provided that –

- (i) no further nomination shall be necessary in case of a person who was a contesting candidate at the time of countermanding of the poll: and
- (ii) no person who has given a notice of withdrawal of his candidature under sub-rule (1) of rule 31 before the countermanding of the poll, shall be ineligible for being nominated as a candidate for the election after such countermanding.

#### **52. PROCEDURE FOR HOLDING FRESH POLL**

Under Rule 59, 60 & 61 of the Rules, 1994, 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 voters 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 voter list shall be used at the fresh poll.

The provisions of the Rules 1994 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.

### **53. 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.

## **54. 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 DC-cum-DEO(P)/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.

## **55. 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.

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 VI**

### **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 para 18 of the EVM Order, 2008 (**Annexure IV**).

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. Para 17 of the EVM Order, 2008 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**

DC-cum-DEO(P) should fix the date, place and time of counting in respect of Panches, Sarpanches, Member PS & ZP.

In case of adjournment of poll at any or some polling stations under para 16 of EVM Order, 2008 (**Annexure IV**), the counting of votes shall not commence, till the adjourned poll is completed.

The place for the counting of votes of Panch, Sarpanch, Member PS & ZP 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.

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 GP/PS/ZP 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 GP/PS/ZP 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 - VI**.

## **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 Form 14, 15, 16 & 17 of results of counting of votes in the elections of Panch, Sarpanch, Member PS & ZP respectively noted by the counting supervisor/Presiding Officer;
- 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 23 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 23. 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 23 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 DC-cum-DEO(P)/ 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 183 of the Act, 1994, should be brought to the notice of everyone by reading that section aloud.

## **15. 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 Annexure-II appended with EVM Order, 2008 (**Annexure IV**) pertaining to that polling station should also be supplied to the counting table.

## **16. 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 para 12 of the EVM Order, 2008 (**Annexure IV**) applicable in respect of the polling station where that machine was used.

## **17. 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.

## **18. 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.

## **19. 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 Annexure-II appended with the EVM Order, 2008 (**Annexure IV**). 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.

## **20. 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.

## **21. 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:-

v.

	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 Form-14, 15, 16 & 17 in respect of Panch, Sarpanch, Member PS & ZP respectively.

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.

## **22. COMPLETION OF PART II - RESULT OF COUNTING OF FORM 14, 15, 16 & 17 IN RESPECT OF PANCH, SARPANCH, MEMBER PS & ZP**

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 Form-14, 15, 16 & 17 in respect of Panch, Sarpanch, Member PS & ZP respectively 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 Form-14, 15, 16 & 17 in respect of Panch, Sarpanch, Member PS & ZP respectively, 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-18, 19, 20 & 21 in respect of Panch, Sarpanch, Member PS & ZP respectively.

## **23. 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.
- v. 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:-

v.

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-14, 15, 16 & 17 in respect of Panch, Sarpanch, Member PS & ZP respectively.

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.

#### **24. COMPLETION OF PART II - RESULT OF COUNTING OF FORM-14, 15, 16 & 17 IN RESPECT OF PANCH, SARPANCH, MEMBER PS & ZP RESPECTIVELY**

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 Form-14, 15, 16 & 17 in respect of Panch, Sarpanch, Member PS & ZP respectively. He should also note down in Form-14, 15, 16 & 17 in respect of Panch, Sarpanch, Member PS & ZP respectively whether the total number of votes as shown forms 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 Form-14, 15, 16 & 17 in respect of Panch, Sarpanch, Member PS & ZP respectively, 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-18, 19, 20 & 21 in respect of Panch, Sarpanch, Member PS & ZP respectively.

## **25. 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-18, 19, 20 & 21 in respect of Panch, Sarpanch, Member PS & ZP respectively. 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.

## **26. 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 69 of the Rules,

1994, still apply in relation to election of Panch, Sarpanch, Member PS & ZP respectively. 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.

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 69 of the Rules, 1994, 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.]

## **27. 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 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.

## **28. 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.

## **29. 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.

## **30. RESEALING OF VOTING MACHINES AFTER COUNTING**

After the result of voting recorded in a control unit has been ascertained candidate-wise entered in Form-14, 15, 16 & 17 in respect of Panch, Sarpanch, Member PS & ZP respectively and in the Final Result Sheet as in Form-18, 19, 20 & 21 in respect of Panch, Sarpanch, Member PS & ZP respectively, the control unit is required under para 20 of the EVM Order, 2008 (**Annexure IV**), 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.

### **31. SAFE CUSTODY OF VOTING MACHINES**

Under para 22 of the EVM Order, 2008 (**Annexure IV**), the voting machines sealed as above shall be kept in the safe custody of the DC-cum-DEO(P), these 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.

### **32. 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 para 22 of the EVM Order, 2008 (**Annexure IV**), 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 Annexure-I appended with the EVM Order, 2008, including the voter slips and votes recorded in annexure-II appended with the EVM Order, 2008..

- (ii) the packets of used and unused tendered ballot papers;
- (iii) the packets of unused (surplus) ballot papers (printed for display on balloting units and for use as tendered ballot papers);
- (iv) the packets of the marked copies of the voter list; and
- (v) the packets of the declarations by voters 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 packets of papers mentioned at items (i), (ii) and (iv) 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.

### **33. 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.

### **34. SAFE CUSTODY OF ELECTION RECORDS BY DC-CUM-DEO(P)**

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 DC-cum-DEO(P) 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 DC-cum-DEO(P) himself a senior officer nominated for the purpose by the DC-cum-DEO(P).

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 VII**

### **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 GP, PS & ZP respectively. 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 Form-18, 19, 20 & 21 in respect of Panch, Sarpanch, Member PS & ZP respectively.

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.

**STATE ELECTION COMMISSIONER**

**ANNEXURE – “A”**

**SPECIFIED CODE NUMBERS OF DISTRICTS FOR BALLOT PAPERS.**

<b><u>SR.NO.</u></b>	<b><u>NAME OF DISTRICT</u></b>	<b><u>CODE MARK</u></b>
1.	Ambala	AMB
2.	Yamuna Nagar	YNR
3.	Kurukshetra	KKR
4.	Kaithal	KHL
5.	Karnal	KNL
6.	Jind	JND
7.	Sonepat	SPT
8.	Rohtak	ROK
9.	Gurgaon	GUR
10.	Faridabad	FBD
11.	Mahendergarh.	MGR
12.	Rewari	RRI
13.	Bhiwani	BNI
14.	Hissar	HSR
15.	Sirsa	SSA
16.	Panipat	PPT
17.	Panchkula	PKL
18.	Fatehabad	FTD
19.	Jhajjar.	JJR
20.	Mewat	MWT
21	Palwal	PWL



## ANNEXURE – I

### पंचायत निर्वाचन

पीठासीन अधिकारी की डायरी

भाग-एक

मतदान

पंच/सरपंच/पंचायत समिति/जिला परिषद् के सदस्य के निर्वाचन के सम्बन्ध में।

1. खडं का नाम
2. मतदान की तारीख
3. मतदान केन्द्र का क्रमांक व नाम
4. मतदान केन्द्र किस प्रकार के भवन में स्थित है । शासकीय/अर्ध शासकीय/निजी अस्थाई झोपडा।
5. जिला निर्वाचन अधिकारी (पंचायत) के आदेश के नाम:  
अन्तर्गत नियुक्त अधिकारी की अनुपस्थिति में पता:  
आपके द्वारा नियुक्त मतदान अधिकारी का नाम और पता ;यदि कोई होद्व और नियुक्ति का कारण कारण
6. उपयोग में लाई गई मतपेटियों की संख्या तथा बडी  
प्रकार छोटी
7. Voting Machine:
  - (i) No. of Control Units used :
  - (ii) S.No.(s) of Control Units used :
  - (iii) Number of balloting unit used :
  - (iv) S.No. of balloting units used :
8.
  - (i) Number of paper seals used :
  - (ii) Sl. Nos. of paper seals used :



14. 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
15. 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
16. Serious complaints, if any, made by the candidate/agents. :
17. Number of cases of breach of law and order :
18. Report of mistakes and irregularities committed, if any, at the polling station :
19. 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 :
20. मतदाता सूचि में दर्ज मतदाताओ एवं मतदान करने वाले मतदाताओ के विवरण:  

मतदाता सूचि में दर्ज कुल मतदाता	मतदाता जिन्होंने मतदान किया	मतदान का प्रतिशत
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पुरुष

महिला

योग

21. मतदान के दौरान अभ्यर्थियों और उनके अभिकर्ताओ की उपस्थिति :  

कमांक	पद जिसके लिये निर्वाचन हो रहा	निर्वाचन लड रहे अभ्यर्थियों की संख्या	उपस्थित अभ्यर्थियों एवं उनके अभिकर्ताओ की संख्या
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है

अभ्यर्थी/उनके मतदान अभिकर्ता  
निर्वाचन अभिकर्ता

पंच :

(केन्द्र के अन्तर्गत सभी वार्डों के लिये मिलकर)

सरपंच:

पंचायत समिति सदस्य:

जिला परिषद सदस्य:

22. अधेपन अथवा शारिरीक असमर्थता से ग्रस्त ऐसे मतदाताओं की संख्या जिन्हें मतदान में सहायता दी गई। :
23. अभ्याक्षेपित मतों की संख्या, जबत की धनराशि :
24. श्वविदित (टैन्टर्ड) मतों की कुल संख्या :
25. यदि मतदान स्थगित करना पडा हो तो ऐसे मतदान की अवधि (विस्तृत टीप पृथक से संलग्न करे) :
26. जब आखिरी मतदाता ने अपना मत डाला तब का सही-2 समय :
27. पुलिस को सौंपे गये प्रकरणों की संख्या :
28. अन्य महत्वपूर्ण घटना (यदि कोई घटी हो तो )

तरीख:

हस्ताक्षर (पीठासीन अधिकारी )

भाग दो

मतगणना

(पंच/सरपंच/पंचायत समिति सदस्य/जिला परिषद् सदस्य के सम्बन्ध में मतगणना)

1. मतगणना प्रारम्भ करने का समय :
2. मतगणना में उपस्थिति अभिकर्ता 1. अभ्यर्थी 2. निर्वाचन अभिकर्ता 3. गणना अभिकर्ता

(संख्या में लिखें) 1. 2. 3.

3. यदि मतगणना स्थगित करनी पड़ी हो तो ऐसे सीगिन की अवधि एवं कारण अवधि-----

-----से -----बजे तक-----

कारण-----

4. मतगणना समाप्त होने का समय

5. अन्य महत्वपूर्ण घटना (यदि कोई घटी हो तो )

स्थान:  
मतगणना

हस्ताक्षर (पीठासीन अधिकारी एवं

दिनांक:

के लिये रिटर्निंग आफिसर (पंचायत)  
द्वारा प्राधिकृत अधिकारी)

## **A N N E X U R E – II**

### **STEP-BY-STEP OPERATIONS DURING SEALING OF EVM BY THE RETURNING OFFICER**

1. Arrange all the Balloting Units (BU) and Control Units (CU) required for the polling stations as well as the reserve quantities under the tables in order of polling stations. If space is a constraint, take-up the operations round wise.
2. Remove the BU from the carrying case.
3. Place a plastic bubble sheet on the table.
4. Place the BU in face down position on the plastic bubble sheet.
5. Tally the serial number on the BU with that on the carrying case. In case these numbers do not tally, such units cannot be sealed and are to be kept aside and another unit substituted in its place.
6. Note down the serial number of the BU in the issue register.
7. Note down the machine serial number on the four (4) address tags of the BU. The four (5) tags will be required at the time of the Returning Officers (RO) sealing, which are placed as follows:
  - A tag for sealing after inserting ballot paper under the Ballot paper Screen
  - A tag for sealing the BU at the right top side after closing.
  - A tag for sealing the BU at the right bottom side after closing.
  - A tag on the carrying case after placing the BU. This may not be sealed but only tied to one corner hole of the carrying case using a thread.
8. Affix the Distinguishing Mark on the address tags.
9. Place the address tags for each polling station near the corresponding BU.
10. Place the BU in face up position on the table.
11. Open the top cover of the BU.
12. Put the slide switch to the proper position (set to 1, if the number of the candidates are 16 or less).
13. Open the transparent acrylic Balloting Paper Screen.
14. Place the Ballot Paper (this should already be signed on the reserve by the RO) under the transparent acrylic cover and ensure that the lines are aligned (IMPORTANT).
15. Unmask (Blue) all the used Candidate Buttons and mask (White) all the unused buttons.
16. Close the transparent acrylic Balloting Screen.
17. Remove the Control Unit (CU) from its carrying case and place it on the left side of the corresponding BU.

18. Tally the serial number of the CU with that on its carrying case. In case these numbers do not tally, such units cannot be sealed and are to be kept aside and another unit substituted in its place.
19. Note down the serial number of the CU and BU the issue register.
20. Note down the serial number on two (2) address tags for the CU. The two tags are required at the same time of R.O sealing, which are placed as follows:
  - A tag for sealing the Candidate Set Section and
  - A tag on the carrying case. This may not be sealed but only tied on the carrying case using thread.
21. Affix the distinguishing mark on the address tags. Place the address tags for each polling station near the corresponding CU.
22. Interconnect the BU with the CU as per pairing.
23. Place a new battery in the Candidate Set Section in the CU.
24. Switch ON the power switch in the bottom compartment of the CU.
25. Check for the ON (Green) and BUSY(Red) lamp on the CU are glowing and observe the display '88 8888 followed by 'np 1', 'Cd' (no. of contesting candidates) with Beep sound.
26. Press the 'Candset' Button on CU and observed the displayed 'Cd' with continuous beep sound. Observed Red light Busy lamp n CU and Green light in Ready lamp in BU. Then press the last unmasked button on the BU.
27. Press the .Total. button and ensure that the number of candidates are correctly set and the total number of voters is ZERO and observe displayed 'np 1';cd\*.'&' o0' with beep sound. (\*for number of contesting candidates)
28. Switch OFF the CU (IMPORTANT).
29. Disconnect the BU from the CU and close the rear cover of the CU.
30. Close and seal the Candidate Set Section of the CU with an Address Tag.
31. Put a long thread (about 1 meter) through the two inner seals of the ballot paper screen.
32. Attach an address tag to the long thread and position it towards the bottom side by putting another hole in the address tag.
33. Put Lac on the knot at the address tag and affix the RO's seal.
34. Close the BU's top cover.
35. Affix the seals on the address tags placed at the right top and right bottom latch covers of the BU.



36. Arrange the interconnecting cable of the BU in the proper fold with the rubber band.
37. Place the BU inside the plastic cover and place it in its carrying case.
38. Place the CU inside the plastic cover and place it in its carrying case.
39. Tie the respective address tags on the carrying cases with threads.

- Note:**
1. PUT A CARD BOARD WHILE SEALING WITH THE LAC.
  2. PUT CELOTAPE FOR FIXING THE ADDRESS TAGS PROPERLY.

**VALUABLE TIME WILL BE SAVED BY COMPLETING SEVERAL PRELIMINARY PROCEDURES LISTED BELOW BEFORE OPENING THE MACHINES:**

- i) Preparation of Issue Register with serial numbers columns for the Units left blank as per prescribed Proforma.
- ii) **Preparation of address tags-four (4) for BU and two (2) for the CU with all the relevant data excepting the serial number of the machine and the Distinguishing Mark filled in. Use rubber stamp for filling in Number and Name of the ward and Name of the GP/PS/ZP and Date of Poll.**
- iii) Cutting of thread . about 1 meter (one) and 20 cms length (six) of the requisite numbers.
- iv) Heating arrangements for the Lac. Lac to be used for sealing can be melted in a pot while one person put it on the sealing places another can mark the RO's seal on that.
- v) EO's signature on the reserve side of the ballot papers.
- vi) Procuring 5-10 numbers of blades for cutting off excess thread.
- vii) Procuring of one of two tubes of adhesive (like Fevi-Kwick) for any on the spot repairs of breakages.

**IMPORTANT GUIDELINES**

- Please handle the machine carefully as these are liable to be damaged if not handled gently.
- Ensure that the ballot paper screen is not scratched while handling.
- Always place a new battery inside the machine during RO sealing.
- Ensure that the top side of the mating connector of BU is kept on top while connecting it to the CU. Any attempt to force the connection in the opposite direction will bend the sensitive pins inside the connector.
- Never leave the machine switched in 'ON' condition after sealing is over:
- Place the machine for safe custody after RO sealing.

**IMPORTANT POINT - SEAL OF THE R.O.**

**While preparing the Control Unit and Ballot Units by the Returning Officer, it has been mentioned at various places that the machines shall be sealed with the seal of the Returning Officer.**

In this connection, it is clarified that while preparing the CUs and BUs for the polling, the RO shall use his own seal.



## ANNEXURE – III

### LIST OF ELECTION MATERIAL

SR.NO.	NAME OF ITEMS
	<u>FORMS/ITEMS</u>
1.	पीठासीन अधिकारी की डायरी
2.	प्ररूप-2 निर्वाचन का नोटिस (पंच )
3.	प्ररूप-3 निर्वाचन का नोटिस (सरपंच )
4.	प्ररूप-4 नामांकन पत्र
5.	प्ररूप-4 क नामांकन पत्र के साथ प्रस्तुत किये जाने वाला शपथ/घोषणा पत्र
6.	प्ररूप-5 उम्मीदवार की वापिसी का नोटिस
7.	प्ररूप-6 चुनाव लडने वाले उम्मीदवारों की सूचि (पंच )
8.	प्ररूप-7 चुनाव लडने वाले उम्मीदवारों की सूचि (सरपंच )
9.	प्ररूप-8 चुनाव लडने वाले उम्मीदवारों की सूचि (पंचायत सूचि)
10.	प्ररूप-9 चुनाव लडने वाले उम्मीदवारों की सूचि (जिला परिषद्)
11.	प्ररूप-10 निर्वाचन अभिकर्ता की नियुक्ति का पाररूप
12.	प्ररूप-11 आक्षेप किये गये मतों की सूचि
13.	प्ररूप-12 निविदत्त मतों की सूचि
14.	प्ररूप-13 मतपत्रों का लेखा
15.	प्ररूप-14 पंच के निर्वाचन के लिये परिणाम पत्र
16.	प्ररूप-15 ग्राम सरपंच के लिये मतों की गणना
17.	प्ररूप-16 पंचायत समिति के सदस्य के निर्वाचन में मतों की गणना का परिणाम
18.	प्ररूप-17 जिला परिषद के मतों की गिनती का परिणाम
19.	प्ररूप-18 ग्राम पंचायत के पंच की निर्वाचन विवरणी का प्ररूप
20.	प्ररूप-19 सरपंच के निर्वाचन की विवरणी का प्ररूप
21.	प्ररूप-20 पंचायत समिति के सदस्य के निर्वाचन का प्ररूप
22.	प्ररूप-21 जिला परिषद के सदस्य के निर्वाचन का प्ररूप
23.	निर्वाचन प्रमाण पत्र
24.	प्ररूप-22 मतदान अभिकर्ता की नियुक्ति
25.	प्ररूप-23 गणन अभिकर्ता की नियुक्ति
26.	प्ररूप-24 निर्वाचन ड्युटी प्रमाण –पत्र के लिए आवेदन
27.	प्ररूप-25 रिटर्निंग अधिकारी को सूचना-पत्र
28.	प्ररूप-26 चुनाव ड्युटी प्रमाण-पत्र
29.	प्ररूप-27 मतदाता द्वारा डाक मतपत्र के प्रयोग के लिए घोषणा

30.	प्ररूप-28 लिफाफा- 'क'
31.	प्ररूप-29 बड़ा लिफाफा - 'ख'
32.	प्ररूप-30 डाक मतपत्र का प्रयोग करने के लिए मतदाताओं के मार्गदर्शन के लिए हिदायतें
33.	Expenditure Register (Annexure-I)
34.	Expenditure Form (Annexure-II)
35.	Form of Affidavit(Annexure-III)
36.	ग्राम पंचायत/पंचायत समिति/जिला परिषद के चुनाव लड़ने वाले उम्मीदवारों लिये शपथ पत्र
37.	Specimen Symbol of Political Parties.
38.	Specimen free symbol of Zila Parishad.
39.	Specimen free symbol of Panchayat Samiti.
40.	Specimen free symbol of Sarpanch
41.	Specimen free symbol of Panch.
42.	आदर्श आचार संहिता
43.	वोटों को वोट पर्चियों पर निशान लगाने के लिये हिदायतें।
44.	Polling Station Name Number
45.	Notice Specifying Polling Area (Notice)
46.	Pass for Polling Agents
47.	मतपेटी के लिये लेबल
48.	पोलिंग थैले/किट बैग के लिये लेबल
49.	नामांकन की सूचना
50.	नामांकन प्रस्तुत करने वाले उम्मीदवारों की दैनिक जानकारी
51.	प्राप्त नामांकन पत्रों की वार्डवार विवरणी
52.	रद्द किये गये उम्मीदवारों के नामांकन पत्रों की सूचि
53.	विधिमान्य नामांकन उम्मीदवारों की सूचि
54.	नामांकन पत्र वापिस लेने वाले उम्मीदवारों की सूचि

#### BOOKLETS

55.	अभ्यर्थियों के लिये मार्गदर्शिका
56.	पीठासीन अधिकारियों के लिये मार्गदर्शिका
57.	हरियाणा राज्य निर्वाचन आयोग द्वारा प्रसारित निर्देशों का संलकन (रिटर्निंग अधिकारियों के लिये )
58.	Receipt book for deposit of security amount
59.	आक्षेप किये गये मतों के लिये जमा की गई राशि की रसीद बुक

## ENVELOPES

60.	मतदाता सूचियों की अंकित प्रति के लिये
61.	अप्रयुक्त मतपत्र (अधिष्ठाता द्वारा हस्ताक्षरित )
62.	मतपत्र की काउटर फाईल
63.	अप्रयुक्त मतपत्र
64.	वापिस किये गये तथा रद्द मतपत्र
65.	प्रयुक्त टैण्डर्ड मतपत्र और टैण्डर्ज मतपत्रों की सूचि
66.	मतदान क्रिया विधि का उल्लघन करने पर मतपत्र
67.	मतपत्रों का लेखा
68.	कोई अन्य दस्तावेज जो राज्य निर्वाचन आयोग द्वारा मोहरबन्द पैकेट में रखने के निर्देश
69.	मतदाता सूचि की कार्यकर प्रतियां अंकित प्रति के अतिरिक्त )
70.	Cover for Presiding Officer Diary.
71.	पोलिंग एजेंटों के नियुक्ति पत्र
72.	प्राप्ति पुस्तकें
73.	मैटल सील, डिस्टींगविशिंग मार्क रबड स्टैम्पस तथा एरोकास रबड स्टैम्प
74.	वैधमतपत्रों का लेखा
75.	व्यवस्था से स्थापित
76.	मतपेटी के बाहर पाये गये मतपत्र
77.	अन्य लिफाफों के लिये
78.	आपतिजनक मतपत्रों की सूचि
79.	आशक्त अथवा अन्धे मतदाता के सहायक की घोषणा तथाउनकीसूचि

## STATIONERY

80.	Indelible Ink (In Phials of 5 CC each)
81.	Sealing Wax (One Packet of 10 Sticks)
82.	Gum Paste (In Bottles)
83.	Ink for Stamp Pad (In Phials)
84.	Ball Pen
85.	All-Pin
86.	Tags
87.	Typing Papers
88.	Carbon Paper
89.	Rubber Band.
90.	Cello Tape
91.	Needle
92.	Sutli
93.	Steel Sealing Wire
94.	Stamp Pad
95.	Blade

96.	Candle
97.	Match Box
98.	Thin Twine Thread.
99.	Duster/Cloth Piece
100.	KIT BAG
101.	Screen
102.	Metal Rule
103.	Steel Pushers
104.	Arrow Cross Rubber Stamp
105.	Metal Seal for Returning Officer.
106.	Metal Seal for Presiding Officer.
107.	Polling Station (Display Card)
108.	Layout of Polling Stations

**ई.वी.एम. के लिये प्रयुक्त होने वाले अतिरिक्त चुनाव सामग्री की सूची**

109.	Control Unit
110.	Battery/Power Pack
111.	Ballot Units
112.	Register of voters (Annexure-I appended with EVM Order, 2008.
113.	Voters Slip
114.	Ballot Papers (for tenders votes)
115.	Address Tags for Control Unit.
116.	Address Tags for Ballot Unit.
117.	Special Tag (From Sr.No. _____ to _____)
118.	Strip Seals for EVMs (From Sr.No. _____ to _____)
119.	Paper Seals for EVM (From Sr.No. _____ to _____)
120.	Accounts of Votes recorded/report of Paper Seals used.(Annexure-II appended with EVM Order, 2008)
121.	Declaration by the Presiding Officer before the commencement of Poll and at the end of Poll (Part I to IV)
121.	Step by step operations during sealing of EVMs by the R.O.
122.	List of Polling Material
123.	For unused and spoiled paper seals.
124.	Cover for Register of Voters containing signature of votes.(Annexure-I appended with EVM Order, 2008)
125.	Cover for unused and damaged special tag
126.	Cover for unused and damaged strip seal.
127.	Cover for tendered votes
128.	Card Board Piece

129.	Hand Book EVM for Returning Officer.
130.	Hand Book EVM for Presiding Officer.
131.	EVM Anudesh Nirdeshika
132.	Performa for submission of the report to the SEC on the day of polling.
133.	Notice to Candidate or their Election Agents regarding the date, time and Place for counting.



## ANNEXURE - IV

STATE ELECTION COMMISSION HARYANA,  
S.C.O. NO. 16-17, SECTOR 20-D,  
CHANDIGARH.

### THE HARYANA PANCHAYATI RAJ VOTING AND COUNTING OF VOTES BY ELECTRONIC VOTING MACHINES (EVMs) ORDER, 2008.

No. SEC/4E-III/2008/5333

Dated: 03.06.2008

#### ORDER

*In order to tender votes through Electronic Voting Machines, counting of votes, custody, inspection and disposal of election papers etc. where Electronic Voting Machine (EVM) is used at the Elections of Panchayati Raj Institutions in the State of Haryana by the voters in relation thereto and matters connected therewith.*

**Whereas** the superintendence, direction and control of all elections to Panchayats in the State of Haryana are vested in the State Election Commission by the Constitution of India and the Haryana Panchayati Raj Act, 1994 (Haryana Act 11 of 1994).

**AND WHEREAS**, it is necessary and expedient to provide in the interest of purity of elections to the Panchayati Raj Institutions in the State of Haryana and in the interest of the conduct of such elections in free, fair and efficient manner and ways & means to tender votes through EVMs and counting of votes, custody, inspection and disposal of election papers etc. where EVM is used at the elections in the State of Haryana in relation thereto and matters connected therewith.

**AND WHEREAS**, Rule 39 of the Haryana Panchayati Raj Election Rules, 1994 provides that at every election where a poll is taken, votes shall be given by ballot or through voting machine in the manner hereinafter provided and no votes shall be received by proxy.

**“EXPLANATION:**

Any reference to ballot paper or ballot box shall mutatis mutandis apply, if needed, to the voting machine.”

**NOW, THEREFORE**, in exercise of the powers conferred under clause (1) of Article 243K of the Constitution of India and Section 212 of the Haryana Panchayat Raj Act, 1994 (Haryana Act 11 of 1994) and provisions made under

rule 39 of the Haryana Panchayati Raj Election Rules, 1994 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 Panchayati Raj voting and counting of votes by Electronic Voting Machines (EVMs) Order, 2008.

(2) It shall extend to the whole of Haryana in relation to conduct of elections of Panchayati Raj Institutions through Electronic Voting Machines (EVMs).

(3) It shall come into force on the date of its publication in the Haryana Govt. Gazette which date is hereinafter refer to the commencement of this order.

(4) It shall remain in force only for those seats of Panchayati Raj Institutions whose elections are to be conducted through Electronic Voting Machines (EVMs).

**2. Definition and Interpretation:** (1) In this order unless the context otherwise requires—

(a) “**Act**” means the Haryana Panchayati Raj Act, 1994 (Haryana Act 11 of 1994);

(b) “**Section**” means the Section of Haryana Panchayati Raj Act, 1994 (Haryana Act 11 of 1994) ;

(c) “**Rules**” means Haryana Panchayati Raj Election Rules, 1994 ;

(d) “**Form**” means forms provided in the Panchayati Raj Election Rules, 1994 ;

(e) “**Clause**” means a clause of the paragraph or sub paragraph in which the work occurs;

(f) “**Election**” means an election to which this order applies ;

(g) “**Panchayati Raj Institutions**” means an institution of self Govt. constituted under article 243B of the rural areas and includes Gram Panchayat, Panchayat Samiti and Zila Parishad.

(h) “**Voting and Counting of Votes by Electronic Voting Machines**” means recording/casting and counting of votes through EVM and procedure thereof.

(i) “**EVM**” means any machine or apparatus operated electronically or otherwise approved by the State Election Commission used for giving or recording of votes.

- (j) **“State Election Commission”** means the State Election Commission, Haryana constituted under Article 243K of the Constitution read with Section 212 of the Act; and
- (k) **“Paragraph”** means paragraph provided in these orders.
- (l) **“Sub-paragraph”** means a sub paragraph of the paragraph in which the word occurs
- (m) **“Annexure”** means annexure attached with these rules.

(2) *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 People Act, 1951 or the rules made thereunder or the Haryana Panchayati Raj Act, 1994 or the Rules made thereunder shall have the meaning respectively assigned to them in those Acts and Rules.*

(3) *In the absence of such definition, 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. Order by State Election Commission for conducting the election through EVMs:-** For the purpose of this order, the State Election Commission shall issue an order from time to time for conducting the election or elections through EVM.

**4. Voting and counting of votes by voting machines.-** In relation to voting and counting of votes, custody, inspection and disposal of election papers etc. where voting machine is used, the provisions of rules in CHAPTER IX, X and XI of the Haryana Panchayati Raj Election Rules, 1994, except the rules 40, 45, 49, 50, 51, 52, 55, 56, 57, 58, 64 and 65, shall, in so far as may be, apply *mutates mutandis*

and reference in those provisions to ballot paper shall be construed as including a reference to such electronic voting machine.

**5. Design of electronic voting machine.-** Every electronic voting machine (hereinafter referred to as the “voting machine”) shall have a control unit and a balloting unit and shall be of such design as may be approved by the State Election Commission.

**6. Preparation of voting machine by Returning Officer.-** The Returning Officer shall-

- (a) fix the ballot paper containing the names and symbols of the contesting candidates in the balloting unit and secure that unit with his seal and the seals of such of the contesting candidates or their election agents present as are desirous of affixing the same;
- (b) set the number of contesting candidates and close the candidate set section in the control unit and secure it with his seal and the seals of such of the contesting candidates or their election agents present as are desirous of affixing the same.

**7. Preparation of voting machine for poll.-** (1) For securing the control unit of voting machine, the Presiding Officer shall affix his own signature on the paper seal and obtain thereon the signatures of such of the candidates, election agents and polling agents present as are desirous of affixing the same.

(2) *The Presiding Officer shall thereafter fix the paper seal so signed in the space meant therefore in the control unit of voting machine and shall secure and seal the same.*

(3) *The seal used for securing the control unit of voting machine shall be fixed in such manner that after the unit has been sealed, it is not possible to press the “result section” without breaking the seal.*

(4) *Every control unit and balloting unit of the voting machine used at a polling station shall bear labels, both inside and outside marked with-*

- (a) the ward number and name of Gram Panchayat or Panchayat Samiti or Zila Parishad, as the case may be;
- (b) the serial number and name of the polling station;
- (c) the serial number of the unit; and
- (d) the date of poll.

(5) Immediately before the commencement of the poll, the Presiding Officer shall demonstrate to the polling agents and other persons present that no vote has been already recorded in the voting machine and it bears the labels as referred to in sub-paragraph (4).

(6) The control unit shall then be closed and secured and placed in full view of the Presiding Officer and the candidates, election agents and polling agents present and the balloting unit placed in the voting compartment.

**8. Procedure for voting by voting machines.-** (1) Before permitting a voter to vote, the Polling Officer shall-

- (a) record the voter’s list number of the voter as entered in the marked copy of the voter’s list in a register of voters in Annexure 1;
- (b) obtain the signature or thumb impression of that voter on the said register of voters; and

(c) mark the name of the voter in the marked copy of the voter's list to indicate that he has been allowed to vote:

Provided that no voter shall be allowed to vote unless he has put his signature or thumb impression on the register of voters.

(2) (a) Before permitting a voter to vote, the Presiding Officer shall cause a mark to be put on the left forefinger of the voter with an indelible ink:

Provided that where such a mark already exists on the left forefinger of the voter, it shall be deemed that he had cast his vote already at the election and shall not be permitted to vote:

Provided further that no voter shall be allowed to vote unless he has allowed a mark to be put on his left forefinger with indelible ink.

(b) Any reference in clause (a) of this sub-rule to the left forefinger of a voter shall in the case where the voter has his left forefinger missing, be construed as a reference to any other finger of his left hand and shall in the case where all the fingers of his left hand are missing be construed as a reference to the forefinger of the right hand and shall, in case the fingers of both the hands are missing be construed as a reference to such extremity of the left or right arm as he possesses.

(3) It shall not be necessary for any Presiding Officer or Polling Officer or any other officer to attest the thumb impression of the voter on the register of voters.

**9. Procedure for voting and secrecy of voting.-** (1) Every voter who has been permitted to vote under paragraph 8 shall maintain secrecy of voting within the polling station and for that purpose observe the voting procedure hereinafter laid down.

(2) Immediately on being permitted to vote, the voter shall proceed to the Presiding Officer or the Polling Officer in charge of the control unit of the voting machine who shall, by pressing the appropriate button on the control unit activate the balloting unit, for recording of the voter's vote.

(3) The voter shall, thereafter, forthwith-

(a) proceed to one of the voting compartments;

(b) record his vote by pressing the button on the balloting unit against the name and symbol of the candidate for whom he intends to vote; and

(c) come out of the voting compartment and quit the polling station.

(4) Every voter shall vote without undue delay.

(5) No voter shall be allowed to enter a voting compartment when another voter is inside it.

(6) If a voter who has been permitted to vote under paragraph 8 refuses after warning given by the Presiding Officer, to observe the procedure as laid down in sub-paragraph (3), the Presiding Officer or the Polling Officer under the direction of Presiding Officer shall not allow such voter to vote.

(7) Where a voter is not allowed to vote under sub-paragraph (6), a remark to the effect that voting procedure has been violated, shall be made

against the name of the voter in the register of voters in Annexure 1 by the Presiding Officer under his signature.

**10. Recording of votes by blind or infirm voters.-** (1) If the Presiding Officer is satisfied that owing to blindness or other physical infirmity, a voter is unable to recognize the names and symbols of the candidates on the balloting unit of the voting machine or unable to record the vote by pressing the appropriate button thereon without assistance, the Presiding Officer shall permit the voter to take with him a companion of not less than eighteen years of age to the voting compartment for recording the vote on his behalf and in accordance with his wishes:

Provided that no person shall be permitted to act as the companion of more than one voter at any polling station on the same day:

Provided further that before any person is permitted to act as the companion of a voter on any day under this rule, the person shall be required to declare that he shall keep secret the vote recorded by him on behalf of the voter and that he has not already acted as the companion of any other voter at any polling station on that day.

(2) The Presiding Officer shall keep a brief record of such instance.

**11. Voter deciding not to vote.-** If a voter, after his voter's list number has been duly entered in the register of voters in Annexure 1 and has put his signature or thumb impression thereon as required under sub-paragraph (1) of paragraph 8, decides not to record his vote, a remark to this effect shall be made against the said entry in Annexure 1 by the Presiding Officer and the signature or thumb impression of the voter shall be obtained against such remark.



**12. Sealing of voting machine after close of poll.-** (1)As soon as practicable, after the closing of the poll, the Presiding Officer shall close the control unit to ensure that no further votes can be recorded and shall detach the balloting unit from the control unit.

(2) The control unit and the balloting unit shall thereafter be sealed and secured separately in such manner as the State Election Commission may direct and the seal used for securing them shall be so fixed that it shall not be possible to open the units without breaking the seals.

(3) The polling agents or election agents or candidates present at the polling station, who desire to affix their seals, shall also be permitted to do so.

**13. Sealing of polling materials and other papers.-**(1) The Presiding Officer of each polling station, as soon as practicable after the close of the poll, shall in the presence of any candidate or election agent or polling agent who may be present make up into separate packet and seal with his seal and the seal of such candidates or agents as may desire to affix their seals on the envelopes of the following:-

- (a) the marked copy of the voter's list;
- (b) the tendered ballot papers;
- (c) the list of tendered votes;
- (d) the list of challenged votes;
- (e) the register of voters in Annexure 1; and
- (f) any other papers directed by the State Election Commission to be kept in a sealed packet.

(2) The Presiding Officer shall, after sealing all the packets, endorse on such packet a declaration of its contents.

**14. Accounts of votes recorded.-** (1) The Presiding Officer shall at the close of the poll, prepare an account of votes recorded in Annexure 2.

(2) The Presiding Officer shall place the account of votes recorded in a separate envelope and endorse on it the words, "Account of Votes Recorded".

(3) The accounts of votes recorded shall be prepared separately in Form 14, 15, 16 and 17 for a Panch, Sarpanch, Members of Panchayat Samiti and Zila Parishad, respectively.

**15. Transmission of voting machines etc. to the Returning Officer**

**(Panchayat)** (1) The Presiding Officer shall then deliver or cause to be delivered to the Returning Officer (Panchayat) at such place as the Returning Officer (Panchayat) or the officer authorized by him may direct-

- (i) the voting machine;
- (ii) the account of votes recorded in Annexure 2;
- (iii) sealed packets under paragraph 13; and
- (iv) all other papers used at the poll.

(2) The Returning Officer (Panchayat) or such authorized officer shall make adequate arrangements for the safe transport of the voting machine, packets and other papers and for their safe custody until the conclusion of the counting of votes.

**16. Procedure of adjournment of poll.-** If the poll at any polling station is adjourned and declared void under rules 59, 60 and 61, the provisions of these rules shall mutatis mutandis apply.

**17. Scrutiny and inspection of voting machines.-** (1) The Returning Officer (Panchayat) or such other officer authorized by him may have the control units of the voting machines used at more than one polling station taken up for scrutiny and inspection and votes recorded in such units counted simultaneously.

(2) Before the votes recorded in any control unit of a voting machine are counted under sub-paragraph (1), the candidate or his election agent or his counting agent present on the counting table, shall be allowed to inspect the paper seal and such other vital seals as might have been affixed on the unit and to satisfy themselves that the seals are intact.

(3) The Returning Officer (Panchayat) or the officer authorized by him shall satisfy himself that none of the voting machines has, in fact, been tampered with.

(4) If the Returning Officer (Panchayat) or the officer authorized by him is satisfied that any voting machine has, in fact, been tampered with, he shall not count the votes recorded in that machine and shall follow the procedure laid down in rules.

**18. Counting of votes.-** (1) After the Returning Officer (Panchayat) or the Presiding Officer, as the case may be, is satisfied that a voting machine has, in fact, not been tampered with, he shall have the votes recorded therein counted by pressing the appropriate button marked "Result" provided in the control unit whereby the total votes polled and votes polled for each candidate shall be displayed in respect of each such candidate on the display panel provided for the purposes in the unit.

(2) As the votes polled by each candidate are displayed on the control unit, the Returning Officer (Panchayat) shall have:-

- (a) the number of such votes recorded separately in respect of each candidate in Form 14, 15, 16 and 17 in respect of election of Panch, Sarpanch, Member of Panchayat Samiti and Member of Zila Parishad, respectively;
- (b) Form 14, 15, 16 and 17 completed in all respect and signed by the Presiding Officer or the Returning Officer (Panchayat)/officer authorized by him, Counting Supervisor and also by the candidates or their election agents or their counting agents present; and

(3) No envelope containing the tendered ballot papers shall be opened and no such votes shall be counted.

**19. Declaration of results.** (1) The Returning Officer (Panchayat) or the Assistant Returning Officer (Panchayat), shall –

- (a) declare to be elected the candidate for the office of Panch who has secured the largest number of valid votes and certify the return of election in Form 18. Similarly the result of Sarpanch shall also be declared forthwith but if there are more than one polling stations in the Sabha Area, the result sheets for the office of Sarpanch shall be sent to the polling station presided over by the Presiding Officer nominated by the District Election Officer (Panchayat) for this purpose, on the same day who shall, after compiling the result sheets in Form 19, declare forthwith the candidate who received the

largest number of valid votes elected as Sarpanch. For the purpose of declaration of result for the office of Panch and Sarpanch, the Presiding Officer shall be deemed to be Returning Officer and in case of more than one polling stations in the Sabha Area, nominated Presiding Officer shall be deemed to be the Returning Officer for declaration of result for the office of Sarpanch;

- (b) send from the place specified in clause (e) of rule 24, the result sheet for the offices of Members of Panchayat Samiti and Zila Parishad to the concerned Returning Officer for Panchayat Samiti at block level and to the Deputy Commissioner respectively;
- (c) for the election of member of Panchayat Samiti, compile all the result sheets of Form 16 and prepare Form 20 and declare the candidate, who received the largest number of valid votes elected and shall certify the return of election in Form 20; and
- (d) for the election of member of Zila Parishad, compile the result sheets of Form 17, and prepare Form 21 and declare the candidate, who received the largest number of valid votes, elected and shall certify the return of election in Form 21.

(2) The Returning Officer (Panchayat) or the officer authorized by him shall send the signed copy of the returns under this rule to the District Election Officer (Panchayat) and to the State Election Commissioner.

**20. Sealing of voting machines after counting of votes.-** (1) After the result of votes recorded in a control unit has been ascertained candidate wise and entered in Form 14, 15, 16 and 17 under paragraph 21, the Presiding Officer/Returning

Officer shall reseal the unit with his seal and the seals of such of the candidates or their election agents present who may desire to affix their seals thereon so, however, that the result of votes recorded in the unit is not obliterated and the unit retains the memory of such result.

(2) The control unit so sealed shall be kept in specially prepared boxes on which the Returning Officer shall record the following particulars, namely:-

- (a) the name of the Gram Panchayat or Panchayat Samiti or Zila Parishad, as the case may be, with ward number;
- (b) the particulars of polling station where the control unit has been used;
- (c) serial number of the control unit;
- (d) date of poll; and
- (e) date of counting.

**21. Production and inspection of election papers.- (1)** While in the custody of the Deputy Commissioner-cum-District Election Officer (Panchayat);

- (a) the packets of used or unused tendered ballot papers;
- (b) the packets of the marked copy of electoral roll; and
- (c) the packets containing register of voters in Annexure-1

shall not be opened, inspected or produced except under the orders of a competent court.

(2) The control units sealed under paragraph 20 and kept in the custody of the Deputy Commissioner-cum-District Election Officer (Panchayat) shall not be opened, inspected or produced except under the orders of a competent court.

(3) Subject to such conditions and on the payment of such fee as the State Election Commission may direct, all other papers relating to the election shall be open to public inspection and copies thereof shall, on application, be furnished.

**22. Disposal of election papers.-** Subject to any direction to the contrary given by the State Election Commission or by a competent court :-

- (a) the packets of tendered ballot papers shall be retained for such a period as the State Election Commission may direct;
- (b) the voting machines kept in custody of the Deputy Commissioner-cum-District Election Officer (Panchayat) under sub paragraph (2) of paragraph 20 shall be retained intact for such period as the State Election Commission may direct;
- (c) packets other than those as referred to in sub paragraph (1) of paragraph 21 shall be retained for such a period as the State Election Commission may direct:

Provided that the packets containing the counterfoils of used postal ballot papers shall not be destroyed except with the previous approval of the State Election Commission; and

- (d) all other papers relating to the election shall be retained for such period as the State Election Commission may direct.”

**23. 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 the reservation and allotment of symbols and recognition of political parties, 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.

Dated, Chandigarh  
The 2<sup>nd</sup> June, 2008

CHANDER SINGH  
State Election Commissioner,  
Haryana.



ANNEXURE - 1  
[See paragraph 8 (1) (a), 9(7), 11,13(1)(e) and 21 (1)(c)]

REGISTER OF VOTERS

Election to –  
Panch of Gram Panchayat \_\_\_\_\_ Ward No. \_\_\_\_\_  
Sarpanch, Gram Panchayat \_\_\_\_\_  
Member of Panchayat Samiti \_\_\_\_\_ Ward No. \_\_\_\_\_  
Member of Zila Parishad \_\_\_\_\_ Ward No. \_\_\_\_\_

Serial Number	Serial number of voter in the voters list	Signature/thumb impression of voter	Remarks
(1)	(2)	(3)	(4)
1			
2			
3			
4			
5			
6			
7			
8			
and so on			

Place:

Date:

Signature of the Presiding Officer

ANNEXURE - 2  
[See paragraph 14(1) & 15(1)(ii)]

ACCOUNT OF VOTES RECORDED

Election to  
Panch of Gram Panchayat \_\_\_\_\_ from Ward No. \_\_\_\_\_  
Sarpanch, Gram Panchayat \_\_\_\_\_  
Member of Panchayat Samiti \_\_\_\_\_ from Ward No. \_\_\_\_\_  
Member of Zila Parishad \_\_\_\_\_ from Ward No. \_\_\_\_\_

Number and Name of Polling Station \_\_\_\_\_  
Identification Number of Voting Machine used at the Polling Station  
Control Unit \_\_\_\_\_  
Balloting Unit \_\_\_\_\_

1. Total Number of voters assigned to the Polling Station.
2. Total Number of voters entered in the Register of Voters (Annexure 1)
3. Number of voters deciding not to record votes under paragraph 11.
4. Number of voters not allowed to vote under paragraph 8 or 9.
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 53
8. Number of tendered ballot papers.

		Serial number			
		From		To	
	(a)	received	for		use
	(b)	issued	to		voters
	(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. |
| <hr/> |   |    |
| 3.    | Number of paper seals used.                   | 4. |
| <hr/> |   |    |
| 4.    | Number of unused paper seals returned to      | 5. |
| <hr/> |   |    |
|       | Returning Officer (Deduct item 3 from item 2) | 6. |
| <hr/> |   |    |
| 5.    | Serial number of damaged paper seal, if any   | 7. |
| <hr/> |   |    |

Date \_\_\_\_\_  
Place \_\_\_\_\_

Signature of Presiding Officer  
Polling Station No. \_\_\_\_\_

## ANNEXURE – V

STATE ELECTION COMMISSION, HARYANA  
NIRVACHAN SADAN, PLOT NO. 2, SECTOR 17,  
PANCHKULA

No.SEC/4E-II/2010/7995

Dated: 02.10.2010

### ORDER

Whereas the State Election Commission, Haryana has decided to amend /update it's earlier order i.e. "THE HARYANA PANCHAYATI RAJ VOTING AND COUNTING OF VOTES BY ELECTRONIC VOTING MACHINES (EVMs) ORDER,2008" issued vide No. SEC/4E-III/2008/5333 dated 03.06.2008.

1. These orders may be called THE HARYANA PANCHAYATI RAJ VOTING AND COUNTING OF VOTES BY ELECTRONIC VOTING MACHINES (EVMs) (AMENDMENT) ORDER,2010

2. In THE HARYANA PANCHAYATI RAJ VOTING AND COUNTING OF VOTES BY ELECTRONIC VOTING MACHINES (EVMs) ORDER,2008 (hereinafter called the said order) the clause (i) of subparagraph (1) of paragraph no. 2 shall be substituted, namely:-

"EVM means any machine or apparatus whether operated electronically or otherwise used for giving or recording of votes and any reference to a ballot box or ballot paper in the 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".

3. In the said order, after paragraph no. 22 the following paragraph shall be inserted; namely

"22-A. Retention of EVMs :- (1) Every voting machine (EVM) used in an elections and kept in the custody of the Deputy Commissioner-cum-District Election Officer (Panchayat) 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.

(2) In the case of an election, where no election petition has been filed and no other court case is pending, after the expiry of the said period of three months, the data in the EVM should be washed out, the machines may returned

to State Election Commission/Chief Electoral Officer concerned from where EVMs have been taken on.

(3) In the case of an election, where an 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-cum-District Election Officer (Panchayat), till such time the election petition is finally disposed of by the courts.

(4) If any other court case is pending, like booth capturing, etc., in which any EVM is involved, the EVM concerned or the EVM(s) used at such polling station(s) concerned may also be kept till the final disposal of the said case.

(5) After the final disposal of the election petitions or, as the case may be, other court case referred to clauses (3) and (4) above, the voting machines can be returned to State Election Commission/Chief Electoral Officer concerned.

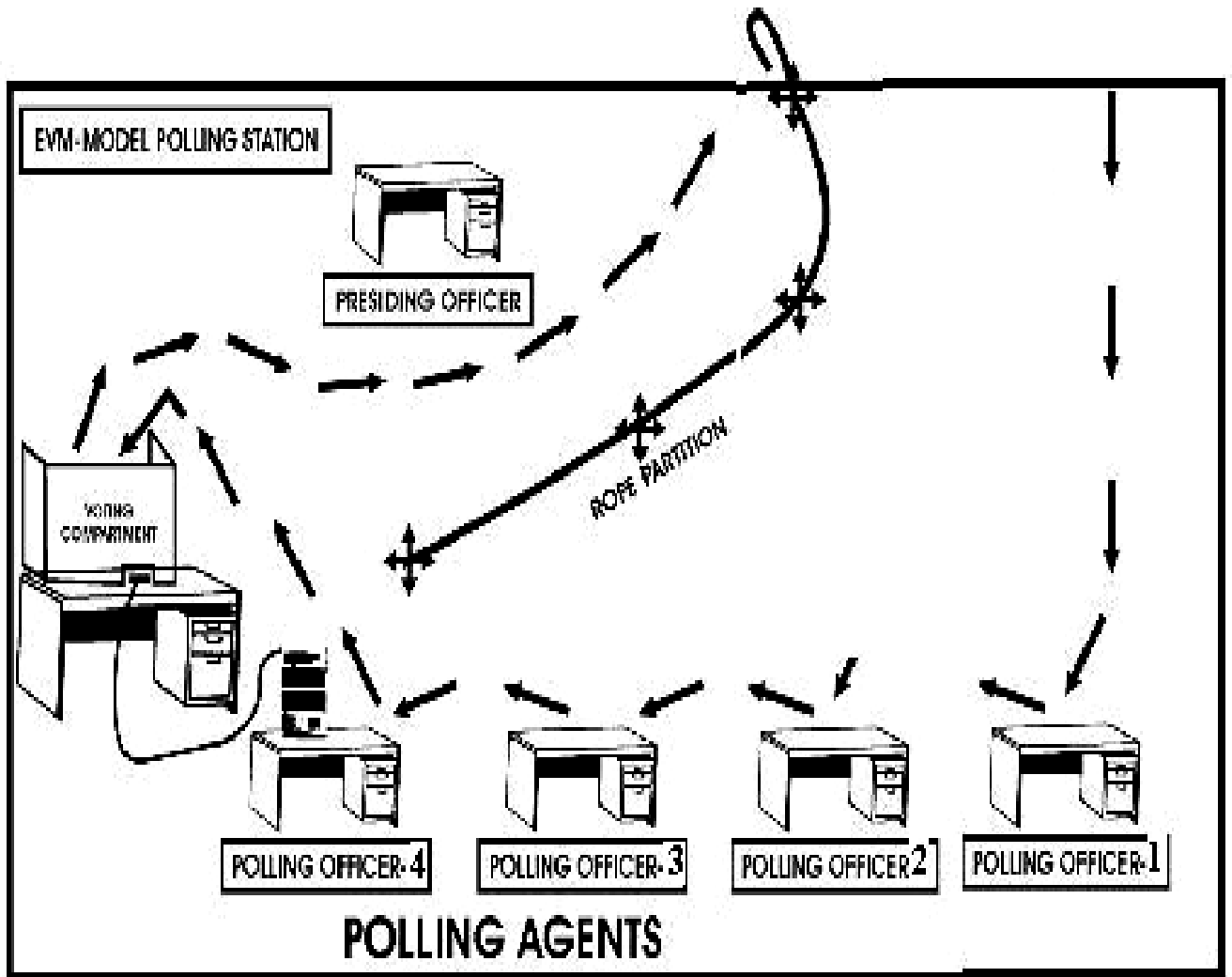
(6) Notwithstanding anything contained in sub-paragraph (1) and (2) above, if the machines used at an election in respect of which no election petition has been filed, are needed to be returned to State Election Commission/Chief Electoral Officer concerned for use in any subsequent election before the expiry of the period of three months referred to therein, the State Election Commission, Haryana may by special directions permit to return the same.

(7) The batteries, which have been used in the voting machines in an election, shall not, repeat shall 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. A proper account of all such batteries shall be maintained by Deputy Commissioner-cum-District Election Officer (Panchayat).

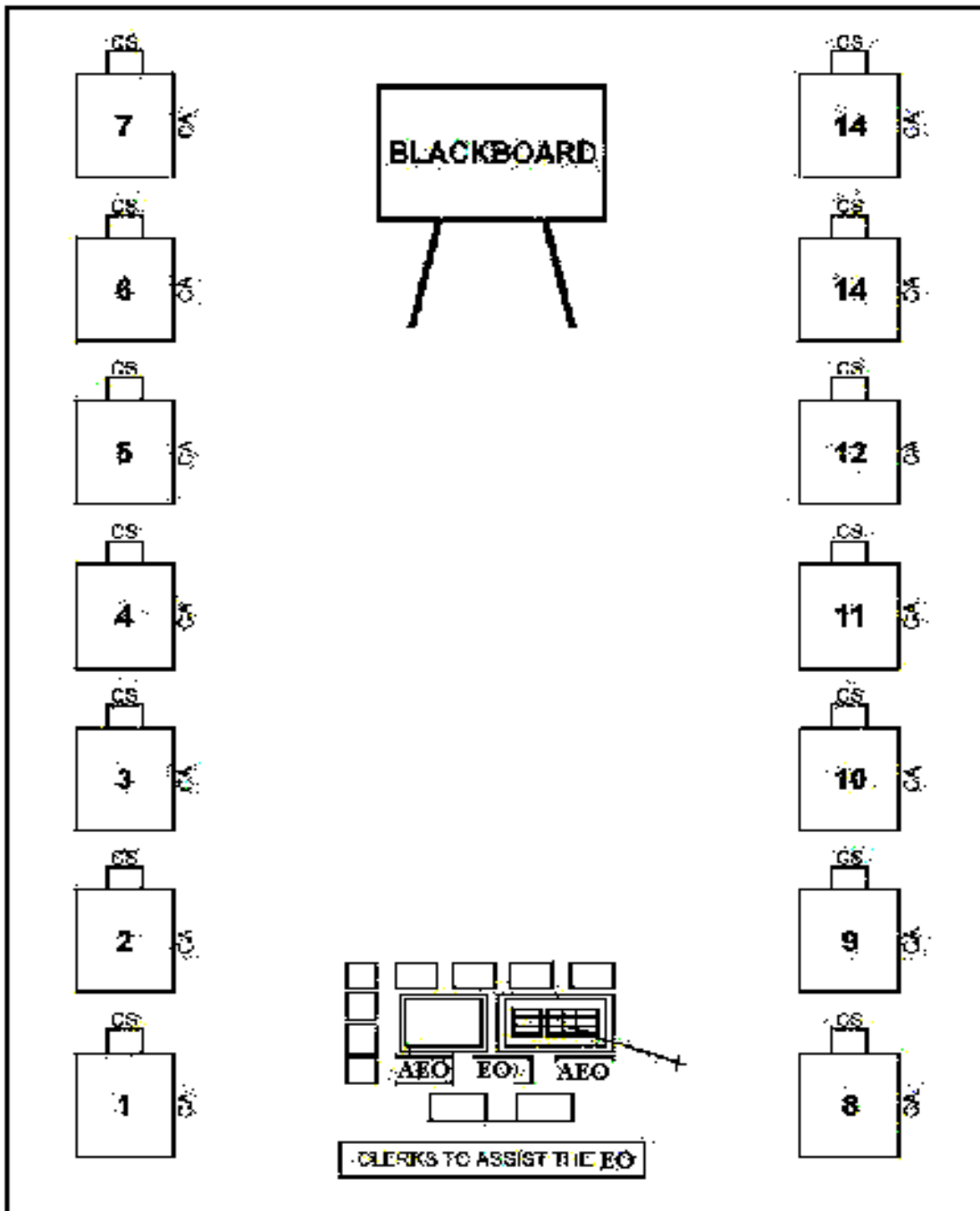
Dated, Panchkula  
The 1<sup>st</sup> December, 2010

State Election Commissioner, Haryana

# ANNEXURE – VI



# ANNEXURE - VII



**STATE ELECTION COMMISSION, HARYANA  
NIRVACHAN SADAN, PLOT NO.2, SECTOR-17  
PANCHKULA  
ORDER**

Whereas Hon'ble Supreme Court of India in its order dated 27<sup>th</sup> September, 2013 in Writ Petition© No.161 of 2004-People's Union for Civil Liberties & Anrs Vs. Union of India and Anrs, has directed the Election Commission of India to provide necessary provision in the ballot papers/EVMs for displaying a separate button called "None of the above"(NOTA), so that the voters, who come to the polling booth and decide not to vote for any of the candidates in the fray, are able to exercise their right not to vote while maintaining their right of secrecy.

2. Therefore, the State Election Commission in compliance of the directions passed by the Hon'ble Supreme Court and in exercise of the powers conferred under clause (1) of article 243K of the Constitution of India read with Section 161(3) of the Haryana Panchayati Raj Act, 1994, hereby direct to implement the option of "None of the Above(NOTA)" on EVMs/Ballot papers" in the elections of the office of the Member of Zila Parishad, Panchayat Samiti and the Sarpanch of the Gram Panchayat to be held in future. This order shall not be applicable to the election of the office of member of Panch of the Gram Panchayat.

3. The Returning Officer (Panchayat) shall take note of these directions and ensure that after the panel containing the name and symbol of the last candidate, there shall be a panel below the said last panel with the words "None of the Above" written thereon, for those voters who may wish to exercise option of not voting for any of the candidates in the fray. These words shall be written in the same language or languages as used in the case of names of other candidates. The size of the panel for "None of the Above" shall be the same as size of the panel for the candidates.

4. It is further directed that in Part-I of Form 15, 16, 17 (counting of votes for Sarpanch of the Gram Pachayat, result of counting of votes of Member



of Panchayat Samiti and Zila Parishad), after the column 'Number of valid votes cast in favour of the candidate' one additional column "Votes for NOTA option" shall be inserted. It is also directed that in Part-II and III of these Forms under the name of candidate after the last candidate, "None of the above (NOTA)" shall be mentioned. A sample of ballot paper to be affixed on the balloting unit, Forms 15, 16 and 17 are enclosed for guidance.

5. It is further clarified that even if, in any extreme case, the number of votes against NOTA is more than the number of valid votes secured by the candidates, the candidate who secures the largest number of valid votes among the contesting candidates shall be declared to be elected.

6. These instructions may be brought in the notice of the Returning Officers, the officers concerned and also to the State units of National and State recognized political parties.

Dated: Panchkula  
SINGH  
The 10<sup>th</sup> March, 2017  
Haryana

DR.DALIP  
State Election Commissioner,  
Haryana

Endst.No. SEC/3E-II/2017/734-811

Dated:

15.03.2017

A copy of the above is forwarded to the following for information and necessary action:-

1. Chief Secretary to Government, Haryana, Chandigarh.
2. Additional Chief Secretary to Government, Haryana, Development and Panchayats, Chandigarh.
3. Director General, Development and Panchayats Department, Haryana, Panchkula.
4. All the Divisional Commissioners in the State of Haryana.
5. All the Deputy Commissioners-cum District Election Officers (Panchayats).
6. All the Additional Deputy Commissioners.
7. All the District Development and Panchayat Officers.
8. Secretary/President of all the recognized Political Parties.

Sd/-  
(Parmal Singh)  
Assistant State Election Commissioner,  
Haryana.

**FORM-15**  
**[See sub-rule (2) of rule 66]**  
**COUNTING OF VOTES FOR SARPANCH OF**

**VILLAGE.....**

**PART -1**

Polling Station No.....

Serial number of wards included.....

Serial Number	Name of candidate	Number of valid votes cast In favour of the candidate	Votes for NOTA option
(1)	(2)	(3)	(4)

Total number of valid votes.....

Total number of rejected votes .....

Total votes polled.....

Place.....

Date .....

(Panchayat)/Officer

Returning Officer

authorized by Returning Officer

(Panchayat)

**PART – II**

Serial Number	Name of Candidate	Vote cast in favour of the candidate			Total
		Polling Station No.1	Polling Station No.2	Polling Station No.3	
(1)	(2)	(3)	(4)	(5)	(6)
1.	A				
2.	B				
3.	C				
4.	----				
5.	None of the above				

Total number of valid votes in village .....

Total number of rejected votes in village .....

Total number of votes polled in village .....

Place .....  
Date.....  
(Panchayat)/Officer  
Officer(Panchayat)

Returning Officer  
authorised by Returning

**FORM-16**  
**[See sub-rule (2) of rule 66]**

**RESULT OF COUNTING OF VOTES IN THE ELECTION OF MEMBER OF  
PANCHAYAT SAMITI WARD NO.....**

**PART -1**

Polling Station.....

Serial number of wards included in polling station.....

<b>Serial Number</b>	<b>Name of Candidate</b>	<b>Number of valid votes cast in favour of candidate</b>	<b>Votes for NOTA option</b>
<b>(1)</b>	<b>(2)</b>	<b>(3)</b>	<b>(4)</b>

Total number of valid votes .....

Total number of rejected votes .....

Total number of votes polled .....

Place.....

Dated ..... Returning Officer (Panchayat)/Officer  
Authorized by Returning Officer (Panchayat)

**PART – II**

<b>Serial Number</b>	<b>Name of Candidate</b>	<b>Number of valid votes cast in favour of candidate</b>	<b>Total number of votes</b>
<b>(1)</b>	<b>(2)</b>	<b>(3)</b>	<b>(4)</b>
1.	A		
2.	B		
3.	C		
4.	----		
5.			

Number of total valid votes .....

Number of total rejected votes .....

Total number of votes polled .....

Place.....

Date..... Returning Officer(Panchayat)/Officer  
Authorized by Returning Officer(Panchayat)

**FORM-17**  
**[See sub-rule (2) of rule 66]**

**RESULT OF COUNTING OF VOTES OF MEMBER OF ZILA PARISHAD WARD  
 NO.....**

**PART -1**

Polling Station No.....  
 Serial number of wards included .....

Serial Number	Name Candidate	of Number of valid votes cast in favour of candidate	Votes for NOTA option
(1)	(2)	(3)	(4)

Total number of valid votes .....  
 Total number of rejected votes .....  
 Total Number of votes polled in the polling Station .....

Place..... Returning Officer(Panchayat)/Officer  
 Dated:..... Authorized by Returning Officer(Panchayat)

**PART – II**

Serial Number	Name of Candidate	Valid votes secured by candidates in various polling stations within the Zila Parishad	Total number of valid votes
(1)	(2)	(3)	(4)

Total number of valid votes .....  
 Total number of rejected votes .....  
 Total number of votes polled in Zila Parishad area .....

Place..... Returning Officer(Panchayat)/Officer  
 Dated:..... Authorized by Returning Officer(Panchayat)

**PART –III**

Serial Number	Name of Candidate	No. of votes secured by candidate in Polling Stations situated in various Panchayat Samitis			Total number of valid votes
		Panchayat Samiti	Panchayat Samiti	Panchayat Samiti	
(1)	(2)	(3)	(4)	(5)	(6)
1.	A				
2.	B				
3.	C				
4.	---				
5.					

Total number of valid votes .....  
 Total number of rejected votes .....  
 Total number of votes polled in .....  
 concerned ward of Zila Parishad

Place.....

Date.....

.....  
 Returning Officer(Panchayat)/Officer  
 authorized by Returning Officer(Panchayat)



**STATE ELECTION COMMISSION, HARYANA**  
**Nirvachan Sadan, Plot No. 2, Sector- 17**  
**Panchkula – 134109**

Website: [www.secharyana.gov.in](http://www.secharyana.gov.in)

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**ORDER**

Whereas the superintendence, direction and control of conduct of elections to the Panchayats and the Municipalities in the State of Haryana are vested in the State Election Commission, Haryana in accordance with provisions of Article 243-K and 243-ZA of the Constitution of India.

2. And whereas the State Election Commission, Haryana in compliance with the order dated 27.09.2013 passed by Hon'ble Supreme Court of India, New Delhi in the Writ Petition (Civil) No. 161 of 2004 in People's Union for Civil Liberties versus Union of India, has issued an order No. SEC/3E/2017/734-811, dated 15.03.2017 regarding application of NOTA (None of the Above) option in the elections to the office of member, Zila Parishad; member, Panchayat Samiti and Sarpanch of Gram Panchayat. Para 5 of the said order read as follows:

“In any extreme case, the number of votes against NOTA is more than the number of valid votes secured by the candidates, the candidate who secures the largest number of valid votes among the contesting candidates shall be declared to be elected.”

3. And whereas, State Election Commission has considered the above mentioned order which provides that “a candidate who secures the highest number of valid votes polled should be declared as elected” and the Hon'ble Supreme Court had further observed that introduction of NOTA will improve the electoral process through –

- a) increased voter participation,
- b) compulsion on political parties to field good candidates; and
- c) reflection of negative votes in election result.

4. And whereas the State Election Commission Haryana has also considered the order of the Hon'ble Supreme Court passed in Civil Appeal No.3839 of

1982 -- A.C. Jose versus Sivan Pillai & Others, dated 05.03.1984 wherein the Hon'ble Supreme Court has laid down rule about plenary powers of the Election Commissions;

- (a) *When there is no Parliamentary legislation or rule made under the said legislation, the Commission is free to pass any orders in respect of the conduct of elections.*
- (b) *Where there is an Act and express Rules made thereunder it is not open to the Commission to override the Act or the Rules and pass orders in direct disobedience to the mandate contained in the Act or the Rules. In other words, the powers of the Commission are meant to supplement rather than supplant the law (both statute and Rules) in the matter of superintendence, direction and control as provided by Art. 324,*
- (c) *where the Act or the Rules are silent, the Commission has no doubt plenary powers under Art. 324 to give any direction in respect of the conduct of election”*

*And*

In Civil Appeal No. 7178 of 2001 -- Union of India versus ADR & others, dated 2<sup>nd</sup> May, 2002, wherein Apex Court while laying down *ratio decidendi* about the source and ambit of the power of the Election Commission, observed that,

*‘The jurisdiction of the Election Commission is wide enough to include all powers necessary for smooth conduct of elections and the word ‘election’ is used in a wide sense to include entire process of election which consists of several stages and embraces many steps.*

*The limitation on plenary character of power is when the Parliament or State Legislature has made a valid law relating to or in connection with elections, the Commission is required to act in conformity with the said provisions. In case where law is silent, Article 324 is a reservoir of power to act for the avowed purpose of having free and fair election. Constitution has taken care of leaving scope for exercise of residuary power by the Commission in its own right as a creature of the Constitution in the infinite variety of situations that may emerge from time to time in a large democracy, as every contingency could not be foreseen or anticipated by the enacted laws or the rules. By issuing necessary directions, Commission can fill the vacuum till there is legislation on the subject. In Kanhiya Lal Omar’s case, the Court construed the expressions “superintendence, direction and control” in Article 324(1) and held that direction may mean an order issued to a particular individual or a precept which may have to follow and it may be a specific or a general order and such phrase should be construed liberally empowering the Election Commission to issue such orders.’*



*And*

In Appeal (Civil) No. 5756 of 2005 -- Kishansing Tomar versus Municipal Corporation of the City of Ahmadabad & Others, the Hon'ble Court vide orders dated 19.10.2006, observed that the State Election Commission has the same powers (including inherent plenary powers) like that of Election Commission of India in the domain of local body elections. *It lays down that, 'In terms of Article 243K & 243ZA (1) the same powers are vested in the State Election Commission as the Election Commission of India under Article 324. The words in the former provisions are in pari materia with the latter provisions'.*

*And*

In Writ Petition (Civil) No. 784/2015 -- Lok Prahari through its General Secretary S. N. Shukla Vs Union of India & Others, where Hon'ble Supreme Court vide orders dated 16.02.2018, has expressed deep concern about undue accretion of assets by legislators in the following words :

*Para-22 '...Various bodies such as the Law Commission of India and a Committee popularly known as the Vohra Committee constituted by the Government of India etc. pointed out various shortcomings in the working of the democracy and the need to address those concerns.'*

*Para-30 'Undue accretion of assets of legislators and their associates is certainly a matter which should alarm the citizens and voters of any truly democratic society. Such phenomenon is a sure indicator of the beginning of a failing democracy. If left unattended it would inevitably lead to the destruction of democracy and pave the way for the rule of mafia. Democracies with higher levels of energy have already taken note of the problem and addressed it. Unfortunately, in our country, neither the Parliament nor the Election Commission of India paid any attention to the problem so far.'*

The Apex Court judgments mentioned above have expressed displeasure to the concerned bodies for not paying attention to such problems. Thus there is need to pay attention to all such issues (including utility of NOTA) without any further delay so as to make elections pure, free, fair and transparent.

5. Whereas in view of above, the State Election Commission, Haryana has come to the conclusion that –

- i) Implementation of NOTA in terms of order issued by State Election Commission Haryana on 15.03.2017 does not give absolute effect to the judgements of Hon'ble Supreme Court in letter and spirit.
- ii) There is no provision in the Haryana Panchayati Raj Act, 1994 and rules made there under regarding NOTA and/or how to treat the votes polled by NOTA while declaring the results. Thus, there is a vacuous area; and
- iii) State Election Commission has the requisite Authority to fill the above vacuous area by treating NOTA as 'Fictitious Electoral Candidate' and amend para 5 of its order dated 15.03.2017 in order to implement the judgements of Hon'ble Supreme Court in its true sense.

6. Now, therefore, in exercise of powers conferred under clause (1) of Article 243K of the Constitution of India read with Section 161(3) of the Haryana Panchayati Raj Act, 1994 and all other powers enabling it in this behalf, para 5 of Order dated 10.03.2017 (issued on 15.03.2017) of the State Election Commission, Haryana is hereby amended with immediate effect as below:

- (i) NOTA shall be treated as a 'Fictional Electoral Candidate' while declaring the election results,
- (ii) In case, a contesting candidate and the "Fictional Electoral Candidate' i.e. NOTA receive highest equal number valid votes then the contesting candidate (not NOTA) shall be declared as elected.
- (iii) If in any election, all the contesting candidates individually receive lesser votes than the 'Fictional Electoral Candidate' i.e. NOTA then none of the contesting candidates will be declared as elected.
- (iv) In case of situation arising under sub-section (iii) above, re-election shall be held for the seat. Further all such contesting candidates who secured less votes than NOTA shall not be eligible to re-file nomination/contest the re-election.
- (v) In re-election, if NOTA again get the highest number of votes then further election will not be conducted and the contesting candidate with the highest votes (excluding NOTA) shall be declared as elected.

7. The following procedure shall be followed in such circumstances,
- i) If the Returning Officer, upon completion of counting but before declaration of result, finds that NOTA has received higher valid votes than all other contesting candidates individually; then the Returning Officer shall not declare the result for that particular seat(s) and shall immediately send his report to the State Election Commission in this regard.
  - ii) Upon receipt of such report, the State Election Commission shall after perusal, declare the fresh election programme for the said seat(s).
8. These orders shall be applicable in the General elections and Bye-elections to the office of member of Zila Parishad, member of the Panchayat Samiti and Sarpanch of the Gram Panchayat, as the case may be, in Haryana with immediate effect. It is clarified that this order shall not be applicable to the election of the office of Panch of the Gram Panchayats.

**Dated: Panchkula  
The 06<sup>th</sup> July, 2022**

**Dhanpat Singh  
State Election Commissioner, Haryana**

Endst.No. SEC/4E-II/2022/651-735

Dated: 07<sup>th</sup> July, 2022

A copy of the above is forwarded to the following for information and necessary action:-

1. Chief Secretary to Government, Haryana, Chandigarh.
2. Additional Chief Secretary to Government, Haryana, Development and Panchayats, Chandigarh.
3. Director General, Development and Panchayats Department, Haryana.
4. All the Divisional Commissioners in the State of Haryana.
5. All the Deputy Commissioners-cum District Election Officers (Panchayats).
6. All the Additional Deputy Commissioners.
7. All the District Development and Panchayat Officers.
8. Secretary/President of all the recognized Political Parties.



(Anju Arora)  
Asstt. State Election Commissioner  
for State Election Commissioner, Haryana

## पंचायत निर्वाचन के लिये उम्मीदवारों, शासकीय विभागों और कर्मचारियों के लिए आदर्श आचरण संहिता

### भाग एक-- उम्मीदवारों के लिये

#### 1. सामान्य आचरण :

- (1) किसी भी दल या उम्मीदवार को ऐसा कोई कार्य नहीं करना चाहिये जिससे किसी धर्म, सम्प्रदाय या जाति के लोगों की भावना को ठेस पहुंचें या उनमें विद्वेष या तनाव पैदा हो।
- (2) मत प्राप्त करने के लिये धार्मिक, साम्प्रदायिक या जातिय भावनाओं का सहारा नहीं लिया जाना चाहिये।
- (3) पूजा के किसी स्थल जैसे कि मन्दिर, मस्जिद, गिरजाघर आदि का उपयोग निर्वाचन प्रचार के लिये नहीं किया जाना चाहिये।
- (4) किसी उम्मीदवार के व्यक्तिगत जीवन के ऐसे पहलुओं की आलोचना नहीं की जानी चाहिये जिनका सम्बन्ध उसके सार्वजनिक जीवन या क्रियाकलापों से न हो और न ही ऐसे आरोप लगाये जाने चाहिये जिनकी सत्यता स्थापित न हुई हो।
- (5) किसी राजनैतिक दल की आलोचना उसकी नीति और कार्यक्रम पूर्व इतिहास और कार्य तक ही सीमित रहनी चाहिये तथा दल और उसके कार्यकर्ताओं की आलोचना असत्यापित आरोपों पर आधारित नहीं की जानी चाहिये।
- (6) प्रत्येक व्यक्ति के शान्तिपूर्ण घरेलू जीवन के अधिकार का सम्मान किया जाना चाहिये, चाहे उसके राजनैतिक विचार कौसें भी क्यों न हो। किसी व्यक्ति के कार्यों या विचारों का विरोध करने के लिये किसी दल या उम्मीदवार द्वारा ऐसे व्यक्ति के घर के सामने धरना देने, नारेबाजी करने या प्रदर्शन करने की कार्यवाही का कतई समर्थन नहीं किया जाना चाहिये।
- (7) राजनैतिक दलों तथा उम्मीदवारों को ऐसे सभी कार्यों से परहेज करना चाहिये जो चुनाव कानून के अन्तर्गत अपराध हों जैसे कि :-
  - (i) ऐसा कोई पोस्टर, इशितहार, पैम्फ्लैट या परिपत्र निकालना जिसमें मुद्रक और प्रकाशक का नाम और पता न हो,
  - (ii) किसी उम्मीदवारों के निर्वाचन की सम्भावना पर प्रतिकूल प्रभाव डालने के उद्देश्य से, उसके व्यक्तिगत आचरण और चरित्र या उम्मीदवारी के सम्बन्ध में ऐसे कथन या समाचार का प्रकाशन कराना जो मिथ्या हो या जिसके सत्य होने का विश्वास न हो,
  - (iii) किसी चुनाव सभा में गडबडी करना या बिघ्न डालना,
  - (iv) मतदान के दिन तथा उसके एक दिन पूर्व सार्वजनिक सभा करना,
  - (v) मतदाताओं को रिश्वत या किसी प्रकार का पारितोषिक देना,

- (vi) मतदान केन्द्र के 100 मीटर के अन्दर किसी प्रकार का चुनाव प्रचार करना या मत संयाचना करना,
  - (vii) मतदाताओं को मतदान केन्द्र तक लाने या ले जाने के लिये वाहनों का उपयोग करना,
  - (viii) मतदान केन्द्र में या आस पास विश्रुखल आचरण करना या मतदान केन्द्र के अधिकारियों के कार्य में बाधा डालना,
  - (ix) मतदाताओं का प्रतिरूपण करना अर्थात् गलत नाम से मतदान का प्रयास करना ।
- (8) मतदान के एक/दो दिन पूर्व (जैसा आयोग द्वारा निर्धारित किया गया हो)से लेकर मतदान के दिन तक किसी उम्मीदवार द्वारा न तो शराब खरीदी जाए और न ही उसे किसी को पेश या वितरित किया जाए। प्रत्येक उम्मीदवार द्वारा अपने कार्यकर्ताओं को भी ऐसा करने से रोका जाना चाहिये।
  - (9) किसी भी उम्मीदवार द्वारा किसी भी व्यक्ति की भूमि, भवन, अहाते या दीवार का उपयोग झण्डा टांगने, पोस्टर चिपकाने, नारे लिखने आदि प्रचार कार्यो के लिये, उसकी अनुमति के बगैर, नहीं किया जाना चाहिये और अपने समर्थकों एवं कार्यकर्ताओं को भी ऐसा नहीं करने देना चाहिये।
  - (10) किसी भी दल या उम्मीदवार द्वारा या उसके पक्ष में लगाए गये झण्डे या पोस्टर दूसरे दल या उम्मीदवार के कार्यकर्ताओं द्वारा नहीं हटाये जाने चाहिये।
  - (11) मतदाताओं को दी जाने वाली पहचान पर्चियां सादे कागज पर होनी चाहिये और उनमें उम्मीदवार का नाम या चुनाव चिन्ह नहीं होना चाहिये। पर्ची में मतदाता का नाम, उसके पति/पिता का नाम, वार्ड क्रमांक, मतदान केन्द्र क्रमांक तथा मतदाता सूचि में उसके क्रमांक के अलावा और कुछ नहीं लिखा होना चाहिये।
  - (12) मतदान शान्तिपूर्वक तथा सुचारु रूप से सम्पन्न कराने में निर्वाचन ड्यूटी पर तैनात अधिकारियों के साथ पूरा सहयोग किया जाना चाहिये।

## 2. सभाएं एवं जुलूस :

- (1) किसी हाट, बाजार या भीड़-भाड़ वाले सार्वजनिक स्थल पर चुनाव सभा के आयोजन के लिये सक्षम प्राधिकारी से पूर्व अनुमति ली जानी चाहिये तथा स्थानीय पुलिस थाने में ऐसी सभा के आयोजन की पूर्व सूचना दी जानी चाहिये ताकि शान्ति और व्यवस्था बनाए रखने तथा यातायात को नियन्त्रित करने के लिये पुलिस आवश्यक प्रबन्ध कर सके।
- (2) प्रत्येक राजनैतिक दल या उम्मीदवार को किसी अन्य दल या उम्मीदवार द्वारा आयोजित सभा या जुलूस में किसी प्रकार की गडबडी करने या बाधा डालने से अपने कार्यकर्ताओं तथा समर्थकों को रोकना चाहिये। यदि दो भिन्न-2 दलो या उम्मीदवारों द्वारा पास-2 स्थित स्थानों में सभाएं की जा रही हो तो ध्वनि विस्तारक यंत्रों के मुंह विपरीत दिशाओं में रखे जाने चाहिये।

- (3) किसी उम्मीदवार के समर्थन में आयोजित जुलूस ऐसे क्षेत्र या मार्ग से होकर नहीं निकाला जाना चाहिये जिसमें कोई प्रतिबन्धात्मक आदेश लागू हो। जुलूस के निकलने के स्थान, समय और मार्ग तथा समापन के स्थान के बारे में स्थानीय पुलिस थाने में कम से कम एक दिन पहले सूचना दी जानी चाहिये। इस बात का ध्यान रखा जाना चाहिये कि जुलूस के कारण यातायात में कोई बाधा न हो। जुलूस में लोगों को ऐसी चीजें लेकर चलने से रोका जाना चाहिये जिनको लेकर चलने पर प्रतिबन्ध हो या जिनका उतेजना के क्षणों में दुरुपयोग किया जा सकता हो।
- (4) प्रत्येक उम्मीदवार या राजनैतिक दल को किसी अन्य उम्मीदवार या दल के नेताओं के पुतले लेकर चलने या उन्हें किसी सार्वजनिक स्थान से जलाए जाने तथा इसी प्रकार के अन्य प्रदर्शन या आयोजन करने से अपने कार्यकर्ताओं को रोकना चाहिये।

### 3. शासन और संस्थाओं के वाहनों आदि के चुनाव प्रचार में उपयोग पर प्रतिबन्ध :

शासन सहित सार्वजनिक उपकरणों/प्राधिकरणों, स्थानीय निकायों, सहकारी संस्थाओं, कृषि उपज मंडियों या शासन से अनुदान अथवा अन्य सहायता प्राप्त करने वाली संस्थाओं के वाहनों, संसाधनों जैसे कि टेलीफोन, फ़ैक्स अथवा कर्मचारियों का उपयोग किसी राजनैतिक दल या उम्मीदवार के हित को आगे बढ़ाने के लिये नहीं किया जाना चाहिए। ऐसे वाहनों आदि को उनके नियन्त्रण अधिकारियों द्वारा निर्वाचन की घोषणा की तारीख से निर्वाचन समाप्त होने की तारीख तक, मंत्रिगण, संसद सदस्यों, विधान सभा सदस्यों, पंचायतों के पदाधिकारियों या उम्मीदवारों को उपलब्ध नहीं कराया जाना चाहिये।

#### भाग-दो— शासकीय विभागों एवं कर्मियों के लिये

1. निर्वाचन की घोषणा की तारीख से निर्वाचन समाप्त होने तक राज्य सरकार के किसी भी विभाग या उपक्रम द्वारा ऐसा कोई आदेश पारित न किया जाए, जिससे चुनाव के सम्यक संचालन में व्यवधान उपस्थित हो (जैसे कि कर्मचारियों के स्थानान्तरण) या चुनाव की शुचिता और निष्पक्षता प्रभावित हो ; जैसे कि किसी क्षेत्र या वर्ग के मतदाताओं को लाभन्वित करने की दृष्टि से कोई सुविधा या छूट देना या किसी नयी योजना (स्कीम) या कार्य के लिये स्वीकृति जारी करना।
2. शासकीय कर्मचारियों को चुनाव में बिल्कुल निष्पक्ष रहना चाहिए, जनता को उनकी निष्पक्षता का विश्वास होना चाहिए तथा उन्हें ऐसा कोई कार्य नहीं करना चाहिए जिससे ऐसी आशंका भी हो कि वे किसी दल या उम्मीदवार की मदद कर रहे हैं।
3. चुनाव के दौरे के समय यदि कोई मंत्री निजी मकान पर आयोजित किसी कार्यक्रम का आमंत्रण स्वीकार कर लें तो किसी शासकीय कर्मचारी को उसमें शामिल नहीं होना चाहिए। यदि कोई निमन्त्रण पत्र प्राप्त हो तो उसे नम्रतापूर्वक अस्वीकार कर देना चाहिए।
4. किसी सार्वजनिक स्थान पर चुनाव सभा के आयोजन हेतु अनुमति देते समय विभिन्न उम्मीदवारों या राजनैतिक दलों के बीच कोई भेदभाव नहीं किया जाना चाहिए। यदि एक ही दिन और समय पर, एक से अधिक उम्मीदवार या दल एक ही जगह पर सभा करना चाहते हैं तो उस उम्मीदवार या दल को अनुमति दी जानी चाहिये जिसने सबसे पहले आवेदन पत्र दिया है।

5. विश्राम गृहो या अन्य स्थानों में शासकीय आवास सुविधा का उपयोग सभी राजनैतिक दलों और उम्मीदवारों को उन्हीं शर्तों पर करने दिया जाना चाहिए जिन शर्तों पर उनका उपयोग सत्ताधारी दल को करने की अनुमति दी जाती है । परन्तु किसी भी दल या उम्मीदवार को ऐसे भवन या उसके परिसर का उपयोग चुनाव प्रचार के लिये करने की अनुमति नहीं दी जानी चाहिये ।

6. (1) साधारणतः चुनाव के समय जो भी आम सभा आयोजित की जाये उसे चुनाव सम्बन्धी सभा माना जाना चाहिए और उस पर कोई शासकीय व्यय नहीं किया जाना चाहिये । ऐसी सभा में उन कर्मचारियों को छोड़कर जिन्हें ऐसी सभा या आयोजन में कानून एवं व्यवस्था बनाए रखने या सुरक्षा के लिये तैनात किया गया हो, अन्य कर्मचारियों को शामिल नहीं होना चाहिये ।

(2) यदि कोई मंत्री चुनाव के दौरान जिले के किसी पंचायत क्षेत्र का भ्रमण करे (जहां कि चुनाव होने वाले हो) तो ऐसा भ्रमण चुनावी दौरा माना जाना चाहिये और उसमें सुरक्षा के लिये तैनात कर्मचारियों को छोड़कर अन्य किसी शासकीय कर्मचारी को साथ नहीं रहना चाहिये । ऐसे दौरे के लिये शासकीय वाहन या अन्य सुविधाएं उपलब्ध नहीं कराई जानी चाहिये ।

7. निर्वाचन की घोषणा की तारीख से निर्वाचन समाप्त होने तक मंत्रिगण या संसद सदस्यों या विधान सभा सदस्यों द्वारा किसी पंचायत क्षेत्र में, जहां कि चुनाव होने वाले हो, स्वेच्छानुदान राशि, जनसम्पर्क निधि या क्षेत्र राशि में से कोई अनुदान स्वीकृत नहीं किया जाना चाहिये और न ही किसी सहायता या अनुदान का आश्वासन दिया जाना चाहिये । इस अवधि के दौरान किसी योजना का शिलान्यास या उद्घाटन भी नहीं किया जाना चाहिये ।

8. चुनाव के दौरान समाचार-पत्रों तथा प्रचार के अन्य माध्यमों से, सरकारी खर्च पर ऐसे विज्ञापन जारी नहीं किये जाने चाहिए जिनमें सत्ताधारी दल की उपलब्धियों को प्रचारित या रेखांकित किया गया हो या जिनसे सत्ताधारी दल को अपने दलीय हितों को आगे बढ़ाने में सहायता मिलती हो ।

**भाग-तीन — त्रिस्तरीय पंचायतों के पदाधिकारियों एवं कर्मचारियों के लिये :**

**नोट:** इस भाग में पंचायत से अभिप्राय, यथास्थिति, जिला परिषद्, पंचायत समिति तथा ग्राम पंचायत से है ।

1. पंचायत कर्मचारियों को चुनाव के दौरान अपना कार्य पूर्ण निष्कृता से करना चाहिये और ऐसा कोई आचरण और व्यवहार नहीं करना चाहिये जिससे ये आभास हो कि वे किसी दल या उम्मीदवार की मदद कर रहे हैं ।

2. निर्वाचन की घोषणा से निर्वाचन समाप्त होने तक :-

- (i) पंचायत के अधीन कोई नियुक्ति या स्थानान्तरण नहीं किया जाना चाहिये;
- (ii) पंचायत क्षेत्र में किसी भी नए भवन का निर्माण या मौजूदा भवन में संवर्धन या परिवर्तन की अनुज्ञा नहीं दी जानी चाहिये ;
- (iii) पंचायत क्षेत्र में किसी प्रकार के व्यवसाय या वृत्ति के लिए अनुज्ञप्ति नहीं दी जानी चाहिए;
- (iv) पंचायत क्षेत्र में किसी नई योजना या कार्य के लिये स्वीकृति नहीं दी जानी चाहिये, वर्तमान सुविधाओं के विस्तार या उन्नय का कोई कार्य ( जैसे किसी-2 सड़क को चौड़ा

करना या डामीकृत करना या उसमें खडंजे बिछाना, नालियों को पक्का करना, नल जल योजना का विस्तार करना, नए हैन्डपम्प लगाना, नई स्टीट लाईट लगाना आदि ) स्वीकृत या प्रारम्भ नहीं किया जाना चाहिये। पहले से स्वीकृत किसी योजना का कार्य जिसमें निर्वाचन की घोषणा होने तक कार्य प्रारम्भ नहीं हुआ हो, प्रारम्भ नहीं किया जाना चाहिये और किसी योजना का शिलान्यास या उद्घाटन नहीं किया जाना चाहिये ;

- (v) किसी संगठन या संस्था को, किसी कार्यक्रम के आयोजन के लिये कोई सहायता या अनुदान स्वीकृत नहीं किया जाना चाहिये ;
  - (vi) पंचायत के खर्च पर ऐसा कोई विज्ञापन या पैम्पलैट जारी नहीं किया जाना चाहिये जिसमें पंचायत की उपलब्धियों को प्रचारित या रेखांकित किया गया हो या जिससे किसी उम्मीदवार के पक्ष में मतदाताओं को प्रभावित करने में सहायता मिलती हो;
  - (vii) पंचायत के माध्यम से क्रियान्वित किये जाने वाले, परिवार या व्यक्तिमूलक आर्थिक एवं समाजिक सुरक्षा कार्यक्रमों ( जैसे कि रोजगार/व्यवसाय के लिये सहायता, सिंचाई स्रोत या आवास के निर्माण के लिये सहायता, निराश्रित पेंशन, वृद्धावस्था पेंशन आदि ) के अन्तर्गत नये हितग्राहियों का चयन नहीं किया जाना चाहिये।
3. किसी प्राकृतिक प्रकोप या दुर्घटना को छोड़कर, जिसमें कि प्रभावित लोगों को तत्काल राहत पहुंचाना आवश्यक हो, निर्वाचन की घोषणा से लेकर निर्वाचन समाप्त होने तक की अवधि के दौरान पंचायत के किसी पदधारी (जैसे कि अध्यक्ष/उपाध्यक्ष आदि) के क्षेत्रीय भ्रमण को चुनावी दौरा माना जाना चाहिये और ऐसे दौरे में पंचायत के किसी कर्मचारी को उनके साथ नहीं रहना चाहिये ।