

HANDBOOK FOR PRESIDING OFFICERS

(At Elections where Electronic Voting Machines are used)



भारत निर्वाचन आयोग
Election Commission of India

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HANDBOOK FOR PRESIDING OFFICERS OF POLLING STATIONS WHERE ELECTRONIC VOTING MACHINES ARE USED

CHAPTER I PRELIMINARY

1. INTRODUCTORY

- 1.1 As a Presiding officer, you have an important role to play in the conduct of poll. You enjoy full legal power to control the proceedings in the polling station under your charge. It is your primary duty and responsibility to ensure a free and fair poll at your polling station. It is necessary for this purpose to equip yourself fully with the law and procedure and the relevant instructions and directions of the Commission in relation to the conduct of elections so as to enable you to act strictly in accordance with them and give no room for any reasonable complaint.
- 1.2 Till 1998 elections to the House of the People and the State Legislative Assemblies from parliamentary and assembly constituencies were being held under the traditional system of ballot papers and ballot boxes. During general elections to Lok Sabha held in 1998, the Electronic Voting Machines were used for the first time in 25 assembly segments on experimental basis across Madhya Pradesh, Rajasthan and Delhi, which experiment proved to be extremely successful and satisfactory. Thereafter Goa became the first State, where during the general election to the State Legislative Assembly held in 1999 Electronic Voting Machines were used at all the polling stations in the State. Since then Electronic Voting Machines are being used in all elections. These Electronic Voting Machines have been manufactured by two Central Government undertakings, namely, Electronics Corporation of India Limited, Hyderabad and Bharat Electronics Limited, Bangalore have produced electronic voting machines. The voting machines have been so designed as to keep intact all the salient features of the present system under which ballot paper and ballot boxes are used.
- 1.3 You are the Presiding Officer for a polling station in which voting machines are going to be used. You should, therefore, acquaint yourself fully with the latest position about the rules and procedures prescribed for the conduct of poll by voting machines. You should not only familiarise yourself thoroughly with each step to be taken in the conduct of poll at the polling station, but also with the operation of voting machine. A slight mistake or lapse or wrong application of the law or rules or inadequate knowledge of various functions of the voting machine may vitiate the poll at your polling station.

2. BRIEF INTRODUCTION TO VOTING MACHINES

- 2.1 Voting machine consists of two units, namely, Control Unit and Balloting Unit. These two units are interconnected, when the voting machine is put in operation, by means of a cable, one end of which is permanently attached to the balloting unit.



Control Unit



Balloting Unit

- 2.2 One balloting unit caters upto sixteen candidates. On the balloting unit, there is provision for display of the ballot paper containing the particulars of the election, serial numbers and names of contesting candidates and the symbols respectively allotted to them. Against the name of each candidate, there is a blue button by pressing which the voter can record his vote for him. Alongside the said button, there is also a lamp for each candidate, which will glow red when the vote is recorded for him by pressing the said blue button.
- 2.3 Four balloting units linked together catering upto sixty four candidates can be used with one control unit. On the top most portion of the control unit, there is provision for displaying the various information and data recorded in the machine, like the number of contesting candidates, total number of votes polled, votes polled by each candidate, etc. This portion is called, for easy reference, Display Section of the control unit. Below the display section, there is a compartment for fixing the battery on which the machine runs. By the side of this compartment, there is another compartment in which there is a button for setting the machine for the number of candidates contesting the particular election. This button is called the 'cand Set' button and the whole section of the control unit consisting of these two compartments is called the 'Cand Set Section'. Next to the cand set section is the 'Result Section' of the control unit. This section contains (i) 'Close' button used for closing the poll, (ii) two 'Result I' & 'Result II' buttons for ascertaining separately the result of parliamentary and assembly polls and (iii) 'Clear' button for clearing the data recorded in the machine when not required. In the bottom portion of the control unit, there are two buttons - one marked 'Ballot' by pressing which the balloting unit becomes ready to record the vote and the

other marked 'Total' by pressing which the total number of votes recorded upto that stage (but without the candidate-wise break up) can be ascertained. This section is known as the 'Ballot Section' of the control unit. The machine uses a modern microcomputer. It operates on a battery and can be used anywhere and under any conditions. It is tamperproof, error-free and easy to operate. Both the units of the machine are supplied in two separate carrying cases which are easily portable. The polling information once recorded in the machine is retained in its memory even when the battery is removed.

- 2.4 The machine, especially balloting unit, is so designed as to keep intact all essential features of the present voting system and the only change is that the voter is required to press the blue button provided opposite the name and symbol of the candidate of his choice as against the use of arrow cross mark rubber stamp which is put on the ballot paper on or near the symbol of his choice. All the safeguards taken under the present system against the tamperability of the ballot boxes and violation of secrecy of vote are fully maintained in the voting machine. The process of voting in the voting machine is very simple and quick and even illiterates have no difficulty in using the voting machine to record their votes. The polling personnel will also not find any difficulty in operating the machine as its mechanism and operations are quite simple. The pace of polling is far quicker and the time taken for the entire operation of voter exercising his franchise is comparatively much less. The counting of votes and declaration of results by using the voting machines will be an absolutely simple affair as there will be no doubts and disputes with regard to any vote, and the result of the poll taken at a polling station will be available on the mere pressing of the result button on the control unit.
- 2.5 The Electronics Corporation of India, Limited and the Bharat Electronics, Limited who have produced these machines have published manuals explaining in full the details of operation of the machines produced by them. You should find out as to which of the machines, that is to say, whether produced by Electronics Corporation of India, Limited or Bharat Electronics, Limited, are going to be used in your constituency and polling Station. You should study very carefully the Manual relevant to the machines being used in your constituency.

3. LEGAL PROVISIONS REGARDING CONDUCT OF POLL

3. The provisions of the law which have a bearing on your duties as a Presiding Officer are reproduced in Annexures I and II.

4. BROAD OUTLINES OF DUTIES

- 4.1 This Handbook is designed to give you the information and guidance which you may need in the performance of your functions as a Presiding Officer. However, it may be noted that this

Handbook cannot be treated as an exhaustive compendium in all aspects and as a substitute reference for various provisions of election law during the conduct of poll. You should, wherever necessary, refer to those legal provisions which are reproduced in Annexures I and II.

4.2 While detailed directions and instructions are contained in the various Chapters of this Handbook, some of the salient and important aspects of your duties are given below for your guidance:

- (i) You should acquaint yourself fully with the latest position about the rules and procedures prescribed for the conduct of poll by voting machines.
- (ii) You should familiarise yourself thoroughly with the operation of the voting machine and the functions of various buttons and switches provided therein.
- (iii) You must acquaint yourself with members of your polling party and keep contact with them right from your appointment as Presiding Officer.
- (iv) You must keep in ready possession all relevant instructions of the Returning Officer.
- (v) You must have a clear idea of the location of your polling station and your itinerary to and from the polling station.
- (vi) You should attend all rehearsals and training classes without fail.
- (vii) while collecting election materials, you should ensure that all items have been handed over to you. The most important items are electronic voting machine (ballot unit and control unit), tendered ballot papers, Register of Voters (Form 17A), marked copy of electoral roll and extra copies of the roll, green paper seals, strip seals, special tags, statutory forms, sealing wax and indelible ink.
- (viii) On arrival at the polling station, you should have a clear idea of the arrangements to be made for setting up of a proper polling station especially to secure secrecy of voting, regulation of queue of voters, protection of poll proceedings free from outside interference, etc.
- (ix) Before the commencement of poll, the voting machine has to be demonstrated to the polling agents present to satisfy them that no votes are already recorded therein. It has also to be demonstrated to them that the machine is in perfect working condition. For these purposes, a mock poll shall be held by recording a few votes at random for each of the contesting candidates and tallying the result.
- (x) After holding the mock poll, the votes recorded at such mock pool have to be cleared from the control unit of the voting machine so that no data relating to the mock poll remains

in the memory of the machine. The control unit of the voting machine has then to be sealed and secured by fixing the green paper seal (s) and special tag in the space provided therefor and the strip seal.

- (xi) The poll should commence at the hour fixed for such commencement by the Election Commission. Before commencing the poll, the candidates or their agents present and the polling officers should be warned about the maintenance of secrecy of vote and provisions of section 128 of the Representation of the people Act, 1951 should be brought to their notice.
- (xii) At the commencement of poll, you have to make a declaration in a prescribed form about the demonstration of the voting machine, marked copy of the electoral roll and the Register of Voters to candidates or their polling agents present and get it signed by them.
- (xiii) The identity of elector should be properly verified by the First Polling Officer with reference to his entry in the electoral roll and the document (s) prescribed by the Election Commission of India, and the unofficial identity slip carried by an elector should not be accepted as a matter of routine.
- (xiv) After an elector is identified with reference to his entry in the electoral roll and the document (s) prescribed by the Election Commission of India, the left forefinger should be marked with the indelible ink by the Second Polling Officer.
- (xv) In order to ensure that the indelible ink mark put on the voter's finger has properly dried up and developed into a distinct indelible ink mark, his left forefinger should be again marked with indelible ink by the Second Polling Officer before the voter is issued with a Voter Slip.
- (xvi) After an elector has been identified, the entry relating to the elector in the marked copy of the electoral roll should be underlined. A tick mark (✓) will also be put on the left side of entry in the case of a female elector.
- (xvii) The serial number (not the name) of the elector as given in the marked copy of the electoral roll should be noted in the Register of Voters (Form 17A).
- (xviii) The signature or thumb impression of the elector should be obtained on the Register of Voters (Form 17A) before he is allowed to record his vote. If an elector refuses to put his signature or thumb impression on the Register of Voters, he shall not be permitted to vote and an entry 'Refused to vote' will be made in the 'Remarks' column of the Register of Voters. You and the voter will sign below such entry. In such case it shall not be necessary

to make any change in the serial number of the elector or of any succeeding elector in column 1 of the register of voters. If the "Ballot" button on the control unit has been pressed to release voting on the balloting unit by a voter and he refuses to vote, either the Presiding Officer/third Polling Officer, whoever is in-charge of the control unit, should direct the next voter straightaway to proceed to the voting compartment to record his vote or put the 'Power' switch in the rear compartment of the control unit to 'OFF' position, then to 'ON' position, press the 'Ballot' button and direct the next voter to proceed to the voting compartment to record his vote. If the "Ballot" button on the control unit has been pressed to release voting on the balloting unit and the last voter refuses to vote, the Presiding Officer/third Polling Officer, whoever is in-charge of the control unit shall put the 'Power' switch in the rear compartment of the control unit to 'OFF' position and disconnect the balloting unit(s) from the control unit. After disconnecting the balloting unit(s) from the control unit the 'Power' switch should again be put 'ON'. Now the 'Busy' lamp will go off and the 'Close' button will become functional to close the poll.

- (xix) After the signature or thumb impression of the elector has been obtained on the Register of Voters, his left forefinger has been marked with the indelible ink, he shall be issued a voter's Slip (in the prescribed form) showing the serial number at which the entry relating to him has been made in the Register of voters.
- (xx) The electors shall be allowed to record their votes in the voting machine on the basis of the Voters' slips strictly in the order in which they have been entered in the register of voters.
- (xxi) If you consider an elector to be much below the minimum age of voting, i.e., 18 years, but are otherwise satisfied about his identity and the fact of inclusion of his name in the electoral roll, you should obtain a declaration from him about his age, vide - form of declaration in Annexure X.
- (xxii) You have to go on recording the relevant events as and when they occur in the Presiding Officers Diary.
- (xxiii) You have to regulate the proceedings in the polling station for peaceful and smooth conduct of poll. You require much tact, but at the same time you should be firm and impartial.
- (xxiv) You shall close the poll at the hour fixed for the purpose by the Election Commission, even if the commencement of poll was delayed for any reason. However, all voters present at the polling station at the closing hour of poll shall be allowed to vote even if that means the continuing of poll for some more time. It should also be ensured that after the closing hour of poll nobody joins the queue of voters. For that purpose, you should distribute

numbered slips to all voters standing in the queue starting such distribution of slips from the end of the queue.

- (xxv) At the close of poll, you are required to prepare an 'Account of Votes Recorded' in Part I of Form 17C. Authenticated copies of such account of votes recorded are required to be given to the polling agent of each candidate present. You are also required to make a declaration regarding furnishing of such copies to the candidates agents in the form prescribed by the Commission.
- (xxvi) After the close of poll, the voting machine and all election papers should be sealed and secured in the manner prescribed by the Election Commission. Candidates or their agents present have also to be allowed to affix their seals, if they so desire, on the voting machine and the election papers in addition to your seals. You should follow carefully the relevant instructions about the sealing and securing of voting machines and election papers so that no mistake is committed.
- (xxvii) it is your personal responsibility to hand over the voting machine and all election papers duly sealed and secured to the officer responsible for the collection thereof, under proper receipt.

- 5. Your duties in brief at various stages are given in Annexure III under five different heads for you ready reference and convenience.

6. CHECK MEMO

To ensure that you have fulfilled the various statutory requirements in connection with the election, the Election commission has drawn up a CHECK MEMO for you, which is given in Annexure IV. The said CHECK MEMO should be properly maintained by you.

CHAPTER II

FORMATION OF POLLING PARTY AND REHEARSALS

1. POLLING PARTY

For the conduct of poll in the conventional method with the use of ballot papers and ballot boxes, the existing instructions allow appointment of one Presiding Officer and 5 polling officers at simultaneous elections (i.e election to both House of the People as well as State Legislative Assembly). At an election to the House of the People or State Legislative Assembly at a time, your party will consist of yourself and two or three Polling Officers. Where the number of electors assigned to a Polling Station is very large, say, 1400 and more, an additional Polling Officer may be appointed by the District Election Officer/Returning Officer to assist you. While appointing the polling party your District Election Officer/Returning Officer will authorise one of the Polling Officers in your party to perform the duties of Presiding Officer in case you are to be unavoidably absent from the polling station.

For the conduct of poll at simultaneous election with the use of Electronic Voting Machines, however, your party will consist of yourself and five Polling Officers.

2. CONTACT WITH THE OTHER MEMBERS OF THE POLLING PARTY

As the Commission has made randomization of polling parties and booth allotment compulsory, and this has to be done in the presence of the observer, you will come to know about your polling officers/team only at the dispersal centre, one or two days before the poll. Please ensure that as soon as it is practicable, interact with other members of your polling party and explain to them, the part to be taken at the poll by each member of the party. Unless there is team work, your task as Presiding Officer will be more difficult.

3. POLLING REHEARSALS

- 3.1 Attend as many polling rehearsals as you can. This is essential for fully acquainting yourself with the operation of voting machine and for obtaining a clear idea of the polling procedure to be followed at the polling station and understanding the provisions of the law. Ensure that at the polling rehearsals arranged by the Returning Officer you and your Polling Officers present are provided with a copy of the Handbook for Presiding Officers separately published by the Election Commission of India explaining the detailed procedure to be followed at the polling stations, where voting machines are to be used.
- 3.2 You must take with you the Polling Officer authorised to perform your duties in your unavoidable absence to these rehearsals. It is very necessary that you and such authorised Polling Officer

should do the various operations on the voting machine yourself/himself and should not be content with simply watching the demonstration. Both of you should also familiarise yourselves with the fixing of the green seals, special tag, strip seal and address tags, etc.

- 3.3 You should also prepare a sample Account of Votes Recorded and paper seal account in Form 17C.
- 3.4 Even if you had worked as Presiding Officer or Polling Officer in some earlier election, you must attend the training classes/rehearsals as you may not have handled the voting machine earlier. Further, the election law and procedure, are being amended from time to time and it is necessary that you should follow the revised procedure as otherwise the conduct of election may not be in accordance with the latest procedures or instructions. Furthermore, it is always advantageous to refresh your memory even if there is no change in the law and procedure.

4. APPLICATION FOR POSTAL BALLOT PAPER OR ELECTION DUTY CERTIFICATE

- 4.1 You and your Polling Officers may be electors in the same constituency in which you are posted on duty or in some other constituency. The order of appointment as Presiding Officer will be issued in duplicate and alongwith this order, the District Election Officer/Returning Officer will send you sufficient number of Forms 12 and 12A to enable you and the Polling Officers to apply for Postal Ballot Papers and Election Duty Certificates. If any one of you is an elector in the same constituency, you can apply for an Election Duty Certificate in Form 12A to the Returning Officer. If any one of you is an elector from a constituency other than the one where you are posted on election duty, you may fill in Form 12 and apply for a postal ballot paper. In either case, you have to send the application form immediately along with the duplicate copy of the order of appointment as otherwise there may not be enough time to receive the Election Duty Certificate/Postal Ballot Paper and in the case of Postal Ballot Paper to record your vote and return it to the Returning Office well in time before counting. Applications from voters on election duty to vote by postal ballot are required by law to be made at least seven days or such shorter period as the Returning Officer may allow before the day of poll or the first day of the poll in the constituency.
- 4.2 In case of simultaneous elections, it may so happen that any one of you may be on election duty outside your assembly constituency, but within your parliamentary constituency. In such cases, you may apply for Election Duty Certificate for the parliamentary election and for Postal Ballot Paper for voting at the assembly election.
- 4.3 A copy each of the electoral rolls for all the assembly constituencies in the district will be made available for inspection by the District Election Officer at the centre(s) for rehearsal and training classes, so that you can note down the particulars of electoral roll numbers which you have to

furnish in your applications for Postal Ballot Paper or Election Duty Certificate, as the case may be. Spare copies of Forms 12 and 12A will also be available at the said centre(s).

- 4.4 Sub-rule (2) of rule 24 of the Conduct of Elections Rules, 1961, requires that the elector voting by postal ballot paper shall sign the declaration in Form 13A in the presence of, and have the signature attested by, a stipendiary magistrate or such other officer specified for the purpose. Under the rules, you can attest the declarations of Polling Officers working with you.
- 4.5 It is advisable to apply for postal ballot papers immediately after coming to know about appointment on election duty without waiting for information about place of duty to apply.

(According to the latest instructions of the Commission 'no person will be assigned polling duties in an assembly constituency in which he is posted or in which he resides or the constituency, which is his home constituency'. Hence the requirement of applying for Election Duty Certificate in Form 12A may not arise now.)

CHAPTER III

COLLECTION OF VOTING MACHINE AND POLLING MATERIALS

1. POLLING MATERIALS

On the day previous to the day of poll or on the day of departure for the polling station you will be supplied with all the election materials, a list of which is set out in Annexure V. Before leaving for your polling station, make sure that you have received all the items.

2. CHECKING OF VOTING MACHINE

Check, in particular, the following:

- (1) That the control unit and the balloting unit(s) of the voting machine given to you are the same which are meant for use at your polling station. This shall be checked with reference to the address tags attached to the said units as the number and name of the polling station shall be indicated by the Returning Officer on each of those address tags.

The address tag for control unit will contain the following particulars:

"Election to thefromconstituency
Control Unit No.....
Sl. No. and Name of Polling Station.....
Date of Poll.....

The address tag for balloting unit will contain the following particulars:

"Election to thefromconstituency
Balloting Unit
Sl. No. and Name of Polling Station.....
Date of Poll.....

- (2) That the 'Cand Set Section' of control unit is duly sealed and the address tag is firmly attached thereto.
- (3) That the battery installed in the 'Cand Set Section' of the control unit is fully operational. This may be checked by putting the Power Switch provided in the rear compartment to 'ON' position. After the said checking, the power switch must be put to 'OFF' position.

- (4) That you have been supplied with the requisite number of balloting units and the ballot papers are duly fixed under the Ballot Paper Screen in each of them. The number of balloting units to be supplied to you will be dependent upon the number of contesting candidates in your constituency. If the number of contesting candidates is between 2 and 16, only one balloting unit will be supplied and the slide switch seen through the window at the right side top of the balloting unit will have been set by the Returning Officer at position '1'. If the number of contesting candidates is between 17 and 32, you will be supplied with two balloting units. On the first balloting unit in which the abovementioned slide switch will be set to position '1' the ballot paper will contain the names of the candidates at Sl. Nos., 1 to 16 in the list of contesting candidates. The second balloting unit will display the second sheet of the ballot paper containing the names of contesting candidates from 17 onwards (and upto 32) and the slide switch in that unit will be set to the position '2'. Likewise, three balloting units will be supplied if the number of contesting candidates is between 33 to 48 and there will be four such units if the number of candidates exceeds 48 and is upto 64. In the third balloting unit the ballot paper will contain the names of candidates from Sl. Nos. 33 onwards (upto 48) and its slide switch will be set to the position '3'. The fourth balloting unit will display on the ballot paper fixed therein the names of candidates from serial No. 49 onwards and its slide switch will show the position '4'. **Ensure that the "slide switch(s)" on the balloting unit(s) has/have been secured with the help of transparent cello tape.**
- (5) That the ballot papers and slide switches on each of the balloting units have been correctly fixed/set as explained in the preceding item. It also must be ensured that the ballot papers as fixed on the balloting units are properly aligned and that the name and symbol of each candidate is in line with his corresponding lamp and button and the thick lines dividing the panels of the candidates on the ballot paper are in line with the corresponding grooves on the balloting unit.
- (6) That the candidates' blue buttons which are visible on the balloting units are equal to the number of contesting candidates, and that the remaining buttons, if any, have been masked.
- (7) That each of the balloting units is duly sealed and secured at two places, i.e. at right top and right bottom portions, with the seals of the Returning Officer, and that the address tags are firmly attached thereto.

3. CHECKING OF POLLING MATERIALS

Check also-

- (1) that 2 bigger phials of 10 cc have been provided in the kit and there is sufficient quantify of indelible ink in each of the two phials supplied to you and that the stamp pads are not

dry, since now the indelible ink has to be put on the left hand forefinger as a line from the top of the nail to the bottom of first joint of the finger;

- (2) that all the three copies of the relevant part of the electoral roll are complete and identical in every respect and, in particular, that-
 - (a) the relevant part given to you pertains to the area for which the polling station has been set up and that it is complete in all respects alongwith the supplements, in every copy;
 - (b) all deletions of names and corrections of clerical or other errors as per the supplement have been duly incorporated in all the copies;
 - (c) all the pages in each working copy of the roll have been serially numbered from No.1 onwards.
 - (d) the printed serial numbers of the voters are not corrected and no new numbers are substituted for them;
 - (e) the marked copy of the electoral roll (copy of the electoral roll to be used for 'marking' the names of electors who are allowed to vote) does not contain any remarks other than those used for issuing postal ballot papers and election duty certificates and that the deletions appearing in the supplement, if any, appended to the draft roll as well as the supplement prepared after disposal of claims and objections before final publication have been reflected in the reprinted mother roll by strikethrough method in the electoral roll of eight columns without photograph and with the work "D E L E T E D" superimposed on the concerned elector detail box in case of photo electoral roll;
 - (f) the electoral roll is duly signed by one of the AEROs and one more official.
- (3) that the tendered ballot papers supplied to you are for the constituency in which the polling station assigned to you is situated and that they are not defective in any respect. You should also check that their serial numbers tally with the details supplied to you.
- (4) If you find any voting machine or any polling material defective in any respect, you must immediately bring such defect to the notice of the officer in-charge of distribution of voting machines/polling materials or the Returning Officer for necessary remedial action.
- (5) Check also that photocopies of specimen signatures of the contesting candidates and their election agents are also given to you. This will help you in verifying genuineness of the signature of the candidate/his election agent in the appointment letter of polling agent(s) at the polling station.

CHAPTER IV

SET UP OF POLLING STATIONS

1. ITINERARY

Have a clear idea of the routes and timings that you have to follow to reach your polling station. Details of the itinerary including the means of transport for yourself and the other members belonging to your party will be supplied to you in advance.

2. ARRIVAL AT THE POLLING STATION

You should be at the polling station with your party at least 75 minutes before the poll is due to commence.

3. ABSENCE OF POLLING OFFICER

If any Polling Officer appointed for your polling station is absent from the polling station, you may appoint any person who is present at the polling station other than a person who has been employed by or on behalf of, or has been otherwise working for, a candidate in or about the election, to be the polling officer during the absence of the former officer, and inform the District Election Officer accordingly.

4. DELEGATION OF DUTIES OF PRESIDING OFFICER

- 4.1 If you yourself, owing to illness or other unavoidable cause, are obliged to absent yourself from the polling station, your functions shall be performed by such polling officer as has been previously authorized by the District Election Officer to perform such functions during any such absence.
- 4.2 You may also delegate any of your functions in the polling station to any Polling Officer working with you at the polling station. Such delegation, however, does not relieve you of your own responsibility as you are in overall charge of the entire polling station in any case.

5. SET UP OF POLLING STATIONS FOR SINGLE ELECTION

- 5.1 On your arrival at the place where the polling station is to be set up, inspect the building proposed for the purpose and the polling station itself, if it has already been set up. Diagrams of model polling stations showing the layouts when the polling party consist of 3 Polling Officers at a single election, is set out in Annexure VI. It is open to you to make minor modifications in the actual set up of the polling station, if considered necessary; but make sure that –
 - (a) there is enough space for the voters to wait outside the polling station;

- (b) there is separate waiting space for men and women as far as practicable;
- (c) there is separate entrance and exit for voters. (this purpose can be achieved by tying a rope to make separate entrance and exit through the same door);
- (d) there is easy flow of voters from the time they enter the polling station to the time they leave it and there is no criss-cross movement within the polling station;
- (e) the polling agents are seated in such a way that they can see the face of an elector as and when he enters the polling station and is identified by the first Polling Officer so that they can challenge the identity of the elector, if need be. They should also be able to see the entire operation at the Presiding Officer's table or the table of third Polling Officer, where the control unit is kept and also see the movement of the elector from the Presiding Officer's table or the table of third Polling Officer, as the case may be, to the voting compartment and his exit from the polling station after recording his vote. But they should not in any event be seated in a place where they have the chance of seeing voter actually recording his vote by pressing particular button;
- (f) the seating arrangement of all the Polling Officers is also such that they are not in a position to see the voter actually recording his vote by pressing particular button;
- (g) even if there is only one door to the room housing the polling station, separate entrance and exit can be provided with the help of bamboos and ropes in the middle of the doorway. Make sure that the inside of the voting compartment is sufficiently lighted. If necessary, arrange for a suitable light to be provided for each compartment.'
- (h) the voting compartment should be located at sufficient distance from the table where the control unit shall be kept. The interconnecting cable between the balloting unit and the control unit has a length of approximately five metres. Therefore, the voting compartment should be reasonably distanced. Also, the cable should be so routed that it does not obstruct the movement of voters inside the polling station and they have not to tread or trip over it. While placing the EVM in the voting compartment, it must be ensured without fail that secrecy of voting is not violated. It must be ensured that the voting compartment has been made only of cardboard and is of the dimension 213 X213 X213† and has been placed away from the window/door.

SET UP OF POLLING STATIONS FOR SIMULTANEOUS ELECTION

- (a) A layout plan of the polling station where TWO sets of EVMs are to be used for taking simultaneous poll is given at Annexure VI A. In the layout, only one door for entry and exit

of voters has been shown. However, if the room where the polling station has been set up has two doors, the entry and exit may be arranged from different doors

- (b) It may be noted that there shall be **TWO separate Voting Compartments** – one for keeping the Balloting Unit(s) of the Lok Sabha election and the other to keep the Balloting Unit(s) of the Assembly Election.
- (c) A Notice with bold letters on each of the “Voting Compartments” with the words ‘VOTING COMPARTMENT – LOK SABHA ELECTION’ and “VOTING COMPARTMENT – ASSEMBLY ELECTION’ shall be pasted on each of the voting compartments.

VOTING COMPARTMENT – SAMPLE DRAWING

- (d) Voters have to vote in secrecy and for this purpose, the balloting units are required to be kept in voting compartments. A sample drawing of the voting compartment may be seen at Annexure VI. Voting compartment has three sides covered. The balloting unit is to be placed inside the voting compartment on a table. The balloting unit is to be placed in such a way that voters do not find any difficulty to record their voters. The voting compartment should be located at sufficient distance from his table where the control unit shall be kept and operated. The interconnecting cable between the balloting unit and the control unit has a length of approximately five metres and is permanently attached to the balloting unit. The cable should be so routed that it does not obstruct the movement of voters inside the polling station and they have not to tread or trip over it. It has to come out from the back portion of the voting compartment through an aperture cut out at the bottom of back portion of the voting compartment. This aperture should be wide enough so that that portion of the balloting unit through which the cable comes out is visible from outside. This is necessary to keep a watch that no voter tries to tamper or damage the cable while inside the voting compartment. **However, this aperture in the voting compartment should not be too wide as to violate the secrecy of voting.** While placing the EVM in the voting compartment, it must be ensured without fail that secrecy of voting is not violated. For this purpose, it must be ensured that it is not near the window or the door of the polling station. It must be ensured that the voting compartment has been made only of cardboard and is of the dimension 213 X213 X213† and has been placed away from the window/door.

- 5.2 If sufficiently large number of ‘pardanashin’ (burqa-clad) women electors are assigned to your polling station, you should make special arrangements for their identification and application of indelible ink on the left forefinger by a lady polling officer in a separate enclosure having due regard to privacy, dignity and decency. For such special enclosure you may use locally available

but absolutely inexpensive devices and using local ingenuity, such as use of charpoys or cloth such as bed spreads.

- 5.3 If more polling stations than one are located in the same building, you should satisfy yourself that necessary arrangements have been made for segregating the voters and making them wait in different parts of the space in front of each polling station without causing confusion.
- 5.4 If the polling station is located in a private building, the building and the area around it up to a radius of two hundred metres should be under your control. No watch and ward or other personnel connected with the owner, whether armed or unarmed, should be allowed to remain either at the polling station or within a radius of two hundred metres around it. The security arrangements at the polling station and within the above area will be entirely the responsibility of the police under your control.
- 5.5 No photos of leaders or symbols of any political party or slogans having a bearing on elections should be exhibited and if they are already there, you should take steps to remove them till the poll is over.
- 5.6 No cooking or lighting of fire for any purpose should be allowed inside the polling station during the day of the poll.

6. DISPLAY OF NOTICE

- 6.1 Display prominently outside each polling station-
 - (a) a notice specifying the polling area or the particulars of electors to be served by the polling station; and
 - (b) a copy of the list of contesting candidates in Form 7-A and wherever practicable the facsimile of the symbol of each candidate.
- 6.2 The language of the notice should be the same as for the list of contesting candidates and the order of the names should also be the same.

7. VOTING PROCEDURE FOR SIMULTANEOUS ELECTIONS

- 7.1 The voters when they enter the polling station will proceed to the first Polling Officer, the first Polling Officer will identify the electors and make necessary entries in the marked copy of the electoral roll.
- 7.2 The voter will then move to second Polling Officer who will first apply the indelible ink mark on his finger and ask him to sign or put thumb impression in the voters register. **If the voter puts his**

thumb impression, the polling officer should ask the voter to wipe off the residuary stamp pad ink from him thumb on a piece of wet cloth kept on the table for this purpose.

- 7.3 When the second Polling Officer is applying the indelible ink mark and taking the signature or thumb impression of the voter in the register, the third Polling Officer who will be sharing the Table with the second Polling Officer, will prepare two identical voters slips – one on **white** paper and the other on **pink** paper and after examining the finger of the voter to ensure that the indelible ink mark is duly applied and not erased will hand over both the voters slips to the voter and direct him to the fourth Polling Officer.

8. VOTING FOR LOK SABHA

- 8.1 After receiving the two voter slips, enabling him to vote for Lok Sabha and Assembly elections respectively, the voter will go to the fourth Polling Officer who is in charge of CONTROL UNIT FOR LOK SABHA ELECTION. He will hand over the **white** voter slip to the fourth Polling Officer. After satisfying that it is the turn of that voter to vote, the fourth Polling Officer shall press the 'Ballot' button on the control unit for the Lok Sabha election kept on his table, and direct the voter to go into the voting compartment for Lok Sabha election. While doing so, the fourth Polling Officer should inform the voter that after voting for Lok Sabha, he should go with the **pink** voter slip to the fifth Polling Officer to vote for assembly election.
- 8.2 The voter will then enter the voting compartment for Lok Sabha election and vote for Lok Sabha election by pressing the blue button of the candidate of his choice on the balloting unit kept inside.

9. VOTING FOR ASSEMBLY ELECTION

- 9 After he has voted for Lok Sabha election, it shall be ensured that the voter goes to the fifth Polling Officer in-charge of control unit for assembly election. After taking the **pink** voter slip from the voter and ensuring that now it is his turn to vote, the fifth Polling Officer shall activate the machine by pressing the 'Ballot' button on the control unit for assembly election and direct the voter to go inside the voting compartment for assembly election to vote. The fifth Polling Officer will also inspect the indelible ink mark to ensure that the same is intact.

CHAPTER V

ASSIGNMENT OF DUTIES TO POLLING OFFICERS

1. VOTING PROCEDURE IN POLLING STATION AND DUTIES OF POLLING OFFICERS

For efficient and smooth conduct of poll at your polling station, you should be thoroughly conversant with the procedure that is to be followed from the time an elector comes into the polling station and till he leaves it after casting his vote. Such voting procedure and the duties which each Polling Officer has to perform in this whole operation are explained in detail in subsequent chapters. However, a broad distribution of duties among the Polling Officers is indicated below.

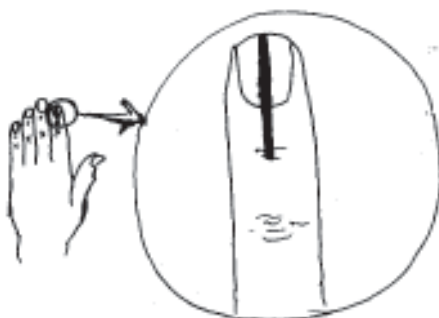
DUTIES OF POLLING OFFICERS AT SINGLE ELECTION TO THE HOUSE OF THE PEOPLE/ LEGISLATIVE ASSEMBLY WHEN POLLING PARTY CONSISTS OF ONE PRESIDING OFFICER AND THREE POLLING OFFICERS

2. FIRST POLLING OFFICER

- 2.1 The first Polling Officer will be in charge of the marked copy of electoral roll and responsible for identification of electors. On entering the Polling Station, the elector will proceed direct to the first Polling Officer, who will satisfy himself about the identity of the elector by following the procedure prescribed under chapter XV.

3. SECOND POLLING OFFICER

- 3.1 The second polling officer will be in charge of indelible ink. He will inspect the elector's left forefinger to see that it does not bear any sign or trace of indelible ink and then put a mark with the indelible ink on the voter's left hand forefinger. The Commission has now changed the manner of application of indelible ink on the elector's finger. Now the indelible ink will be applied on voter's left hand forefinger as a line from the top end of the nail to the bottom of the first joint of the left forefinger as shown in the diagram below:-



- 3.2 The Second Polling Officer will also be in-charge of the register of voters in Form 17A. He will be responsible for maintaining in that register the proper account of electors whose identity has been established and who vote at the polling station. He will obtain the signature or thumb impression of each elector on that register before he is allowed to vote. He will also issue a voter's slip to each elector after he has entered his (elector's) particulars in the register of voters in accordance with the procedure described in chapter XVI. It should be ensured that sufficient time has elapsed after the indelible ink mark was put so that the mark dries up by the time he leaves the polling station. For this purpose, only after the mark of indelible ink is applied, signature/thumb impression may be obtained in the register of voters. It should be ensured that the indelible ink mark has dried up before the voter leaves the polling station.

4. THIRD POLLING OFFICER

- 4.1 The third Polling Officer will be in-charge of the control unit of the voting machine. He will be seated on the same table where the Second Polling Officer sits. The third Polling Officer will allow the elector to proceed to the voting compartment only on the basis of the voter's slip issued by the second Polling Officer and strictly in accordance with the Serial No. indicated in that slip. He will activate the balloting unit(s) kept in the voting compartment by pressing the appropriate ('Ballot') button on the control unit as explained in detail in Chapter XVII. Before allowing the elector to proceed to the voting compartment, he will also check and ensure that the elector's left forefinger bears a clear indelible ink mark.
- 4.2 Where the number of electors assigned to a polling station is small, the duties of the third Polling Officer can be performed by the Presiding Officer himself, thus making a further economy in the formation of Polling Parties.

DUTIES OF POLLING OFFICERS AT SIMULTANEOUS ELECTION WHEN POLLING PARTY CONSISTS OF ONE PRESIDING OFFICER AND FIVE POLLING OFFICERS.

First Polling Officer

He will be identifying the electors and will be in-charge of marked copy of the electoral roll.

Second Polling Officer

He will be in-charge of the indelible ink and voters register.

Third Polling Officer

He will be in-charge of the voter's slip.

Fourth Polling Officer

He will be in-charge of the control unit for Lok Sabha election.

Fifth Polling Officer

He will be in-charge of the control unit for State assembly election.

IMPORTANT DUTIES OF 4TH & 5TH POLLING OFFICERS

It may appear that the 4th and 5th Polling Officers have been given a very easy job. On the contrary, the success of simultaneous election depends on their alertness. Their job is not only to simply press the 'Ballot' button to activate the voting machine, they have to ensure that each voter votes in his/her turn in the exact serial order as given in the voters slip. They have also to keep a constant watch to ensure that when they direct any voter to go and vote, the voter goes into the correct voting compartment and votes accordingly. Due to ignorance or otherwise, if any voter seems to be not sure as to where to go and what to do after he has been allowed to vote, it is the duty of these two Polling Officers to ensure that the voter follows the correct procedure. During the first hour of poll when there is usually a lot of rush, they should keep their cool and see that the voting proceeds smoothly. Whenever there is a respite and in any case after every one hour of poll, they should tally the total votes polled till then with the voters register and also with the total displayed in the two control unit.

5. The Presiding Officer is over all in-charge of the polling station. His duties are, in brief, to -

- (i) Place the balloting units in their respective voting compartments;
- (ii) Connect the balloting units with their respective control units;
- (iii) Switch on the power;
- (iv) Demonstrate before the hour fixed for actual commencement of the poll to the candidates/ agents present that the voting machines are **clear** and do not contain any votes;
- (v) Conduct **mock poll** to ensure that the vote cast for any particular candidate is actually counted in his favour;
- (vi) Conduct first the mock poll for Lok Sabha election using the control unit and balloting unit(s) prepared for Lok Sabha election;
- (vii) Conduct, then, the mock poll for assembly election using the control unit and balloting unit(s) prepared for assembly election;
- (viii) Ensure that on the **green paper seal** fixed in the **CONTROL UNIT FOR LOK SABHA ELECTION** only the candidates for the Lok Sabha election or their polling agents as are

present affix their signatures, and similarly, on the **green paper seal** fixed in the **CONTROL UNIT FOR ASSEMBLY ELEECTION**, the candidates for assembly election or their polling agents alone affix their signatures.

- (ix) See that voting compartments have been properly arranged with appropriate posters pasted outside to indicate clearly the election pertaining to which the balloting unit is kept inside:
- (x) Ensure that the cables to connect the balloting units with their respective control units are placed in such a way that voters are not required to cross over them during their movements inside the polling station:
- (xi) Ensure that all the members of the polling party are in position well before the commencement of the poll and all materials and records are kept handy and ready to commence poll at the appointed hour:
- (xii) Prevent any member of the polling party or any polling agent from wandering inside the polling station and to keep them seated in their allocated seats:
- (xiii) Commence the actual poll at the stroke of the hour fixed for commencement of poll.
- (xiv) Keep, during the progress of poll, a close watch on the movements of the voters and to be alert and watchful so that no voter goes away without voting for both or either of the elections.
- (xv) Ensure that during the first hour of the poll when polling is generally brisk, no member of the polling party shows any slackness in the duties allocated to him.
- (xvi) Check the total votes cast periodically on both control units to ensure that voters have voted as per their serial numbers.
- (xvii) Ensure that in simultaneous election, copies of Form 17C for parliamentary election are supplied to polling agents of the candidates in parliamentary constituency only and copies of Form 17C for the assembly election are given only to the agents of candidates of assembly constituency.

6. CLOSING THE POLL

- 6.1 The Presiding Officer should ensure that the poll is duly closed at the end of the polling hour (usually 5.00 pm for all States/UTs except **Eight North-Eastern States including Sikkim** where last hour of the poll is 4.00 pm) as per the prescribed voting procedures. After the last voter has voted as per the above procedure, he should press '**CLOSE**' button of the control units for both the

elections. After prescribed forms have been carefully and duly filled for both the election, he should disconnect the balloting units from the control units and seal them in their respective carrying cases.

- 6.2 **Presiding Officer should ensure that the CARRYING CASES of all the units have Identity Stickers of the concerned elections prominently pasted on the outside. He should also ensure that the balloting units and control units are placed ONLY IN THEIR RESPECTIVE CARRYING CASES WITH THE ELECTION IDENTITY LABEL FIRMLY PASTED. Further, he should also fix the duly filled in address tags of correct colour (White for Lok Sabha Election and Pink for Assembly Election) to the respective carrying cases.**
- 6.3 **Presiding Officer should ensure that all the sealed Units and election records are duly handed over to the Returning Officer, at the reception center, as per the prescribed procedure.**

CHAPTER VI

REGULATION OF ENTRY INTO AND SEATING ARRANGEMENTS IN THE POLLING STATION

1. PERSONS ENTITLED TO ENTER THE POLLING STATIONS

- 1.1 Apart from the electors assigned to your polling station, the following persons can be admitted into the Polling Station:-
- (a) Polling Officers;
 - (b) Each candidate, his election agent and one polling agent of each candidate at a time;
 - (c) Persons authorised by the Commission;
 - (d) Public servants on duty in connection with election;
 - (e) Observers appointed by the Commission;
 - (f) A child in arms accompanying an elector;
 - (g) A person accompanying a blind or an infirm voter who cannot move without help; and
 - (h) Such other persons as you may from time to time admit for the purpose of identifying voters or otherwise assisting you in taking the poll.
- 1.2 The Returning Officers have been asked to issue identity cards to the contesting candidates bearing their photographs. In case a necessity arises, you may ask for its production. Similarly, the election agents of the candidates can be asked to produce the duplicate copy of their appointment letter, which is attested by the Returning Officer and also bears the photograph of the election agent.
- 1.3 You should note that the term "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 polling booth, unless you decide to call them in for the maintenance of law and order or some similar purpose. Their presence in the polling booth without any compelling reason has on occasions given rise to complaints by some candidates or parties who have alleged that their agents had been overawed by unnecessary show of force.
- 1.4 Similarly, security personnel accompanying, if any, an elector or candidate or his election agent or polling agent should also not be allowed to enter the polling station.

- 1.5 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. The Ministers, State Ministers and Deputy Ministers of the Union and the States, who have been given security cover at the State expense are not allowed to function as polling agents, as they can neither be allowed to enter the polling station alongwith their security personnel nor their security can be put to jeopardy by allowing them to enter the polling station without any security cover. As per standing instructions under the Conduct of Elections Rules, 1961, the Security personnel accompanying Ministers or political functionaries shall not be allowed entry inside the polling station. They can wait standing at the door of the polling station, but shall not identify the voters or check their EPICs or other alternative documents of identification.
- 1.6 Entry of persons should be strictly regulated as detailed above, otherwise, the smooth and orderly conduct of poll may be vitiated. You should allow only three or four electors to enter the polling station at a time.
- 1.7 If you have a reasonable doubt about the presence of any person about whose credentials you have a reasonable suspicion in the polling booth, you can have him searched, if necessary, even though the person concerned may be in possession of a valid authority letter to enter the polling booth.
- 1.8 In the performance of your duties, you are only bound by the instructions of the Election Commission. 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 requests for entry into the polling booth from these, you should allow them only if they are in possession of a valid authority letter issued by the Election Commission.
- 1.9 A village officer or other officer or a woman attendant employed by you for helping you in the identification of electors or to assist you otherwise in taking the poll should normally be seated outside the entrance to the polling station. He/she should be admitted into the polling station only when he/she is required for identification of a particular voter or for assisting you for a particular purpose in connection with the taking of the poll. No one inside the polling station should be allowed to influence or try to influence the voters by words or gestures to vote in a particular way.

2. ATTENDANCE OF POLLING AGENTS

- 2.1 The polling agents of the candidates should be asked to reach the polling station at least one hour before commencement of poll in order to be present when you are going through the preliminaries. If any part of these preliminaries has already been gone through, the proceedings need not be commenced de novo to accommodate any latecomer.

- 2.2 The law does not specify any time limit for the appointment of polling agents and even if a polling agent turns up late at a polling station, he should be allowed to participate in the further proceedings at the polling station.

3. PRODUCTION OF APPOINTMENT LETTERS BY POLLING AGENTS

- 3.1 Every polling agent must produce before you the appointment letter in Form 10 by which the candidate or his election agent has appointed him. Check that the appointment is for your polling station. The polling agent should then complete the document and sign the declaration therein in your presence and then deliver it to you before he can be admitted into the polling station. Preserve all such appointment letters and at the end of the poll send them in a cover to the Returning Officer along with other documents.
- 3.2 In case of any doubt about the genuineness of appointment letter in the said Form 10 of any polling agent presented before you, you should compare the specimen signature of the candidate/his election agent with their specimen signatures as provided by the Returning Officer.

4. PASSES FOR POLLING AGENTS

4. Each candidate can appoint one polling agent and two relief polling agents at each polling station. However, only one polling agent of a candidate should be allowed inside the polling station at any given time. Give every polling agent, who is admitted into the polling station, a permit or pass on the authority of which he can come in and go out of the polling station as may be necessary. However it should be ensured that the polling agents do not take the copy of the electoral roll outside the polling station.

5. SEATING OF POLLING AGENTS

- 5.1 Give the polling agents seats close behind the Polling Officer in-charge of marked copy of the electoral roll. Wherever this is not practicable because of the situation of the door for entrance, they may be given seat just opposite the polling officers. In any seating arrangement, they should be provided opportunity of seeing the faces of the electors and challenging their identity whenever necessary. They should not be allowed to move about in the polling station.
- 5.2 According to the latest instructions of the Commission, 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;

- (iii) Candidates of recognised State Parties of other states who have been permitted to use their reserved symbols in the constituency;
- (iv) Candidates of Registered Unrecognised Parties; and
- (v) Independent Candidates

6. SMOKING TO BE PROHIBITED INSIDE POLLING STATION

You should not allow smoking inside the polling station. If any of the polling agents desires to smoke, he may go out of the polling station without causing any dislocation to the polling.

7. FACILITIES TO PRESS REPRESENTATIVES AND PHOTOGRAPHERS

- 7.1 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. He should, however, in no circumstances be allowed to take photographs inside the polling station.
- 7.2 Neither the Chief Electoral Officer nor the Returning Officer is empowered to authorise any person who is not an elector or who is not required to assist you in taking the poll, to enter a polling station. Any such person including publicity officials of the State Government should not be allowed inside a polling station without a letter of authority from the Commission. In no circumstances will any photograph be allowed to be taken of a voter recording his/her vote through the balloting unit of the voting machine.

8. FACILITIES TO OBSERVERS APPOINTED BY COMMISSION

- 8.1 The Commission is now generally appointing its observers at elections. They are statutory authority appointed by the Commission under Section 20 B of the Representation of the People Act, 1951.
- 8.2 During the day of poll, some observers might visit your polling station. It is quite possible that he may start his round of the constituency with the visit to your polling station and may be present there when you are going through the preliminaries before the commencement of poll. You should show him due courtesy and regard when he visits your polling station and should furnish him with such information as he may require from you for the purpose of his report to the Commission. He will only observe the poll being taken at your polling station, but will not give you any direction. If, however, he makes any suggestion with a view to providing more convenience to electors or making the poll process at your polling station smoother, you should give due consideration to such suggestion. In case, you are facing any particular problem or feeling any difficulty at your polling station, you may bring it to his notice, as he might be of help to you in solving that problem or removing that difficulty by bringing the matter to the notice of the Returning Officer or other concerned authorities for necessary remedial action.

- 8.3 The Observers will be wearing badges issued by the Commission on their person and will also be carrying appointment letters and authority letters issued by the Commission. The observers should be requested to sign the 'Visit Sheet', which shall be given to you stapled alongwith the Presiding Officer's Diary. You shall deposit the same after the end of the poll alongwith the Presiding Officer's Diary.

9. WEARING OF BADGES, ETC., INSIDE POLLING STATION

- 9.1 No person should be allowed within the polling station or within 100 metres thereof to wear badges, emblems, etc., bearing the names of candidates or political leaders and/or their symbols or pictorial representation thereof.
- 9.2 The polling agents may, however, display on their person a badge showing the name of the candidate whose agents they are.

CHAPTER VII

PREPARATION OF VOTING MACHINE BEFORE COMMENCEMENT OF POLL

1. PRELIMINARIES BEFORE POLL

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

2. PREPARATIONS ON THE BALLOTING UNIT

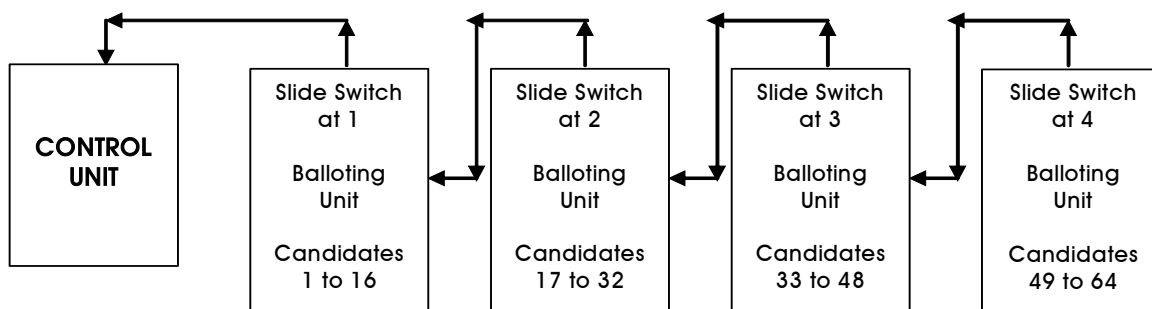
- 2.1 The balloting unit is already duly prepared in all respects at the Returning Officer's level and no further preparation of this unit is required at the polling station on the day of poll, except that its interconnecting cable has to be plugged into the control unit.
- 2.2 At the time of taking delivery of the voting machine alongwith other polling materials, you must have already carried out the checks mentioned in para 2 of chapter III. As instructed therein, you must have checked that you have been provided with the requisite number of balloting units, the ballot paper on each such unit has been properly fixed and properly aligned under the ballot paper screen, the slide switch on each unit has been set to the appropriate position and each unit is duly sealed and carries the address tag both at the right top portion and the right bottom portion.

3. INTERLINKING OF BALLOTING UNITS AND CONTROL UNIT

- 3.1 Where the number of contesting candidates exceeds 16, balloting units more than one, 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.
- 3.2 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.

DIAGRAM SHOWING THE INTERCONNECTION OF THE FOUR BALLOTING UNITS



- 3.3 For linking a balloting unit with another, there is a socket provided in a compartment on the back of the balloting unit. The connector of the interconnecting cable of the second balloting unit will be plugged into the abovementioned 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.
- 3.4 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 a compartment on the top portion of the back of the control unit.
- 3.5 The compartment on the top portion of the back of 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 to all the balloting units when linked to the control unit in the manner described above.

- Note:** (1) When more than one balloting units are used, the same should be interlinked in the proper sequential order as explained in paragraph 3.2 above. Any wrong linking of the balloting units will render the machine non-functional and on pressing any button 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.
- (2) The connector of the interconnecting cable, one end of which is attached to 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. The pins of the connector are quite delicate and the connector should not be forced into the socket in such way as may damage or bend the pins. The machine will work only when the connection is made properly.

- (3) 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.
- (4) 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 borne in mind and you yourself should connect the balloting units and the control unit.

CHAPTER VIII

PREPARATION OF CONTROL UNIT

1. CHECKING OF CONTROL UNIT

- 1.1 At the time of taking delivery of the control unit, you must carry out the checks on the control unit as mentioned in para 2 of Chapter III.
- 1.2 You must also check that 'Cand Set Section' of the control unit is duly sealed and the address tag is firmly attached there to and that the battery installed in that section is fully operational.

2. PREPARATION OF CONTROL UNIT

- 2.1 Before a control unit is put in use at the polling station, some further preparations, apart from the preparations made therein at the Returning Officer's level for the installation of the battery and setting the number of contesting candidates, are necessary at the polling station.
- 2.2 The preparations to be made on the control unit by the Presiding Officer are as follows:-
 - (i) Interlinking the control unit with the balloting unit or the first balloting unit where more balloting units than one are used;
 - (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 (as explained in Chapter IX);
 - (v) clearing the machine after the mock poll and setting all counts to ZERO (as explained in Chapter IX);
 - (vi) Switching the power switch to 'OFF' position;
 - (vii) fixing the green paper seal (s) to secure the inner compartment of the result section (as explained in Chapter x);
 - (viii) closing and sealing the inner door of the result compartment by fixing the special tag (as explained in Chapter XI) and
 - (ix) closing and sealing the outer cover of the result section with address tag and strip seal (as explained in Chapter XI)

3. CONNECTING THE CONTROL UNIT AND BALLOTING UNIT

3. You 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. While interlinking the control unit with the balloting unit, you must take necessary precautions as mentioned in para 3 of chapter VII.

4. SWITCHING 'ON' THE POWER

The voting machine runs on a battery, which has been installed in the 'Cand Set Section' of the control unit at the Returning Officer's level. For activating the battery which will supply power both to the control unit and balloting unit(s) when the same are interlinked, there is a power switch provided in the rear compartment of the control unit. After the control unit and the balloting unit(s) have been interlinked, you should put the power switch to 'ON' position. Thereupon, there will be a beep sound emitting from the control unit and the 'ON' lamp on the Display Section of the control unit will start glowing green.

5. CLOSING THE REAR COMPARTMENT

You should then close the rear compartment. To keep it firmly closed, a piece of thin wire or a thick thread may be run through the two holes provided for the purpose and the ends of the wire may be given a few twists or a knot, as the case may be. **You should note 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.

CHAPTER IX

CONDUCTING MOCK POLL

1. DEMONSTRATION OF 'CLEARING' VOTING MACHINE

- 1.1 Before commencing the poll, you have to satisfy not only yourself but also all polling agents present that the voting machine is in perfect working order and that no votes have already been recorded in the machine.
- 1.2 For such satisfaction, you should first show to all present that all counts have been set to ZERO by pressing the 'Clear' button. The 'Clear' button is provided in a compartment in the result section of the control unit. This compartment is covered by an inner door and an outer cover. The inner door covers the compartments containing 'Clear' button, 'Result I' button and 'Result II' button, and the outer cover is provided above the inner door and covers also the compartment containing the 'Close' button. For reaching the 'Clear' button, you should first open the outer cover by pressing slightly inwards the latch provided on the left side. Thereafter, the inner door can be opened by inserting the thumb and a finger through the two apertures above the 'Result I' and 'Result II' buttons and then pressing the latches inside simultaneously slightly inwards and pulling the door up. In no case, this inner door should be forced open without releasing the latches in the manner described above as otherwise this most vital compartment will get damaged.
- 1.3 When the 'Clear' button is pressed, the Display Panels on the control unit will start displaying the following information sequentially:-

cd	9
to	0
01	0
02	0
03	0
04	0
05	0
06	0
07	0
08	0
09	0
	end

(if the machine is set for 9 candidates.) (every indication is followed by a beep sound)

Note: If on pressing 'Clear' button, the display panels do not display the information as indicated above, it means that some of the earlier operations needed for clearing the machine have not been performed. To clear the machine, ensure that balloting units and control unit have been properly linked. Press 'Close' button and thereafter press 'Result I' button. Now press the 'Clear' button, the display panels will start displaying the information as indicated above.

- 1.4 The display of the above information on the display panels shall satisfy the polling agents present at the polling station that no votes are already recorded in the machine.

2. MOCK POLL

- 2.1 After demonstrating as above that no votes are already recorded in the machine, you should hold the mock poll by recording some votes for each of the candidate at random.

- 2.2 For that purpose, perform the following operations:-

- (a) Press the 'Ballot' button on the ballot section of the control unit. On pressing the 'Ballot' button, 'Busy' lamp in the display section will glow red. Simultaneously, the 'Ready' lamp on the balloting unit will also start glowing green.
- (b) Ask any polling agent to press, according to his choice, any of the candidate's blue button on the balloting unit. Ensure that each of the blue (unmasked) buttons is pressed at least once, so that each button left unmasked is tested and found functioning properly.
- (c) On the candidate's button being so pressed, the 'Ready' lamp on the balloting unit will go off and the candidate's lamp near the button will start glowing red. Also, a beep sound will be heard emitting out from the control unit. After a few seconds, the red light in the candidate's lamp, red light in the 'Busy' lamp and the beep sound will go off. This will be the indication that the vote for the candidate, whose blue button has been pressed, has been recorded in the control unit and the machine is now ready to receive the next vote.
- (d) Repeat the process explained in the preceding paras (a), (b) and (c) for recording one or more votes for each of the remaining candidates. Keep a careful account of the votes so recorded in respect of each candidate.
- (e) When the votes are being so recorded, press the 'Total' button on the ballot section of the control unit to verify at any time that the total votes recorded in the machine tally with the number of votes which have been polled upto that stage.

Note: 'Total' button should be pressed only after the vote has been recorded for any candidate and the 'Busy' lamp in the Display Section is off.

- (f) At the end of the mock poll, press the 'Close' button in the result section. On the 'Close' button being so pressed, the display panels in the display section will show the following information sequentially:-

np	1
cd	9
to	54
	end

(if the no. of votes polled is 54)

Note: Subject to availability of time, there is no objection to permit the recording of more votes at mock poll. It is not necessary that the number of votes recorded for each candidate should be the same.

- (g) Now press the button marked 'Result I' in the Result Section. On that button being pressed, the Display Panels will start showing the following information sequentially:-

cd	9
to	54
01	6
02	6
03	6
04	6
05	6
06	6
07	6
08	6
09	6
	end

(This is an example only)

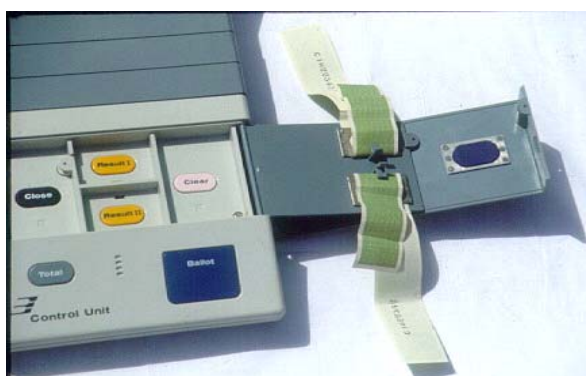
- (h) Next, press the 'Clear' button to clear the account of votes recorded during the mock voting. On the 'Clear' button being so pressed, all counts will show ZERO as explained in para 1.3 above.

CHAPTER X

FIXING OF GREEN PAPER SEAL IN THE CONTROL UNIT

1. FIXING GREEN PAPER SEAL

- 1.1 In the conventional system of voting where ballot 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 control unit is sealed and 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 as is used for securing a ballot box in the control unit of the voting machine.
- 1.2 There is a frame provided for fixing the paper seal on the inner side of the door of the inner compartment of the result section of the control unit. (In the case of voting machines manufactured by Bharat Electronics Limited, Bangalore, the said frame provides for fixing two paper seals and accordingly two paper seals are to be used in the control units of the voting machines manufactured by that company.)
- 1.3 The seal should be so fixed that its green surface is seen through the aperture from out side.



BEL Machine



ECIL Machine

- 1.4 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.

2. SIGNATURES OF PRESIDING OFFICER AND POLLING AGENTS ON PAPER SEAL

- 2.1 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. Before the green paper seal is fixed in the frame provided for the purpose, the Presiding Officer should affix his signature in full immediately below the serial number of the paper seal on the white surface 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.

3 ACCOUNT OF PAPER SEALS

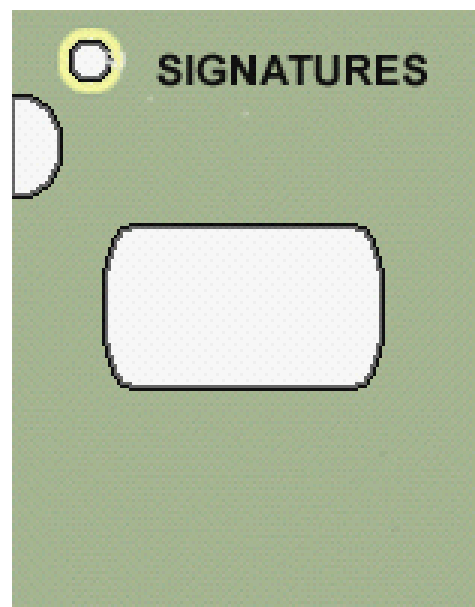
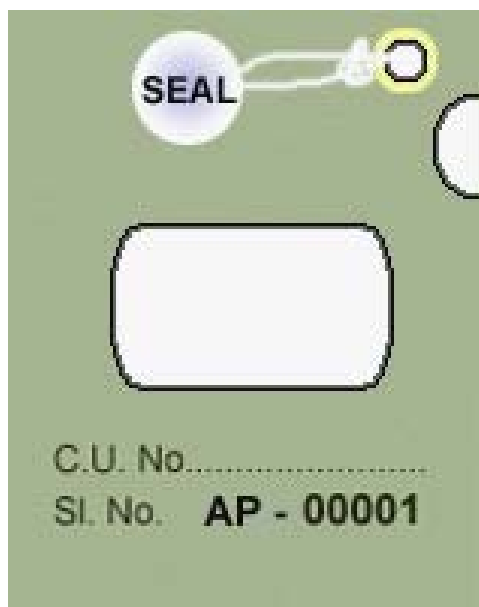
- 3.1. The Presiding Officer should keep a correct account of the paper seals supplied to him for use at the polling station and the paper seals actually used by him for sealing and securing the control unit. Such account shall be maintained by him in the form specifically prescribed for the purpose vide Item 9 of Part I of Form 17C appended to the Conduct of Elections Rules, 1961.
- 3.2. The Presiding Officer should allow the candidates or their polling agents present to note down the serial number of paper seals so supplied for use and actually used.

CHAPTER XI

CLOSING AND SEALING OF CONTROL UNIT

1. SPECIAL TAG

It looks as under:-



1.1 The sizes of Special Tag to be used in the Electronic Voting Machines of the two makes are different as under:-

- (a) For **ECIL** machine: 7 cms. x 5.5 cms.
- (b) For **BEL** machine: 7.5 cms. x 5.5 cms.

Its thickness is equal to the thickness of a postcard. There is a hole on the right corner on top of front side with a metal ring to pass thread for sealing. Further, on the right hand side below the hole there is a groove cut on the special tag just enough to fit with the door-knob of result compartment. There is also an opening in the middle of the special tag, so that when the tag is fixed in the "CLOSE" button compartment of the result section, the "CLOSE" button is visible so that that button can be reached to operate without disturbing the tag.

After the green paper seal has been signed by you and polling agents and fixed and secured, the door of the inner compartment over the "Clear" button and "Result" buttons should be pressed fit and closed in such a manner that the two open ends of the paper seal continue projecting outwards from the sides of the inner door. Then this inner door should be sealed with a special tag. For this, you should pass the high quality twine thread specially supplied for this purpose by

the Returning Officer through the two holes provided in the inner door and through the hole provided in the special tag.

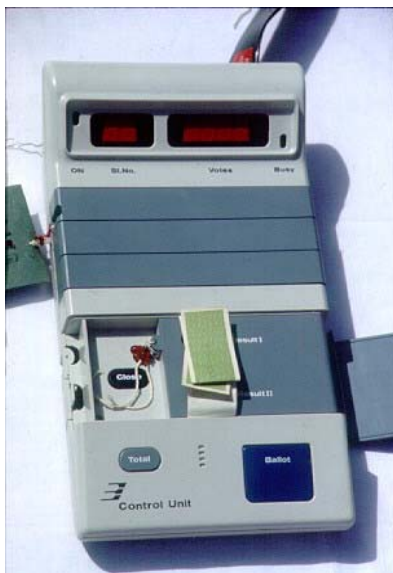
CONTROL UNIT NUMBER

- 1.2 Before the special tag is used, you shall write the serial number of the control unit on the special tag.

SIGNATURE

- 1.3 After writing the serial number of the control unit on the special tag, you shall put your signature on the BACK SIDE of the special tag. You should also 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. You should 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. If, by any chance, the special tag is spoiled or torn, you should use another one. For this purpose, like "Green Paper Seals", the Returning Officer supplies you with 3 or 4 "Special Tags".

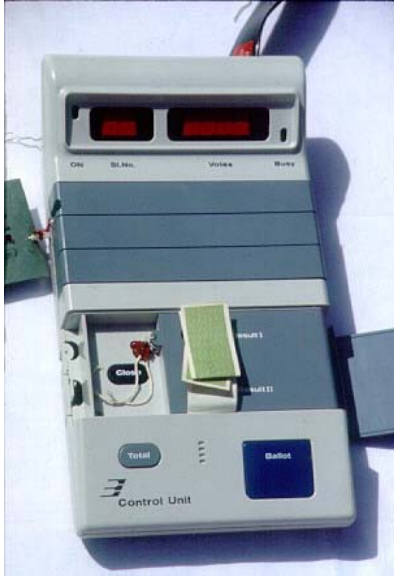
After doing all this, tie the thread into a knot and seal the thread on the special tag with sealing wax. Thereafter without breaking the seal, you should adjust the special tag in the compartment of "CLOSE" button ensuring that the "CLOSE" button protrudes through the hole cut in the middle of the special Tag.



Closing the inner door with thread BEL Machine



Sealing the inner door with Special Tag
BEL Machine



Closing the inner door with thread
ECIL Machine



Sealing the inner door with Special Tag
ECIL Machine

2. CLOSING AND SEALING OF OUTER COVER OF RESULT SECTION

- 2.1 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 that outer cover, it should be ensured that the two open ends of the paper seal project outwards from either sides of the outer cover.
- 2.2 After the outer cover of result section has been closed, that cover 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) tying thread into a knot (iii) attaching a label (address tag) similar to the one which is attached to the 'Cand Set Section' at the Returning Officer's level and sealing the thread on the address tag with wax and the seal of the Presiding Officer.



2.3 The address tag will contain the following particulars:

"Election to thefromconstituency
Control Unit No.....
Sl. No. and Name of Polling Station.....
Date of Poll

2.4 The Returning Officer will provide sufficient number of blank printed address tags as part of polling materials. Particulars in the address tag should be carefully filled by you. The serial number of each control unit is inscribed on its bottom portion.

2.5 The candidates or their polling agents present should also be permitted to affix their seals, if they so desire, on the address tag alongwith your seal.

2.6 By so closing and sealing the inner compartment and the outer cover, the whole result section gets sealed and secured and the votes which will be recorded by the control unit cannot be tampered with.

3. STRIP SEAL

3.1 To further improve the sealing arrangements for Electronic Voting Machines, the Election Commission of India 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.

3.2 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 rubber cap covering the "CLOSE" button is not covered by the strip seal.

STRIP SEAL – PHYSICAL FEATURES

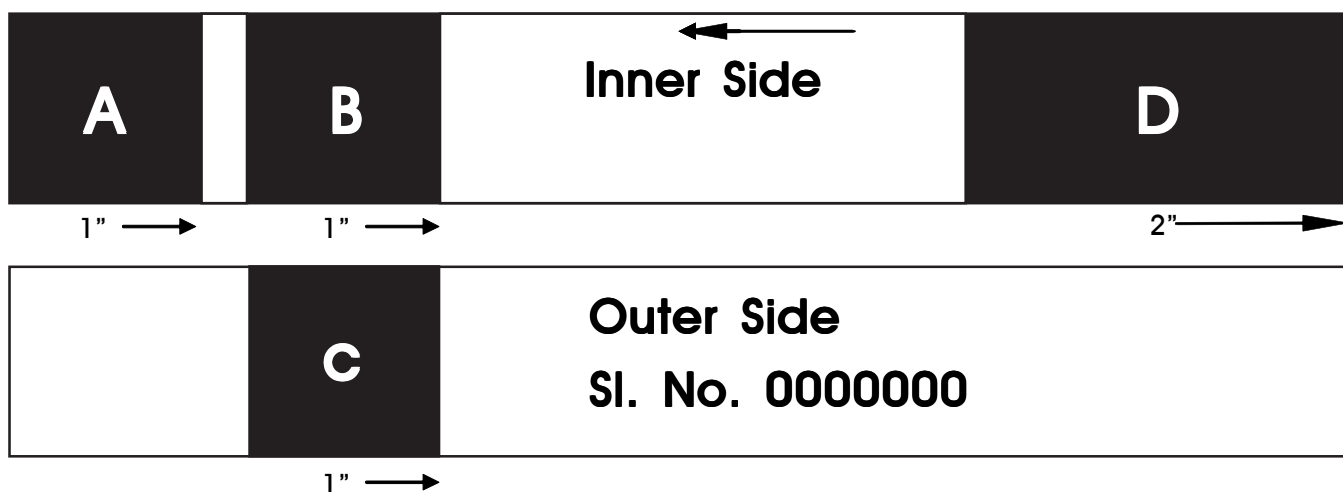
(i) Strip seal is a paper seal with a measurement of 23.5" (twenty-three point five inches) in length and 1" (one inch) in width. The length of the strip is such that it can easily be **wrapped round**

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 seal will be supplied by a firm duly approved by the Commission, and the Chief Electoral Officers will centrally procure them for each State.
- (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'. A drawing of the strip seal showing the outer side and inner side is given below. The dark portions are the gummed portions on inner side and outer side of the strip.

DRAWING OF STRIP SEAL

(Pre-gummed portions are shown in dark shade)



IMPORTANT CHANGE IN FIXING THE GREEN PAPER SEAL

- 3.3 Now, there is an **important change** in the method of folding the green paper seals. After fixing the green paper seals in the slot provided in the windows of the inner door covering the 'Result I' & 'Result II' buttons, the inner door as well as outer door above the result section shall be closed. While doing so, **the loose ends of the green paper seals should be allowed to protrude outside from both the sides of the outer door above the result section.**

COMPLETE METHOD OF SEALING CONTROL UNIT INCLUDING USE OF STRIP SEAL

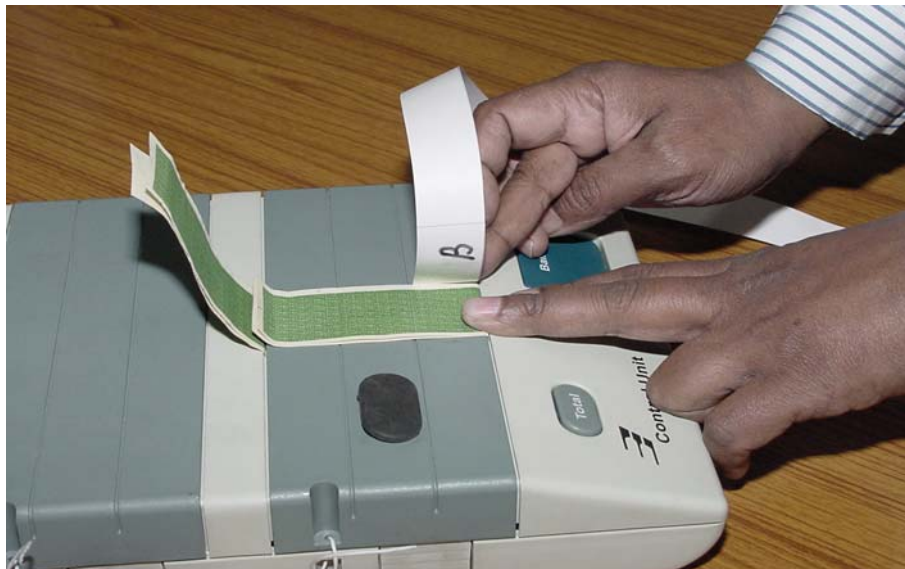
4. For the sake of easy understanding, the complete sequential order of the steps to be taken by you at the polling station **until and including** fixing the Strip Seal are given below:-
- (i) Before the commencement of the actual poll, you will conduct a mock poll.
 - (ii) After conducting mock poll and showing the result, you shall clear the control unit of the data relating to mock poll by operating "Clear" button.
 - (iii) After clearing the data you shall insert the green paper seal (two seals in the case of BEL machines and only one in case of ECIL machine) to cover the windows of the inner door of the result section. While inserting the green paper seals, care should be taken to ensure that the green portion of the seal is visible through the windows of the inner door after it is closed.
 - (iv) After inserting the green paper seals, the inner door above the result buttons shall be closed.
 - (v) Then the inner door of the result section shall be sealed off with the special tag.
 - (vi) After fixing the special tag, you will close the outer door of the result section ensuring that the loose ends of the green paper seal(s) protrude out from both the sides of the closed outer door **[See Photo-1 (BEL Machine) / Photo-2 (ECIL Machine)]**.
 - (vii) Then you shall seal the outer door with thread and address tag.
 - (viii) Next you shall proceed to fix the strip seal around the control unit to seal the result section from outside completely so that this section cannot be opened without damaging the strip seal after the poll commences.
 - (ix) Before the strip seal is fixed to seal the result section from outside you should affix your 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. You should verify that the signatures of the polling agents on the Strip Seal tally with their signatures on their letters of appointment.
 - (x) The strip seal shall, then, be positioned just below the "CLOSE" button. The detailed procedure to fix the strip seal is given below. There is a slight difference in the methods of fixing the strip seal for BEL make machines and ECIL make machines. Follow the instructions below depending on the make of the EVM available in your State.

5. METHOD OF SEALING BEL MAKE MACHINES WITH STRIP SEAL

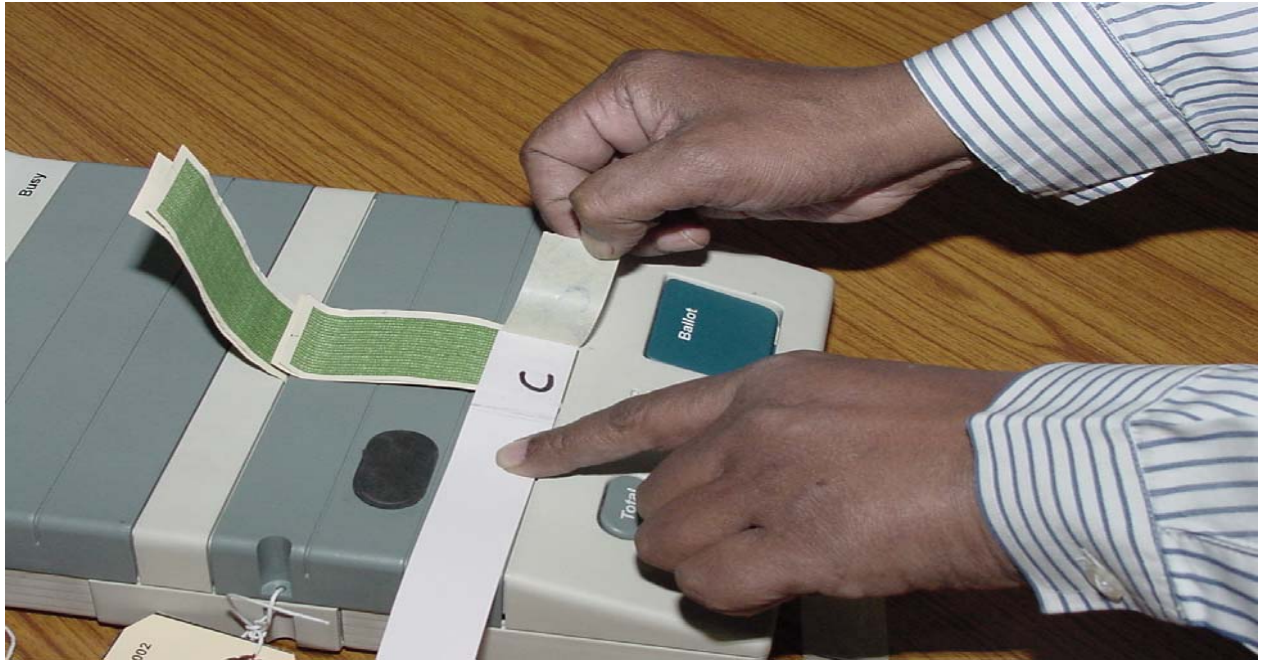
Step-1: Keep the strip seal with the pre-gummed portion 'A' positioned near the base of the green paper seal protruding from the inner end of the door (See Photo-3). Remove the wax paper covering 'A'. Then press the inner layer of the green paper deal over the gummed portion 'A'. Also keep the outer layer of the green paper seal over the inner layer.



Step-2: Remove the wax paper over the pre-gummed portion 'B' and press this pre-gummed portion 'B' over the outer layer of green paper seal.



After pasting 'B' over the green paper seal, the pre-gummed portion 'C' will come to the top position.



Step-3: Remove the wax paper over the pre-gummed portion 'C' and press both the ends of green paper seal protruding from the upper portion of the outer door so that the inner layer of that green paper seal is firmly gummed to 'C'.



Step-4: Take the remaining portion of the strip seal round the control unit from left side taking care that the strip passes below the "CLOSE" button. Bring the other end of the strip seal from right side of the control unit on top of the outer door where the pre-gummed portions 'A', 'B' and 'C' have been pasted.



Step-5: Remove the wax paper covering the pre-gummed portion 'D' and press it firmly over the outer layer of the green paper seal protruding from the top portion of the door (See Photo 9 & 10). The pre-gummed portion 'D' spills over the strip seal below the "CLOSE" button. Press this spilled-over portion of 'D' firmly over the strip seal.



By the above process all the four loose ends of the green paper seals protruding from both sides of the door get firmly pasted and held by the strip seal. At the same time, the outer door over the result section is also sealed with this strip seal from all sides and this section cannot be opened without damaging this seal.

6. AFTER FIXING THE STRIP SEAL

After sealing the control unit with the strip seal, you shall take care that the seal is not damaged or tampered with during the poll and this seal shall NOT be removed during or after the poll in the polling station.

7. At the end of the poll at prescribed hour, you shall remove the rubber cap over "CLOSE" button without disturbing the strip seal and press the "Close" button to close the poll and replace the cap. After completing other formalities at the end of the poll, you shall carefully pack the control unit in its carrying case and seal the carrying case with address tag. This sealed carrying case shall be delivered to the counting centre.
8. On the day of the counting, the control unit with the strip seal intact, shall be allowed to be examined by the candidates/counting agents present at the counting table. Only thereafter, the seal shall be removed taking care that the green paper seals are not damaged. After examining the green paper seals protruding outside, the thread seal on the outer door of the control unit shall be opened.

9. IMPORTANT PRECAUTIONS

- (i) The strip seal shall be positioned to cover the portion below the "CLOSE" button cap on the outer door of the result section. While fixing this strip, ensure that the "CLOSE" button is left clear and not covered even partially by this strip so that there is no difficulty to operate that button.
- (ii) The strip seal shall be fixed taut and shall not be loose.
- (iii) DO NOT USE DAMAGED STRIPS.
- (iv) Each polling station will be supplied with four (4) strip seals like green paper seals.
- (v) You shall account for each strip seal supplied to the polling station for the conduct of poll.
- (vi) You should return every strip seal that is not used [including the strips (or pieces thereof) damaged accidentally] to the Returning Officers who will be held responsible if any strip seal is found in the hands of any unauthorized person at any time.
- (vii) The Chief Electoral Officer and the District Election Officers shall keep a record of the serial numbers of the strip seals supplied to each Returning Officer. Similarly, each Returning Officer shall keep a record of the strip seals supplied to each polling station.
- (viii) Commission will issue samples of strip seals to your State for the purpose of demonstration as well as training. These sample strips seals also shall be kept in safe custody. After using

the strip seals for training or demonstration, as the case may be, the used strips should be destroyed by shredding them.

10 VOTING MACHINE READY FOR ACTUAL POLL

- 10.1 The voting machine is now ready in all respects for use for actual poll.
- 10.2 Before commencing the poll, you should place the balloting unit(s) inside the voting compartment. As already instructed, the voting compartment should be located at sufficient distance from your table where the control unit shall be kept and operated. The interconnecting cable between the balloting unit and the control unit has a length of approximately five metres. Therefore, the voting compartment should be reasonable distanced. Also, the cable should be so routed that it does not obstruct the movement for voters inside the polling station and they have not to tread or trip over it. While placing the EVM in the Voting Compartment, it must be ensured without fail that secrecy of voting is not violated.

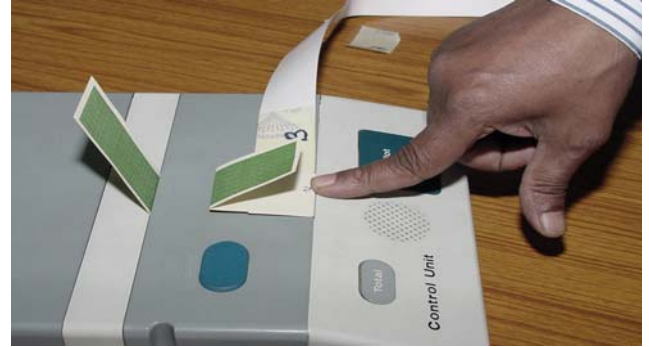
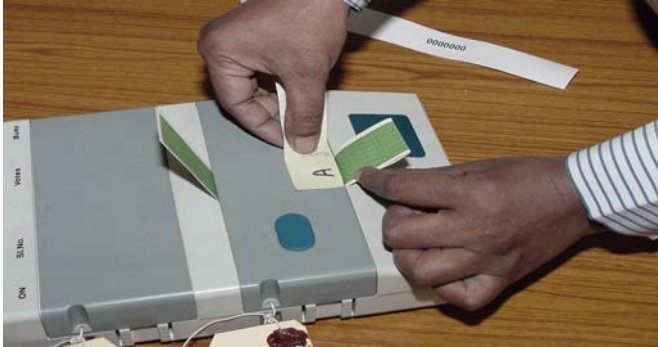
METHOD OF SEALING ECIL MAKE MACHINES WITH STRIP SEAL

In ECIL machine only one green paper seal is used. Therefore, the loose ends of the same green paper seal protrudes from either ends of the outer door over result section. Following are the steps to seal ECIL MAKE MACHINES with strip seal:-

Step 1: First double fold the inner end of the green paper seal in the middle ensuring that the green portion of the seal remains outside.



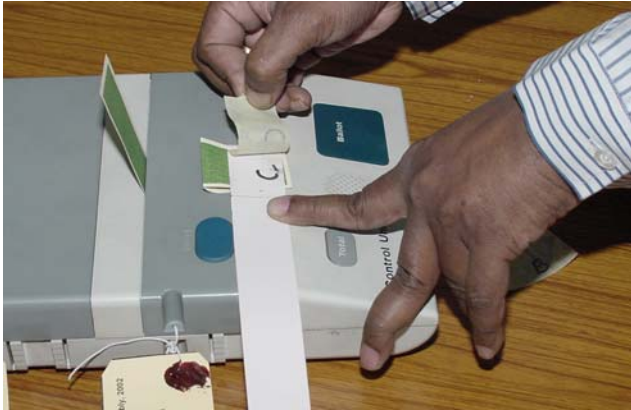
Step 2: Keep the strip seal with the pre-gummed portion 'A' positioned near the base of the inner fold of the green paper seal protruding from the lower side of the outer door of the result section. Remove the wax paper over 'A' and press the inner fold of the green paper seal over this gummed portion and paste.



Step 3: Remove the wax paper over the pre-gummed portion 'B' and press this gummed portion over the outer fold of the green paper seal.



Step 4: After pasting 'B' over the green paper seal the pre-gummed portion 'C' will come to the top position. Remove the wax paper over 'C', press the green paper seal protruding from the top portion of outer door so that the green paper seal is firmly pasted over 'C'.



Step 5: Take the remaining portion of the strip seal round the control unit from left side taking care that the strip passes below the “CLOSE” button. Bring the other end of the strip seal from right side of the control unit on top of the outer door where the pre-gummed portions ‘A’, ‘B’ and ‘C’ have been pasted.



Step 6 : Remove the wax paper covering the pre-gummed portion ‘D’ and press it firmly over the green paper seal protruding from the top portion of the door. The pre-gummed portion ‘D’ spills over the strip seal below the “CLOSE” button. Press this spilled over portion of ‘D’ firmly over the strip seal.



By the above process, both the loose ends of the green paper seal protruding from both the sides of the outer door get firmly pasted and held by the strip deal. At the same time the outer door over the result section is also sealed with this strip seal from all sides and this section cannot be opened without damaging this seal.

CHAPTER XII

COMMENCEMENT OF THE POLL

1. COMMENCEMENT OF THE POLL

Commence the poll at the stroke of the hour fixed for the purpose. Your preliminaries should be over by then. If unfortunately the preliminaries are not over, admit three or four voters at the hour fixed for the commencement of the poll and let the Polling Officer deal with them in regard to their identification, etc. until the preliminaries by you are over. This sort of overlapping of preliminaries is very undesirable and every effort should be made to avoid it. Even if for any unforeseen reason you are not in a position to commence the poll at the appointed hour, you have no authority to extend the appointed polling hours or the closing time except to continue the poll beyond the closing hour until all the electors present at the polling station at the hour appointed for the close of poll (who were distributed slips signed by you in full starting from the tail of the queue towards its head) have voted, as provided in para 1.2 of Chapter XXIV.

2. WARNING ABOUT SECRECY OF VOTING

Before commencing the poll, explain to all present the provisions of Section 128 of the Act (Annexure I), regarding their duty to maintain the secrecy of the vote and the penalty for any breach thereof.

3. PRECAUTIONS FOR INDELIBLE INK

Ask the Polling Officer in-charge of indelible ink to take adequate precautions to see that the phial containing the indelible ink is kept in such a manner that it does not get tilted and the ink spilt during the poll. For that purpose, take some sand or loose earth in a cup provided for the purpose or an empty tin or some such broad-bottomed vessel, and push the phial down three-quarters of its length into the centre of the vessel so that it is steadily embedded in the sand or earth. Also ensure that the plastic rod attached to the cork is left standing in the phial and not taken out except for the purpose of marking the voter's forefinger. The rod should always be held with its marking end pointing vertically downwards. Otherwise, some of the ink will drip down the rod and spoil the fingers of the person using it.

4. MARKED COPY OF THE ELECTORAL ROLL

Before the commencement of poll, you should also demonstrate to the polling agents and other persons present at the polling station that the marked copy of the electoral roll (copy of the

electoral roll to be used for 'marking' the names of electors who are allowed to vote) does not contain any marks or entries other than the "E.D.C." marks against the names of those voters whom election duty certificates have been issued and "PB" marks against the names of those voters to whom postal ballot papers have been issued and that the deletions appearing in the supplement, if any, appended to the draft roll as well as the supplement prepared after disposal of claims and objections before final publication have been reflected in the reprinted mother roll by strikethrough method in the electoral roll of eight columns without photograph and with the word "D E L E T E D" superimposed on the concerned elector detail box in case of photo electoral roll;

5. REGISTER OF VOTERS IN FORM 17A

Also show to the polling agents and others present that the Register of Voters (in form 17A), (in which entries will be made in respect of each elector who is allowed to vote and his signature/thumb impression obtained) does not already contain any entry in respect of any elector.

6. ENTRY OF VOTERS TO POLLING STATION TO BE REGULATED

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 you 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.

7. You should admit into the polling station only the following persons:-

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

CHAPTER XIII

SAFEGUARDS FOR FREE AND FAIR ELECTION

1. DECLARATIONS BY PRESIDING OFFICER AS SAFEGUARDS FOR ENSURING FREE AND FAIR ELECTION

In order to ensure that you have duly carried out the instructions contained in the foregoing chapters regarding the demonstration of the voting machine, marked copy of the electoral roll and 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, you are required to read out the declaration prescribed in Annexure VII Part I before the commencement of the poll. This should be done immediately after reading out the provisions of section 128 of the Representation of the People Act, 1951, regarding maintenance of secrecy of voting. You should read out the declaration aloud to the hearing of all persons present in the polling station and sign the declaration and obtain thereon the signatures of such of the polling agents as are present and are willing to affix the same. You should also record thereon the names of the polling agents who decline to affix their signatures on the declaration.

2. PROCEDURE TO BE FOLLOWED AT THE TIME OF USE OF NEW VOTING MACHINE

During the course of poll, if it becomes essential under compelling circumstances to use a new voting machine, you are again required to read out a further declaration, prescribed in Part II of Annexure VII (At the end of the poll, you should record a further declaration in Part III of Annexure VII in the same manner). The declaration will be put into a separate packet and delivered to the Returning Officer after the conclusion of the poll along with the account of votes recorded and the paper seal account in Form 17C.

CHAPTER XIV

ENFORCEMENT OF ELECTION LAW IN AND AROUND POLLING STATION

1. IMPARTIALITY ESSENTIAL

Your tact, firmness and impartiality are the most important safeguards against any breach of the peace. Treat all parties and candidates equally and decide fairly and justly every disputed point. Needless to say, neither you nor any other officer at your polling station should do any act, which could be interpreted as furthering the prospects of any candidate at the election.

2. BAN ON CANVASSING

It is an offence to canvass within one hundred meters of the polling station. Any person who does so can be arrested without warrant by the police and may be prosecuted under section 130 of the Representation of the people Act. 1951 (See Annexure I).

3. CANDIDATE'S ELECTION BOOTH

According to the instructions of the Commission, no election booths of the candidates should be allowed to be set up as such booths pose many difficulties in the way of holding free, fair and smooth elections by creating obstructions to voters, confrontation among various party workers and law and order problems. However, the candidates may provide one table and two chairs for the use of their agents and workers for the distribution of unofficial identity slips to voters beyond a distance of 200 meters from the polling station with an umbrella or a piece of tarpaulin over their head to protect them from the sun/rain. No crowd is allowed to collect around such tables. If any instance of violation of the above instructions of the Commission is brought to your notice, you should report the matter to the Sector Magistrate or other officials responsible for maintenance of law and order around your polling station for necessary remedial action by them.

4. DISORDERLY CONDUCT IN OR NEAR THE POLLING STATION

Enforce the provisions contained in section 131 (See Annexure I). If any person behaves in a disorderly manner, you can have him arrested then and there by a police officer and have him prosecuted. The police have the power to take such steps, and use such force, as may be reasonably necessary for preventing such behaviour. These powers should, however, be resorted to only when persuasion and warning have proved ineffective. If the use of a megaphone or loudspeaker interferes with the work of the polling station, you should take steps to stop such use. The section does not prescribe any limit of distance. It is left to you to decide whether it is near enough and loud enough to disturb the proceedings at the polling station.

5. REMOVAL OF DISORDERLY PERSONS

Any person who misconducts himself or fails to obey your lawful directions during the poll may be removed from the polling station on your orders by any police officer or other persons authorised by you (see section 132 Annexure I).

6. ILLEGAL HIRING OF VEHICLES FOR THE CONVEYANCE OF VOTERS

- 6.1 You have no positive powers to check the illegal conveyance of voters. If a complaint to that effect is made, tell the complainant that he may take action to prosecute the offender under section 133 or use the fact as a ground for filing an election petition against the offending candidate in due course. Forward any complaint filed before you to the *Sub-divisional* or other magistrate who has jurisdiction to deal with such cases with such remarks which you can make from your own observation and personal knowledge. You can also bring this to the notice of the Zonal/Sector Magistrate when he visits your booth.
- 6.2 Also follow the instructions/directives issued by the Election Commission regulating the playing of vehicles on the day of poll.

7. REMOVAL OF VOTING MACHINE FROM POLLING STATION TO BE AN OFFENCE

Any person who at any election fraudulently or unauthorisedly takes or attempts to take a voting machine out of a polling station or willfully aids or abets the doing of any such act commits a cognizable offence punishable with imprisonment upto one year or with fine upto five hundred rupees or with both. In this connection section 135 read with Explanation to section 61A may be seen.

8. BREACH OF OFFICIAL DUTY BY ELECTION OFFICERS

Your attention is also drawn to section 134 which provides that if any Presiding or Polling Officer is without reasonable cause guilty of any act, or even of any omission, in breach of his official duty, he commits a cognizable offence.

9. PROHIBITION OF GOING ARMED TO OR NEAR A POLLING STATION

As per the provisions of Section 134B of the Representation of the People Act, 1951, no person (other than the Returning Officer, the Presiding Officer, any police officer and any other person appointed to maintain peace and order at a polling station who is on duty at the polling station) can, on a polling day, go armed with arms, as defined in the Arms Act, 1959, of any kind within the neighbourhood of a polling station. If any person contravenes these provisions, he is liable to imprisonment for a *term*, which may extend to two year or with fine, or with both. The offence is cognizable.

CHAPTER XV

VERIFICATION OF ELECTOR'S IDENTITY AND PROCEDURE IN CASE OF CHALLENGE

1. VERIFICATION OF ELECTOR'S IDENTITY

As has already been explained in Chapter V, an elector on entering the polling station will proceed direct to the first Polling Officer who will be in-charge of the marked copy of the electoral roll and responsible for identification of electors. The Polling Officer should properly verify his identity with reference to the entry in the electoral roll.

- 1.2. Usually, each voter brings with him an unofficial identity slip, which might have been issued to him by a candidate or his agents. This slip has to be on a plain white paper and may contain the name of the elector, his serial number in the electoral roll, part number of the electoral roll and the number and name of the polling station where he is to cast his vote. The slip should not contain the name of the candidate and/or the name of the party and/or facsimile of symbol allotted to him. If any slip has been issued by a candidate or his party in violation of these instructions of the Commission and is brought to the polling station, it should be brought to the notice of the polling agent of the candidate concerned forthwith for putting an immediate end to such violation.
- 1.3. It should be noted that carrying of unofficial identity slip by an elector does not guarantee the identity of the voter nor does it absolve the Polling Officer of his duty and responsibility of satisfying himself about the identity of such voter.
- 1.4. The first Polling Officer in-charge of the marked copy of the electoral roll and identification of electors should not treat the identity of an elector established by the mere production of an 'unofficial identity slip' which he brings to the polling station. Though such a slip helps in locating the entries relating to an elector in the electoral roll, it cannot be automatically taken for granted that the person producing the slip is that particular voter. Further, an illiterate voter cannot read the entries in the unofficial identity slip and satisfy himself that the slip held by him/her actually relates to him/her. Therefore, the first Polling Officer should simply take the slip and read out only the Serial Number of the entry of the elector in the electoral roll and *not* read out his/her name and other particulars from the slip. Thereafter, the Polling Officer should ask the person to announce his/her name loudly and if necessary other particulars relating to the entry so as to ensure that he/she is the genuine voter producing the identity slip. If full satisfaction is not obtained, the person may be directed to present himself before the Presiding Officer, who should make a further probe to satisfy himself about the identity of the elector. The Presiding Officer should not hesitate to hand over the elector to the police in case he is proved to be an impersonator.

- 1.5 The Commission is now insisting on documentary identification of electors. The electors are required to produce the electoral photo identity card (EPIC) to establish their identity. Those electors, who have not been issued with the identity card, or those 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 Commission. The Commission will issue orders in this behalf at the time of every election. You must refer to the order issued by the Commission and enforce its compliance. The Polling Officer in-charge of identification must satisfy himself about the identity of the elector after examining the EPIC or the alternative documents, as the case may be, and in case of any doubt the elector should be directed to present himself before you. You should make a further probe to satisfy yourself about the identity of the elector. You should hand over the person to the police with a written complaint in case he is proved to be an impersonator. It may be noted that -
- (a) minor discrepancies in the entries relating to elector's name, father's/mother's/husband's name, sex, age (only within 2/3 years) or address in the electors photo identity card shall be ignored and the elector allowed to cast his vote so long as the identity of the elector can be established by means of that card,
 - (b) any discrepancy in the serial number of the electors photo identity card as mentioned in the electoral roll shall be ignored, and
 - (c) if an elector produces an electors photo identity card, which has been issued by the Electoral Registration Officer of another assembly constituency, such card shall also be taken into account provided the name of that elector finds place in the electoral roll pertaining to the polling station where the elector has turned up for voting. But in such cases, it should be ensured that the elector does not vote at more than one place by thoroughly checking the left hand forefinger of the elector to see that there is no indelible ink mark thereon, and by applying the indelible ink on the left forefinger properly while allowing him to vote.
- 1.6 In case there are large number of women electors especially 'pardanashin' (burqa clad) women, a woman Polling Officer may be appointed to carry out the above duties in a separate enclosure as instructed in Chapter IV.
- 1.7 Any village chowkidar/Revenue Officer or the like who may be employed as identifying Officer by you should normally be posted outside the entrance of the polling station and should be

admitted into the polling station only when he is required for the identification of a particular elector or for assisting you for a particular purpose in connection with the taking of the poll.

2. LIST OF DEAD, ABSENT AND ALLEGEDLY BOGUS VOTERS

It is expected that polling agents may bring with them a copy of the list of the names of dead, absent and allegedly bogus voters. The candidate or his party may supply similar list to you. If any person claims to be a voter whose name is mentioned in that list you shall check that person's identity rigorously. This will not amount to a formal challenge.

3. CHALLENGED VOTES

The polling agents can also challenge the identity of a person claiming to be a particular elector by depositing a sum of Rs.2 (Rupees two only) in cash with you for each such challenge. You shall hold a summary inquiry into the challenge. If after the inquiry you consider that the challenge has not been established, you shall allow the person challenged to vote. If you consider that the challenge has been established, you shall debar the person challenged from voting and shall handover such person to the police with a written complaint.

CHALLENGING A VOTER'S IDENTITY

- 3.1 Every person whose name is entered in the electoral roll is entitled to vote at the election. Unless, there is a challenge by a candidate or his election or polling agents, or unless you are clearly satisfied that he is a bogus voter, it should normally be presumed that the person claiming to be a voter and giving out the name and other details correctly is that voter. If there is a challenge or if you feel any reasonable doubt about the identity of the person from the surrounding circumstances, you should hold a summary inquiry and decide the question.

4. CHALLENGE FEE

You should not entertain any challenge by a candidate or his election/polling agent of a voter's identity until the challenger pays two rupees in cash. After the amount has been paid, furnish a receipt therefor to the challenger in the Form prescribed in Annexure VIII. Warn the person challenged about the penalty for personation, read out the relevant entry in the electoral roll in full and ask him whether he is the person referred to in that entry, enter his name and address in the list of Challenged Votes (Form 14) and ask him to sign or affix his thumb impression thereof. If he refuses to do so, do not allow him to vote.

5. SUMMARY INQUIRY

First ask the challenger to produce evidence to show that the person challenged is not the voter that he claims to be. If the challenger fails to adduce ***prima facie*** evidence in support of his challenge, disallow the challenge and allow the person challenged to vote. If the challenger succeeds in making out a ***prima-facie*** case that the person is not the voter in question, you should call upon the latter to produce evidence to rebut the challenge i.e. to prove that he is the voter he claims to be. If he proves his claim by such evidence, allow him to vote. If he fails to do so, hold that the challenge has been established. In the course of the inquiry, you are free to ascertain the true fact from the village officer, the neighbours of the voter in question and any other person present. While taking evidence, you may administer an oath to the person challenged or any other person offering to give evidence. In case the challenge has been established, you should hand over the person to the policeman on duty, together with your complaint, as in Annexure IX, addressed to the Station House Officer of Police Station in the jurisdiction of which your polling station falls.

6. RETURN OR FORFEITURE OF CHALLENGE FEE

Immediately after the inquiry is over return the challenge fee of two rupees to the person who made the challenge after taking his receipt in Column 10 of Form 14-List of Challenged Votes and on the counterfoil of the relevant receipt in the receipt book, in every case, except where you are of the opinion that the challenge was frivolous or was not made in good faith. In the latter case, forfeit the challenge fee to Government and do not return it to the challenger and enter the word “forfeited” in Column 10 of Form 14 and the relevant counterfoil in the receipt book, instead of taking the depositor’s signature or thumb impression.

7. CLERICAL AND PRINTING ERRORS IN THE ROLL TO BE OVERLOOKED

The particulars in respect of a voter as entered in the electoral roll are sometimes incorrectly printed or have become out of date e.g., regarding the exact age of the voter. You should overlook mere clerical and printing errors in any entry relating to a voter in the poll, provided that you are otherwise satisfied about the identity of the person claiming to be the voter, according to other particulars entered in electoral roll. When the electoral roll has been prepared in more than one language and the name of a person has not been included in the marked copy of the electoral roll, such a person should be allowed to vote if his name appears in the version of the electoral roll in the other language for the same area. An entry in respect of every such elector should be noted by you in ink on the marked copy of the electoral roll.

8. ELIGIBILITY OF A VOTER NOT TO BE QUESTIONED

So long as the identity of a voter is established to your satisfaction, he has the right to vote. No question can be raised at the polling station about the eligibility of such a person to be a voter. For instance, you are not entitled to hold any inquiry into the question whether he is over 18 years of age or ordinarily resides in the constituency.

9. DECLARATION OF ELECTOR ABOUT HIS AGE

- 9.1 But in the case of a person whom you consider much below the qualifying age, you must be clearly satisfied about his claim of being elector with reference to the entry in the electoral roll relating to him.
- 9.2 If you are prima facie satisfied about his identity and the fact of inclusion of his name in the electoral roll but consider him to be below the minimum voting age, you should obtain a declaration as in Annexure X from that elector about his age on the 1st day of January of the year with reference to which the existing electoral roll of the constituency has been prepared/ revised. Before obtaining the declaration from such elector, you should inform him of the penal provision in section 31 of the Representation of the People Act, 1950, for making false declaration (Extract of Section 31 has been given in Annexure I).
- 9.3 You should also prepare a list of voters from whom you have obtained such declarations in Part I of Annexure XI. You should also maintain a list in Part II of the said Annexure XI of those voters who refuse to give the aforesaid declaration and go away without casting their votes. After the close of the poll, the abovementioned list and the declarations should be kept together in a separate cover.

CHAPTER XVI

APPLICATION OF INDELIBLE INK AND OBTAINING SIGNATURE/ THUMB IMPRESSION OF ELECTOR BEFORE PERMITTING HIM TO RECORD HIS VOTE

1. INSPECTION OF VOTER'S LEFT FOREFINGER AND APPLICATION OF INDELIBLE INK

- 1.1 As soon as may be, after the identity of an elector has been verified by the first Polling Officer, and if there is no challenge as to the elector's identity, his left forefinger will be marked with indelible ink by the second polling officer in the manner described in para 3.1 in Chapter V. If any elector refuses to allow his left forefinger to be inspected or marked in accordance with instruction or has already such a mark on his left forefinger or does any act with a view to removing the ink, he shall not be allowed to vote.
- 1.2 In case it is noticed that an elector has applied any oily or greasy substance on his finger in order to neutralise the indelible ink mark to be put on his finger, such oily or greasy substance should be removed by the polling officer with the help of a piece of cloth or rug before putting indelible ink mark on the finger of that elector.
- 1.3 Previously such indelible ink mark was put on the elector's left forefinger after obtaining his signature/thumb impression. Under the revised instructions of the Commission, such mark is now required to be made before obtaining the signature/thumb impression of the elector, so that by the time the elector leaves the polling station after casting his vote, there is sufficient time gap for the indelible ink to dry up and develop a distinct indelible mark. The indelible ink mark will be put in the manner described in para 3.1 of Chapter V

2. APPLICATION OF INDELIBLE INK AT FRESH POLL

At the time of fresh poll/countermanded poll, the marking with indelible ink made at the original poll should be ignored and fresh marking with indelible ink should be put on the voter's left middle finger in the manner described in para 1.3 of Chapter V in such a way that a clear mark is left. The procedure as explained in paras 1.3 above should be followed in case of Fresh Poll also.

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

If an elector has no left forefinger, then indelible ink should be applied on any such finger which he has on his left hand. 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, on any other finger 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.

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

4.1 After the left forefinger of the elector has been marked first time by the second Polling Officer in the manner explained in the preceding paragraph, he should maintain the record of such elector in the 'Register of Voters' (Form 17A) and obtain the signature/thumb-impression of the elector on that register.

4.2 Such record shall be maintained by the second Polling Officer in the Register of Voters in the following manner:-

- (i) In column (1) of the register of voters, the second Polling Officer will write down the serial numbers of electors in consecutive order, starting with serial number 1. (Generally the serial numbers of electors in consecutive order are already printed in the register.) Each page of the register contains 10 serial numbers. If the serial numbers are not already printed in column (1), at the commencement of poll, he can write such serial numbers in advance on a few pages.
- (ii) In column (2) of the said register, the second Polling Officer will write down the electoral roll number (i.e., the serial number) of the elector as entered in the marked copy of the electoral roll. For example, if the name of the first elector who comes to vote at the polling station at the commencement of poll is entered at serial number 756 in the marked copy of the electoral roll, the Second Polling Officer will write down serial number 756 in the second column against serial No. 1 in the first column of the register of voters. Likewise, if the second voter's name is entered at serial number 138 in the electoral roll, the second Polling Officer will write serial number 138 in column 2 against serial number 2 in column 1 of the register, and so on.

4.3 After columns (1) and (2) of the register having been filled in respect of an elector in the manner described above, his signature/thumb-impression shall be obtained by the second Polling Officer in column (3) of that register.

5. SIGNATURE OF ELECTOR

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 surnames 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, 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 should not be allowed to vote under the foregoing paragraph 4.

6. THUMB IMPRESSION OF ELECTOR

- 6.1 If an elector is unable to sign his name, the impression of his **left thumb** should be obtained on the register of voters. It should be noted that it is not necessary for you or any Polling Officer to attest such thumb impression on the register.
- 6.2 In conformity with rule 37(4) of the Conduct of Elections Rules, 1961 regarding application of indelible ink, if the left thumb of voter is missing, then the impression of 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 the fingers of the right hand should be taken. If no fingers are available, the voter being unable to record his vote himself will necessarily have to seek assistance of a companion under rule 49N of the said rules. In that case, the signature or thumb impression of the companion should be taken on the register of voters.
- 6.3 It is necessary that the thumb impression on the register of voters should be a clear thumb impression. The thumb of the voter should not be inked so lightly from the stamping pad that it gives only a faint or undecipherable impression. Nor should the thumb be inked so heavily that it gives a smudged impression instead of a clear thumb impression on the register.
- 6.4 After taking the thumb impression, the ink on the elector's thumb should be wiped off with the help of wet piece of cloth.

7. SIGNATURE/THUMB IMPRESSION ON THE REGISTER OF THE REGISTER OF VOTERS BY BLIND OR INFIRM OR LEPER VOTERS

Thumb impression of a blind voter or a voter suffering from leprosy should be obtained on the register of voters. In case any such voter is literate, he may be allowed to put his signature in place of thumb impression. In case of infirm voter who cannot use either of his hands, his companion shall put his signature or thumb impression on the register. A note may be made against such entry in the register regarding that signature or thumb impression being of the companion.

8. ISSUE OF VOTER'S SLIP TO ELECTOR

- 8.1 After an elector's left forefinger has been marked with indelible ink, the entry relating to him made in the register of voters and his signature/thumb-impression obtained on that register, the second Polling Officer shall prepare a voter's slip for that elector in the following form:

VOTER'S SLIP

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

- 8.2 These Voter's Slips will be got printed by the Returning Officer in a paper of half the dimension of a post-card and will be supplied to you, as one of the items of polling materials, in stitched bundles of hundred slips and/or fifty slips each, having regard to the number of electors assigned to your polling station.
- 8.3 The voter's slips prepared by the second Polling Officer in respect of each elector under paragraph 8.1 above shall be delivered by him to that elector and the elector shall be directed to proceed to you or, as the case may be, the third Polling Officer whoever is in-charge of the control unit of the voting machine.

CHAPTER XVII

RECORDING OF VOTES AND VOTING PROCEDURE

- 1.1 The elector will come to you or, as the case may be, the third polling officer *in-charge* of the control unit of the voting machine with the voter's slip issued to him by the second polling officer. He will be allowed to vote only on the basis of such voter's slip.
- 1.2 It is absolutely essential that the voters go to the voting compartment to record their votes in the voting machine in exactly the same sequence in which they have been entered in the register of voters. You or the 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.
- 1.3 If due to any exceptional circumstance or unforeseen or unavoidable reason, it has not been possible to follow such exact serial order in respect of any elector, a suitable entry showing the exact serial number at which he has voted should be recorded in the remarks column of the register of voters against the person concerned. Similar entries should also be made in respect of the subsequent voters whose serial order has been disturbed thereby.

2. PERMITTING ELECTOR TO RECORD VOTE

- 2.1 When the elector comes with the voter's slip to you or, as the case may be, the Third polling officer in-charge of control unit, the voter's slip will be taken from him and he will be allowed to vote.
- 2.2 All voter's slips collected from electors shall be carefully preserved and kept in a separate cover at the end of poll. The Returning Officer will provide a special cover for the purpose, which will be sealed and secured in the manner directed in Chapter XXVII.
- 2.3 After the voter slip has been collected from the elector, his left forefinger shall be checked by you/third polling officer in-charge of the control unit. If the indelible ink mark made thereon is indistinct or has been removed, the same shall be marked again, so as to leave a clear indelible mark. (Alternatively, this job can be given to the group D official attached to your polling party to be performed by him before the voter leaves the polling station after he comes out of the voting compartment after recording his vote.)
- 2.4 The elector shall then be directed to proceed to the voting compartment to record his vote.

3. VOTING PROCEDURE

- 3.1 To enable the elector to record his vote, the 'Ballot' button on the control unit shall be pressed by you/third polling officer in-charge of that unit, which would make the balloting unit(s) kept in the voting compartment ready for recording the vote. On the 'Ballot' button being pressed, the 'Busy' lamp in the control unit will glow red and simultaneously the 'Ready' lamp on each balloting unit in the voting compartment will start glowing green.
- 3.2 The elector will record his vote in the voting compartment by pressing on the balloting unit, the 'Blue 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.
- 3.3 These visual and audio signs are indicative of the fact that the voter inside the voting compartment has recorded his vote. The voter should forthwith come out of the voting compartment and leave the polling station.
- 3.4 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.

4. TALLYING OF NUMBER OF VOTES POLLED PERIODICALLY

- 4.1 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.
- 4.2 In any event, you must ascertain and tally the number of votes polled during every two hours interval and record the number of votes polled in the relevant columns in the Presiding Officer's diary.
- 4.3 The 'Total' button should be pressed only when the busy lamp is not on, i.e. only after the elector allowed to vote has recorded his vote, and before the next elector is allowed to vote by pressing the Ballot button.

5. PRESIDING OFFICER'S ENTRY IN VOTING COMPARTMENT DURING POLL

- 5.1 Sometimes, you may have a suspicion or reason to suspect that the balloting unit kept in the screened voting compartment is not functioning properly or that an elector who has entered the voting compartment is tampering or otherwise interfering with the balloting unit or has remained inside the voting compartment for unduly long period. You have a right under rule 49 to enter the voting compartment in such cases and to take such steps as may be considered necessary by you to ensure that the balloting unit is not tampered or interfered with in any way and that the poll progresses smoothly and orderly.
- 5.2 Whenever you enter the voting compartment, you should permit the polling agents present to accompany you, if they so desire.

CHAPTER XVIII

MAINTENANCE OF SECRECY OF VOTING BY ELECTORS

1. VOTING PROCEDURE TO BE STRICTLY OBSERVED

Every elector who is permitted to vote shall maintain absolute secrecy of voting within the polling station. He should strictly observe the voting procedure mentioned in Chapter XVII.

2. REFUSAL TO OBSERVE VOTING PROCEDURE

- 2.1 If any elector refuses, after warning given by you, to observe the voting procedure, you or a polling officer under your direction shall not allow such elector to vote under rule 49M of the Conduct of Elections Rules, 1961. If the elector has already been issued the voter's slip, such slip should be withdrawn from him and cancelled.
- 2.2 Where an elector is not allowed to vote for violating voting procedure, a remark to the effect that voting procedure has been violated – "Not allowed to vote – Voting procedure violated"- shall be made in the remarks column in the Register of Voters (Form 17A) against the entry relating to that elector in that register by you. You shall also put your full signature below that entry. It shall, however, not be necessary to make any change in the serial number of that elector or of any succeeding elector in column (1) of the register of voters.

CHAPTER XIX

VOTING BY BLIND AND INFIRM VOTERS

- 1.1 If you are satisfied that owing to blindness or other physical infirmity, an elector is unable to recognise the symbol on the ballot paper affixed on the balloting unit or unable to record his vote by pressing the appropriate button thereon without assistance, you shall permit that elector under rule 49N 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.
- 1.2 No person shall be permitted to act as the companion of more than one elector at any polling station on the same day.
- 1.3 Before any person is permitted to act as the companion of the elector, he shall be required to declare that he will keep secret the vote recorded by him on behalf of the elector and that he has not already acted as the companion of any other elector at any other polling station on that day. The declaration shall be obtained by you from the companion in the form prescribed by the Commission for the purpose vide Annexure XII.
- 1.4 You shall also keep a record of all such cases in Form 14A.
- 1.5 You shall also ensure that none of your polling staff shall act as a companion to the blind elector to record vote on his behalf.

CHAPTER XX

ELECTORS DECIDING NOT TO VOTE

- 1.1 If an elector, after his electoral roll number has been duly entered in the Register of Voters (Form 17A) 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.
- 1.2 A remark to the effect that he has decided not to record his vote – “Refused to Vote”- shall be made by you in the remarks column against the entry relating to him in the register of voters. You shall put your full signature below that remark.
- 1.3 The signature or thumb impression of the elector shall also be obtained against such remark under rule 49Q.
- 1.4 It shall, however, not be necessary to make any change in the serial number of the elector or of any succeeding electors in column (1) of the Register of Voters.
- 1.5 If the “Ballot” button on the control unit has been pressed to release voting on the balloting unit by a voter and he refuses to vote, either you/third Polling Officer, whoever is in-charge of the control unit, should direct the next voter straightaway to proceed to the voting compartment to record his vote or put the ‘Power’ switch in the rear compartment of the control unit to ‘OFF’ position, then to ‘ON’ position, press the ‘Ballot’ button and direct the next voter to proceed to the voting compartment to record his vote. If the “Ballot” button on the control unit has been pressed to release voting on the balloting unit and the last voter refuses to vote, you/third Polling Officer, whoever is in-charge of the control unit shall put the ‘Power’ switch in the rear compartment of the control unit to ‘OFF’ position and disconnect the balloting unit(s) from the control unit. After disconnecting the balloting unit(s) from the control unit the ‘Power’ switch should again be put ‘ON’. Now the ‘Busy’ lamp will go off and the ‘Close’ button will become functional to close the poll.

CHAPTER XXI

VOTING BY PUBLIC SERVANTS ON ELECTION DUTY CERTIFICATES

1. FACILITIES FOR VOTING TO PUBLIC SERVANT ON ELECTION DUTY

- 1.1 The provisions relating to the exercise of vote by persons on election duty are contained in sub-rule (2) of rule 20 of the Conduct of Elections Rules, 1961.
- 1.2 Presiding Officers, Polling Officers, or other public servants on election duty in the constituency in which they are registered as electors have been given the right to opt to vote in person in a polling station in which they are on election duty, if they so desire, and not by postal ballot. Any such voter opting to vote in person has to apply to the Returning Officer in Form 12-A for such facility. The Returning Officer on being satisfied that the person is entitled to the concession, will grant him Election Duty Certificate in Form 12-B.
- 1.3 No steps for identification of such person are required. He may be allowed to vote as under:
 - (i) on production of election duty certificate, obtain thereon the signature of the person producing the same;
 - (ii) have the person's name and electoral roll number as mentioned in the certificate entered at the end of the marked copy of electoral roll; and
 - (iii) permit him to vote by means of the voting machine in the same manner as for an elector entitled to vote at that polling station.
2. The issue of E.D.C. to a voter on election duty/reserve duty is intended to enable him to vote personally at the polling station where he is/would be posted on election duty. If for any reason, the posting of a person on election duty/reserve duty is cancelled/not made after the entry E.D.C. is made against his name in the marked copy of electoral roll, he should not be deprived of his right to exercise his vote. Such a person whether an election official or any other public servant on election duty to whom an E.D.C. has been issued should be allowed to cast his vote at any polling station other than the one in which but for the issue of such election duty certificate he would have been entitled to vote, including the polling station where he was originally posted for duty.

(In the recent instructions on randomization, the Commission has decided that no person will be assigned polling duties in an assembly constituency in which he is posted or in which he resides or the constituency, which is his home constituency. These instructions will take care of this)

CHAPTER XXII

VOTING BY PROXY

Some categories of service voters have been given the facility of voting through proxy appointed by them. The service voters who have appointed proxy are categorized as “Classified Service Voters” (CSVs). The Returning Officer will supply you with a list of the CSVs, if any, for your polling station or whom the proxies appointed by them will vote in your polling station. This list of CSVs is to be treated as part of the marked copy of the electoral roll for your polling station.

The proxy will record the vote on behalf of the CSV at the polling in the same manner as any other elector assigned to the polling station. The procedure of identification, etc. will be applicable in the case of proxy also just as in the case of other ordinary election. **However, it may be noted that in the case of proxy, marking of indelible ink will be done on the middle finger of the left hand.** The proxy will be entitled to vote on behalf of the CSV in addition to the vote that he may cast in his own name if he is registered elector in the constituency, at the polling station to which he has been normally assigned.

In the case of proxy voters, the serial number of elector to be entered in the second column of the Register of Electors (Form 17A) will be the serial number relating to the proxy voter as given in the sub-list of CSVs for your polling station. However, for distinguishing the serial number from the serial numbers of electors in the main marked copy of the electoral roll, the letters ‘PV’ (for ‘Proxy Voter’) should be suffixed in bracket. For example, in the case of the proxy voter shown against serial number 1 of the sub-list of CSVs, the serial number to be entered in column 2 of Form 17A will be ‘1 (PV)’, for the proxy voter at Sl. No.5 of the sub-list of CSVs, it will be ‘5 (PV)’ and so on.

CHAPTER XXIII

TENDERED VOTES

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

2. DESIGN OF TENDERED BALLOT PAPER

- 2.1 Under rule 49P, a tendered ballot paper shall be of such design and particulars thereon shall be in such language or languages as the Election Commission may specify. The Election Commission has specified under that rule 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.
- 2.2 The Returning Officer will, therefore, provide to each polling station twenty ballot papers, which he has 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 will be arranged by the Returning Officer to be supplied to the Presiding Officer of the polling station concerned on demand through the zonal officer in-charge of that polling station.
- 2.3 You will write the words "Tendered Ballot Paper" on the back of these ballot papers in your own hand, if these words are not already stamped there, and issue them, if necessary, as tendered ballot papers.

3. ACCOUNT OF TENDERED BALLOT PAPERS

3. You shall keep a correct account of all ballot papers (i) received for use as tendered ballot papers, (ii) issued as such to electors, and (iii) not used and returned, in Item 8 of Part I of Form 17C.

4. RECORD OF VOTERS TO WHOM TENDERED BALLOT PAPERS ISSUED

4. You shall also maintain complete record of the electors who have been issued with tendered ballot papers, in Form 17B. You shall also obtain the signature or thumb impression of the elector in Column (5) of that Form before delivering a tendered ballot paper to him.

5. RECORDING OF VOTE ON TENDERED BALLOT PAPER

- 5.1 While delivering a tendered ballot paper to the elector, he shall also be supplied with inked arrow cross mark rubber stamp. This stamp is the same which is used for marking ballot papers, where the conventional system of ballot papers and ballot boxes is used and which will be supplied as one of the items of polling materials for use at the polling station.
- 5.2 On receiving the tendered ballot paper, the elector concerned will mark his vote thereon in the voting compartment by putting the cross mark on or near the symbol of the candidate for whom he intends to vote by means of the arrow cross mark rubber stamp.
- 5.3 The elector will then fold the tendered ballot paper and, after coming out of the voting compartment, hand it over to you.
- 5.4 You shall keep all the tendered ballot papers and the list in Form 17B in a cover specially provided for the purpose and seal the cover at the close of the poll.
- 5.5 If owing to blindness or physical infirmity, such elector is unable to record his vote without assistance, you shall permit him to take with him a companion in accordance with the procedure mentioned in Chapter XIX.

CHAPTER XXIV

ADJOURNMENT/STOPPAGE OF POLL FOR RIOT, BOOTH CAPTURING, ETC.

1. ADJOURNMENT OF POLL FOR RIOT, ETC.

1. Under section 57(1) of the Representation of People Act, 1951, the Presiding Officer of a polling station is empowered to adjourn the poll on account of—
 - (i) a natural calamity like flood, heavy snowfall, a severe storm and the like, or
 - ii) non-receipt or loss or damage to essential polling materials like voting machine, authentic copy of electoral roll and the like, or
 - (iii) disturbance of peace at the polling station making it impossible to take the poll, or
 - (iv) non-arrival of the polling party at the polling station due to obstruction on the way or any other serious difficulty, or
 - (v) any other sufficient cause.
- 2.1 If there is a riot or any attempt of open violence, use the police to control the same. If, however, it cannot be controlled and it is impossible to continue the poll, you should adjourn the poll. The poll should also be adjourned if the taking of the poll is rendered impossible on account of any natural calamity or other sufficient cause. The Commission has, however, decided that an adjourned poll may be ordered at all those polling stations where polling fails to start for two hours. A passing shower of rain or strong wind would not be a sufficient cause for adjournment of poll. The discretion given to you to adjourn the poll should be exercised most sparingly and only in cases where it has become physically impossible to take the poll.
- 2.2 In every case of adjournment of poll, report immediately the full facts to the Returning Officer. Wherever a poll is adjourned, announce formally to all present that the poll will be taken on a day to be notified subsequently by the Election Commission.
- 2.3 Seal and secure both the units of the voting machine and all election papers in the presence of the polling agents as if the poll has come to a close in the normal way.

3. COMPLETION OF ADJOURNED POLL

- 3.1 Where the poll has been adjourned at a polling station [under the provisions of sub-section (1) of section 57], the adjourned poll will recommence on the date and time fixed by the Election Commission from the stage at which it was left immediately before the adjournment, i.e. the

electors who have not already voted before the poll was adjourned will alone be permitted to vote at the adjourned poll. The Returning Officer will provide the Presiding Officer of the polling station, at which such adjourned poll is taken, with the sealed packets containing the marked copy of the electoral roll and the register of voters in Form 17C, which were earlier used at that polling station, and a new voting machine.

- 3.2 Before the recommencement of the adjourned poll, the sealed packet containing the marked copy of the electoral roll and the register of voters should be reopened by you in the presence of the candidates or their agents, who may be present at the polling station, and this very marked copy of the electoral roll and the register of voters should be used for completion of adjourned poll.
- 3.3 The provisions of rules 28 and 49A to 49B will apply to the conduct of an adjourned poll as they apply to the poll before it was so adjourned.
- 3.4 Where the poll could not be commenced due to non-arrival of the polling party or other reasons, the provisions of abovementioned rules will apply to every such adjourned poll as they apply to the original poll.

4. STOPPAGE OF POLL FOR FAILURE OF VOTING MACHINE BOOTH CAPTURING ETC.

- 4.1 Under sections 58 and 58A of the Representation of the People Act, 1951, the Election Commission is competent to declare the poll at a polling station to be void and direct a fresh poll, if at that polling station-
 - (i) any voting machine has been unlawfully taken away by any unauthorised person, or
 - (ii) any voting machine has been accidentally or intentionally destroyed or lost or damaged or tempered with and 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, or
 - (v) there has been booth capturing (as defined the Section 135A of the said Act.).
- 4.2 If any such thing happens at your polling station, you should report full facts forthwith to the Returning Officer to enable him to report the matter to the Election Commission for its directions.
- 4.3 After considering all material circumstances, if the Commission directs fresh poll to be taken at a polling station, such fresh poll shall be taken in the same manner as the original poll.

- 4.4 All electors entitled to vote at the polling station in question will be entitled to vote again 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 Commission has directed that the mark of the indelible ink should be put on the voter's left middle finger at the fresh poll.

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

- 5.1 Rule 49X of the Conduct of Elections Rules, 1961 provides that 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.
- 5.2 You should resort to closing the voting machine as mentioned above only when you are 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 you for the conduct of further poll at the polling station.
- 5.3 As soon as possible after you have closed the voting machine under rule 49X, you 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 Election Commission through the fastest means of communication available.
- 5.4 The Election Commission, 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.
- 5.5 Where the poll is adjourned/stopped for the day by the closure of the voting machine under para 5.1 above, the voting machine and all election paper shall be sealed and secured in the same manner as on the close of poll.
- 5.6 Further steps to complete the adjourned poll or, as the case may be, conduct a fresh poll as directed by the Commission shall be taken in accordance with the procedure already mentioned above.

CHAPTER XXV

CLOSE OF POLL

1. VOTING BY PERSONS PRESENT AT POLLING STATION AT CLOSING HOUR

- 1.1 The poll should be closed at the hour fixed for the purpose, even if for certain unavoidable reason it had commenced somewhat later than the hour appointed for the commencement of poll. However, all electors present at the polling station at the hour appointed for the close of poll should be permitted to cast their votes even if the poll has to be continued for sometime beyond the appointed closing hour.
- 1.2 A few minutes before the appointed closing hour of the poll, announce to all those within the limits of the polling station who are waiting to vote that they will be allowed to record their votes in turn. Distribute to all such electors, slips signed by you in full, which should be serially numbered from serial No. 1 onwards according to the number of electors standing in the queue at that hour. Continue the poll even beyond the closing hour until all these electors have cast their votes. Depute police or other staff to watch that no one is allowed to join the queue after the appointed closing hour. This can be effectively ensured if the distribution of slips to all such electors is commenced from the tail of the queue and proceeded backwards towards its head.

2. CLOSING OF POLL

After all the electors present at the polling station at the appointed closing hour have voted as provided in the preceding para, you should formally declare the poll as closed and should not permit any person to vote thereafter in any circumstance.

3. CLOSING THE CONTROL UNIT OF VOTING MACHINE

- 3.1 For closing the poll after the last voter has recorded his vote, the voting machine has to be closed so that no further recording of votes in the machine is possible. For that purpose, you should press the 'Close' button on the control unit. When the 'Close' button is pressed the display panels on the control unit will show the total number of votes recorded in the voting machine till the end of the poll (but not the candidate-wise tally). The total number of votes recorded in the machine should be immediately noted in Item 5 of Part I of Form 17C. You should thereafter disconnect the balloting unit from the control unit and put the power switch to 'OFF' position in the rear compartment of the control unit.

- 3.2 The 'Close' button is provided in a compartment in the result section below the blue coloured rubber cap on its outer cover and can be reached by simply pulling out the rubber cap. The rubber cap should be replaced after the 'Close' button has been pressed and the poll closed.
- 3.3. Once the 'Close' button is pressed, the voting machine will not accept any further votes. You should, therefore, be extremely cautious and absolutely certain before pressing the 'Close' button that no elector who was present at the time fixed for the close of poll remains to vote.
- 3.4 You should also note that the 'Close' button will function only when the 'Busy' lamp on the control unit is not on, i.e., only after the last elector allowed to vote has recorded his vote. If the 'Busy' lamp is on by reason of the 'Ballot' button having been pressed by mistake after the last elector has recorded his vote or such last elector refusing to record his vote after the 'Ballot' button has been pressed for him, the 'Busy' lamp can be put off by switching off the 'Power' switch in the rear compartment of the control unit and disconnecting the balloting unit(s) from the control unit. After disconnecting the balloting unit(s) from the control unit the 'Power' should again be put 'ON'. Now the 'Busy' lamp will go off and the 'Close' button will become functional.

CHAPTER XXVI

ACCOUNT OF VOTES RECORDED

1. PREPARATION OF ACCOUNT OF VOTES RECORDED

- 1.1 After the close of poll, you are required to prepare, under rule 49S of the Conduct of Elections Rules, 1961 an account of *votes recorded* in the voting machine. Such account shall be prepared by you in Part I of Form 17C. This should be prepared in duplicate.
- 1.2 As already explained in the preceding chapter, the total number of votes recorded in the voting machine at the close of poll shall be ascertained by pressing the 'Close' button. If necessary, that button can again be pressed to get the required information.
- 1.3 You must not forget that the total number of votes recorded in the voting machine must be equal to the total number of voters registered as per column (I) of the Register of Voters (Form 17A) minus the number of voters who decided not to vote (as per the remarks column of that register) and also minus the number of voters not allowed by you to vote for violating the secrecy of voting/ procedure of voting (as per the remarks column of the said Register).
- 1.4 A sample account of votes recorded as prepared in Part I of Form 17C is given for your guidance at Annexure XIII.
- 1.5 The account of votes recorded in Form 17C should be kept by you in a separate cover with the words 'Account of Votes Recorded' superscribed therein.

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

- 2.1 Under the said Rule 49S, you are 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 you in Form 17C, 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.
- 2.2 To enable you to make the required number of copies of the account of votes recorded in Form 17C you will be supplied with as many copies of the printed form (Form 17C) as the number of contesting candidates plus one or two more for the original account. If possible, you should prepare the required number of copies with the help of carbon paper, while filling in the entries in the original account itself, so that all such copies, supplied to polling agents and the original account are identical in every respect.

- 2.3 In simultaneous elections to the Lok Sabha and State Legislative Assembly, it should be noted that account of votes recorded in Form 17C should be prepared separately for the Lok Sabha and Assembly elections. Copies of Form 17C for the assembly election should be given to the agents of the candidates contesting the assembly election and copies of Form 17C for the parliamentary election should be given to agents of candidates for parliamentary election.

3. DECLARATION TO BE MADE AT THE CLOSE OF POLL

- 3.1 In order to ensure that above mentioned requirements of rule 49S regarding furnishing of copies of account of votes recorded by polling agents are fulfilled by you, the Commission has devised a declaration (Part III, Annexure VII) which should be made and completed by you at the close of poll.

CHAPTER XXVII

SEALING OF THE VOTING MACHINE AFTER CLOSE OF POLL

- 1.1 After the poll has been closed and the account of votes recorded in the voting machine has been prepared in Form 17C and copies thereof furnished to the polling agents present, the voting machine should be sealed and secured for transportation to the counting/collection centre.
- 1.2 For sealing and securing the voting machine, the balloting unit(s) and the control unit should first 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.
- 1.3 Each carrying case should then be sealed at both ends by passing a thread through the two holes provided for the purpose on both sides of the carrying case and putting thread seal with the Presiding Officer's seal on an address tag showing the particulars of the election, the polling station and the unit contained therein.
- 1.4 The particulars on the address tag on the control unit and balloting unit shall be the same as mentioned in para 2(1) of chapter III. The candidates or their polling agents as are present and desirous of putting their seals should also be allowed to do so.
- 1.5 The names of the candidates/polling agents who have affixed their seals on the carrying cases of the balloting unit(s) and control unit should also be noted by you in the declaration which you have to make at the close of the poll vide Part IV of Annexure VII.

CHAPTER XXVIII

SEALING OF ELECTION PAPERS

1. SEALING OF ELECTION PAPERS IN PACKETS

- 1.1 After the close of poll, all election papers relating to the poll shall be sealed in separate packets as required by rule 49U of the Conduct of Elections Rules, 1961 (See Annexure-II).
 - 1.2 All the packets so sealed, except the packets containing (1) the account of votes recorded and paper seal (in Form 17C), (ii) the declarations by the Presiding Officer before the commencement of poll, during the poll and after close of poll (Annexure VII), and (iii) the Presiding Officer's Diary, (iv) Form PS05 and (v) Visit Sheet, should be put in four large packets as explained in paragraph 3 below and sent to the Returning Officer.
 - 1.3 The covers containing (i) the account of votes recorded and paper seal account, (ii) the declarations by the Presiding Officer, and (iii) the Presiding Officer's Diary, (iv) Form PS05 and (v) Visit Sheet should be sent separately alongwith the voting machine to the receiving centre.
2. You should allow each candidate of his election agent or his polling agent who may be present at the polling station to affix their seals on the envelopes and packets containing the following documents:
- (i) the marked copy of electoral roll;
 - (ii) the register of voters;
 - (iii) Voter's slips;
 - (iv) the used tendered ballot papers and the list of tendered votes in Form 17B;
 - (v) the unused tendered ballot papers;
 - (vi) the list of challenged votes;
 - (vii) the unused and damaged paper seals, if any;
 - (viii) appointment letters of polling agents; and
 - ix) any other papers that the Returning Officer has directed to be kept in a sealed packet.

3. PACKING OF 'STATUTORY COVERS' AND 'NON-STATUTORY COVERS' AND ELECTION MATERIALS

In order to avoid delay and inconvenience of waiting of the place for depositing sealed voting machine, election papers and all other materials, you are advised to pack the covers and other materials in four separate large packets, as explained below, and hand them over at the place appointed for receipt thereof.

I. The first packet should contain the sealed covers mentioned below and should be superscribed as "STATUTORY COVERS":

- (i) the sealed cover contain the marked copy of the electoral roll;
- (ii) the sealed cover containing the register of voters;
- (iii) the sealed cover containing voter's slips;
- (iv) the sealed cover containing unused tendered ballot papers;
- (v) the sealed cover containing the used tendered ballot papers and the list in Form 17B.

4. Even if a statement or record to be put in any cover mentioned above is nil, a slip noting on it that the statement or record is "Nil" may be put in the cover and the total number of five covers made ready so that no necessity arises for the receiving official at the receiving centre to enquire about the non-production of any of the sealed covers to be received by him.

II. The second packet should contain the following covers and should be superscribed as "NON-STATUTORY COVERS":

- (i) the cover containing the copy or copies of electoral roll (other than the marked copy);
- (ii) the cover containing the appointment letters of polling agents in Form 10;
- (iii) the cover containing the election duty certificate in Form 12- B;
- (iv) the sealed cover containing the list of challenged votes in Form 14;
- (v) the cover containing the list of blind and infirm electors in Form 14-A and the declarations of the companions;
- (vi) the cover containing the declarations obtained from electors as to their age and the list of such electors - (Annexure-XI);
- (vii) cover containing the receipt book and cash, if any, in respect of challenged votes;
- (viii) cover containing unused and damaged paper seals;

- (ix) cover containing unused voter's slips ;
 - (x) cover containing unused and damaged special tags; and
 - (xi) cover containing unused and damaged strip seals.
- III. The third packet should contain the following items:
- (i) the Handbook for Presiding Officer;
 - (ii) Manual of Electronic Voting Machine;
 - (iii) indelible ink set (with stopper having been secured on each phial effectively with molten candle or wax applied thereon to prevent leakage or evaporation);
 - (iv) self-inking pads;
 - (v) the metal seal of the Presiding Officer;
 - (vi) the arrow cross-mark rubber stamp for marking tendered ballot papers;
 - (vii) Cup for setting the indelible ink.
- IV. All the other items, if any, should be packed into the Fourth packet.

5. Each of the five smaller covers/packets to be included in the first packet marked statutory Covers should be sealed. The other smaller covers/packets containing various non-statutory papers and items of election materials to be included in the second, third and fourth packets marked "Non-Statutory Covers" may be prepared separately, but need not be sealed (except the cover containing list of challenged votes in Form 14) in order to save time. All these unsealed covers and the sealed cover, containing list of challenged votes in Form 14, should simply be placed in the respective bigger covers along with a check memo signed by you. These three bigger packets need not be sealed; but may be properly secured by means of pins or thread so that the contents may be checked at the receiving centres. The first packet marked "Statutory Covers" should, however, be sealed by you after checking of the contents at the receiving centre.

CHAPTER XXIX

PREPARATION OF THE DIARY AND DELIVERY OF VOTING MACHINES AND ELECTION PAPERS AT COLLECTION CENTRES

1. PREPARATION OF THE DIARY

- 1.1 You should record the proceedings connected with the taking of the poll in the polling station in the diary to be maintained for the purpose. The proforma of diary is reproduced at Annexure XIV. However you will be furnished with a duly serially numbered proforma of the diary and that proforma alone should be used by you.
- 1.2 You must go on recording the relevant events as and when they occur. You should mention all important events therein.
- 1.3 It has been observed in many cases that the Presiding Officers 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. It should be noted that any lapse on your part in the proper maintenance of diary at all points of time during the process of poll will be very seriously viewed by the Commission.

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

- 2.1 After the voting machine and all election papers have been sealed and secured by you after the close of poll in the manner explained in Chapters XXVI and XXVIII, you have to deliver them or cause them to be delivered at such place as the Returning Officer may direct and in accordance with such arrangements as the Returning Officer may make.
- 2.2 The voting machine and the election papers should be delivered or caused to be delivered at the collection centre with Zero delay. Any delay in this behalf will be viewed by the Commission with utmost concern and will invite severe disciplinary action against all concerned.
3. You will hand over to the Official-in-charge of the collecting centre the following twelve items of election records and materials and obtain a receipt:-
 - (i) the control unit and balloting unit(s) of the voting machine duly sealed in their respective carrying cases;
 - (ii) the cover containing the account of votes recorded and paper seal account (Form 17C);
 - (iii) the cover containing the declarations of the Presiding Officer;

- (iv) the cover containing the Presiding Officer's diary;
- (v) Form PS05
- (vi) visit sheet
- (vii) the first packet superscribed statutory covers (containing 5 covers);
- (viii) the second packet superscribed non-statutory covers (containing 11 covers);
- (ix) the third packet containing 7 items of election materials;
- (x) material for voting compartment;
- (xi) lantern, if supplied;
- (xii) waste paper basket;
- (xiii) polythene bag/gunny bag to carry polling materials; and
- (xiv) fourth packet containing all other items, if any. All the above items will be cleared by the receiving official(s) at the collecting centre in your presence and there after you will be relieved.

CHAPTER XXX
BRIEF GUIDELINES FOR THE
PRESIDING OFFICERS/ POLLING OFFICERS

- 1.1 Maintain close relation with members of your polling party.
- 1.2 Unless there is team work, your task becomes more difficult.
- 2.1 Ensure that —
 - (a) you have been supplied with the control unit and the requisite number of balloting units of the voting machine and the same are meant to be used at your polling station;
 - (b) appropriate ballot paper has been duly affixed and properly aligned on each balloting unit;
 - (c) slide switch on each balloting unit has been set to appropriate position;
 - (d) the candidate set section of the control unit and each balloting unit are duly sealed and address tags are firmly attached to each of them.
- 2.2 Ensure that all the polling materials have been given to you.
- 2.3 Check-up particularly the Register of voters, voter's slips, ballot papers to be used for tendered votes, arrow cross mark rubber stamp for marking tendered Votes, green paper seals, sealing wax, indelible ink, etc.
- 2.4 Compare marked copies of electoral roll with other copies and see that all copies are identical and that marked copy of electoral roll contains no mark other than 'PB' and 'EDC'.
- 2.5 See that
 - (i) deletions of names and corrections as per supplement have been incorporated in all copies of electoral roll;
 - (ii) all pages of working copy of roll are serially numbered in manuscript;
 - (iii) printed serial numbers of voters are not corrected and no new number substituted.
- 3.1 Arrive at least 75 minutes before the hour fixed for the commencement of poll at the Polling Station.
- 3.2 Set up polling station as per model lay out as far as practicable.
- 3.3 Ensure separate entrance and exit for voters at polling station.

4. On the day of Poll, display outside your polling station–
A notice specifying the polling area, copy of the list of contesting candidates.
5. Appoint a Polling Officer locally if any Polling Officer is absent.
6. Start preparation of voting machine including conduct of mock poll at least one hour before the hour fixed for the commencement of poll.
- 7.1 Interlink balloting units and control unit
- 7.2 Put the power switch 'ON' in the rear compartment of control unit.
- 7.3 Secure the rear compartment of the control unit by tying a thin wire and giving it a few twists or with the help of a twine thread and tying a knot.
- 7.4 Show to all polling agents present/that the voting machine is clear and no vote is recorded already therein.
- 7.5 Conduct a mock poll with the help of polling agents to record a few votes for each of the candidates.
- 7.6 Clear the data in the machine after conducting the mock poll and showing the result of such mock poll to all present
- 8.1 Fix green paper seal(s) in the frame on the door of the inner compartment of result section of control unit.
- 8.2 Close the door of the inner compartment of result section in such a way that the two open ends of the paper seal project outwards from the sides of the inner compartment.
- 8.3 Put your full signature on the white surface of the paper seal below the printed serial number.
- 8.4 Obtain the signatures of polling agents present and desirous of putting the same on the paper seal. Allow them to note the serial number of paper seal.
- 8.5 Seal the door of the inner compartment of result section of control unit with special tag.
- 9.1 Close and seal the outer cover of result section of control unit. Firmly attach an address tag thereto.
- 9.2 Secure and seal the Control Unit from outside completely with the strip seal.
- 9.3 Allow the polling agents also to affix their seals on the outer cover of result section of control unit.
- 10.1 Place the balloting unit(s) in the voting compartment. Place the control unit on your table or on the table of Third Polling Officer, as the case may be.

- 10.2 Put the interconnecting cable in such a manner that the voters have not to cross or tread over the same while going in or coming out of the voting compartment.
- 11.1 Demonstrate to the polling agents present that the marked copy of the electoral roll does not contain any entries other than PB and EDC.
- 11.2 Demonstrate also that the Register of Voters (Form 17A) does not contain any entry.
12. Sign and read out the declaration before the commencement of poll.
- 13.1 Commence the poll at the appointed hour.
- 13.2 Warn every one present to maintain secrecy of voting by reading out aloud section 128 of the Representation of the People Act, 1951.
14. Allow only one polling agent of a candidate inside the polling station at any given time.
15. Ensure free and fair poll.
16. Show due courtesy and regard to the observer appointed by the Commission and furnish him all information required by him.
17. Canvassing within one hundred meters of the polling station is an offence.
18. Smoking inside polling station is prohibited.
- 19.1 The duties of Polling Officers where there are three Polling Officers are as under -

The first Polling Officer will have the marked copy of the electoral roll and will identify the electors. The printing and clerical mistakes in the roll will be overlooked by him.

The second Polling Officer will have the indelible ink and the register of voters. He will apply indelible ink on the forefinger of the elector, enter the part number and serial number of the elector on the register of voters in Column(2) of the register and obtain the signature/thumb impression of the voter. He will also prepare and issue the voter's slip to the elector.

The third Polling Officer will be in-charge of the control unit. He will take the voter's slip from the elector, check indelible ink on his left forefinger and allow him to vote by pressing the 'Ballot' button on control unit.
- 19.2 **Duties of Polling Officers at simultaneous election when polling party consists of one Presiding Officer and five Polling Officers are as under:-**

The first Polling Officer will be identifying the electors and will be in-charge of marked copy of the electoral roll.

The second Polling Officer will be in-charge of the indelible ink and register of voters.

The third Polling Officer will be in-charge of the Voter's Slip

The fourth Polling Officer will be in-charge of the Control Unit for Lok Sabha Election.

The fifth Polling Officer will be in-charge of the Control Unit for State Assembly election.

- 19.3 Allow the electors to record their votes exactly in the same order in which they have been entered in the register of voters. Do not allow them to vote unless they have put their signature/thumb impression on the register of voters.
- 20.1 Do not entertain any challenge to the identity of an elector unless the challenger pays challenge fee of two rupees in cash. Maintain record of such challenged votes in Form 14.
- 20.2 If the challenge is established, hand over the personator to the police with a complaint in writing.
21. Obtain required declaration from the companion of blind and infirm voter. Maintain record of such voters in Form 14A.
22. If you consider an elector to be much below the voting age, i.e., 18 years but are otherwise satisfied about his identity, obtain a declaration from him about his age. Do not question his eligibility.
- 23.1 Do not press or compel an elector to vote if he decides not to vote after his particulars have been noted in the register of voters. Make an entry to that effect in the 'Remarks' column against the entry relating to that elector in the Register.
- 23.2 Do not change any serial number in column 1 of the register because of any elector who decides not to vote.
- 24.1 Allow an elector to vote by means of tendered ballot paper if he turns up at the polling station after some one else has already voted in his name and you are satisfied about his identity. Do not allow him to record his vote in the voting machine.
- 24.2 Maintain record of such electors to whom tendered ballot papers have been issued in Form 17B. Keep the tendered ballot papers and list in Form 17B in a separate cover.
- 25.1 Do not allow an elector to vote if he refuses to follow the prescribed voting procedure to maintain secrecy of voting after being warned by you.
- 25.2 Make an entry to that effect in the 'Remarks' column against the entry relating to him in the register of voters. Do not change any serial numbers in column 1 of that register because of such elector.

- 26.1 Distribute serially numbered slips duly signed by you to all electors standing in queue a few minutes before closing hour of poll, starting the operation from the end of the queue.
- 26.2 Allow all persons to whom such slips have been issued to vote even if the poll has to be continued for some time beyond the appointed closing hour.
- 27.1 Formally announce the close of poll after the last such elector has voted.
- 27.2 Close the voting machine by pressing the 'Close' button on the control unit. Replace the blue coloured rubber cap over the 'Close' button after it has been so pressed.
- 28.1 Prepare the account of votes recorded in Form 17C.
- 28.2 Give attested copies of the account of votes recorded to the polling agents. Make declaration to that effect in the prescribed declaration Form.
- 29.1 After the close of poll, disconnect the balloting unit(s) and control unit.
- 29.2 Put the power switch 'Off' in the rear compartment of control unit.
- 30.1 Keep the control unit and balloting unit(s) in their respective carrying cases.
- 30.2 Seal the carrying cases on both ends. Firmly attach address tags to each carrying case.
- 30.3 Allow all polling agents to affix their seals on these carrying cases.
- 31.1 Seal all election papers and materials in separate packets.
- 31.2 Affix your seal on the covers containing (1) marked copy of electoral roll, (2) register of voters, (3) voter's slips, (4) used tendered ballot papers and list in Form 17B, and (5) unused tendered ballot papers.
- 31.3 Allow all polling agents to affix their seals on these covers.
- 32.1 Keep all packets of election papers and materials in four bigger packets.
- 32.2 The first sealed packet superscribed "Statutory Covers" should contain five sealed covers.
- 32.3 The second packet of "Non-Statutory Covers" should contain eleven covers.
- 32.4 The third packet should contain seven items.
- 32.5 All other items should be packed into the fourth packet.
- 33. Keep the (1) account of votes recorded (Form 17C), (2) declarations made by you before the commencement of poll and end of poll, and (3) Presiding Officer's diary in separate packets, which should not be put in any of the four bigger packets mentioned above, (4) Form PS05 and (5) Visit Sheet.

34. Deliver the voting machine, the three packets mentioned in item 33 and four bigger packets mentioned in item 32 at the collection centre promptly after the poll, without any delay.
35. In order to keep complete and accurate account of events at the polling station, maintain the Presiding Officer's diary properly in all respects. Complete the entries therein as and when any event takes place and not at the end of poll.
36. If open violence or riot takes place at the polling station, adjourn the poll. Report forthwith full facts to the Returning Officer.
37. If there is booth capturing or any voting machine or election materials like Register of Voters, marked copy of the electoral roll, etc., are unauthorisedly taken away from your custody or damaged or tampered with, close the poll. Report full facts to the Returning Officer forthwith.

ANNEXURE I

[Chapter-I Para 3]

EXTRACTS FROM THE REPRESENTATION OF THE PEOPLE ACT, 1950

31. MAKING FALSE DECLARATION

If any person makes in connection with—

- (a) the preparation, revision or correction of an electoral roll; or
- (b) the inclusion or exclusion of any entry in or from an electoral roll, a statement or declaration in writing which is false and which he either knows or believes to be false or does not believe to be true, he shall be punishable with imprisonment for a term which may extend to one year, or with fine, or with both.

EXTRACTS FROM THE REPRESENTATION OF THE PEOPLE ACT, 1951

26. APPOINTMENT OF PRESIDING OFFICER FOR POLLING STATIONS

- (1) The District Election Officer shall appoint a Presiding Officer for each polling station and such Polling Officer or Officers as he thinks necessary, but he shall not appoint any person who has been employed by or on behalf of, or has been otherwise working for a candidate in or about the election:

Provided that if a Polling Officer is absent from the polling station, the Presiding Officer may appoint any person who is present at the polling station other than a person who has been employed by or on behalf of, or has been otherwise working for a candidate in or about the election, to be the Polling Officer during the absence of the former officer, and inform the District Election Officer accordingly :

Provided further that nothing in this sub-section shall prevent the District Election Officer from appointing the same person to be the Presiding Officer for more than one polling station in the same premises.

- (2) A Polling Officer shall if so directed by the Presiding Officer perform all or any of the functions of a Presiding Officer under this Act or any rules or order made thereunder.
- (3) If the Presiding Officer, owing to illness or other unavoidable cause, is obliged to absent himself from the polling station, his functions shall be performed by such Polling Officer as has been previously authorised by the District Election Officer to perform such functions during any such absence.

- (4) References in this Act to the Presiding Officer shall, unless the context otherwise requires, be deemed to include any person performing any function which he is authorised to perform under sub-section (2) or sub-section (3), as the case may be.
- (5) Any reference to a District Election Officer in section 25 and in this section shall, in relation to a constituency in a Union Territory, be construed as a reference to the Returning Officer for that constituency.

27. GENERAL DUTY OF THE PRESIDING OFFICER

It shall be the general duty of the Presiding Officer at a polling station to keep order thereat and to see that the poll is fairly taken.

28. DUTIES OF A POLLING OFFICER

It shall be the duty of the Polling Officers at a polling station to assist the Presiding Officer for such station in the performance of his function.

28-A. THE RETURNING OFFICERS, PRESIDING OFFICERS, ETC., DEEMED TO BE ON DEPUTATION TO ELECTION COMMISSION

The Returning Officer, Assistant Returning Officer, Presiding Officer, Polling Officer and any other Officer appointed under this Part and any police officer designated for the time being by the State Government, for the conduct of any election shall be deemed to be on deputation to the Election Commission for the period commencing on and from the date of the Notification calling for such election and ending with the date of declaration of the results of such election and accordingly, such officers shall, during that period, be subject to the control, superintendence and discipline of the Election Commission.

46. APPOINTMENT OF POLLING AGENTS

A contesting candidate or his election agent may appoint in the prescribed manner such number of agents and relief agents as may be prescribed to act as polling agents of such candidate at each polling station provided under section 25 or at the place fixed under sub-section (1) of section 29 for the poll.

48. REVOCATION OF THE APPOINTMENT OR DEATH OF A POLLING AGENT OR COUNTING AGENTS

- (1) Any revocation of the appointment of a polling agent shall be signed by the candidate or his election agent and shall operate from the date on which it is lodged with such officer as may be

prescribed, and in the event of such a revocation or of the death of a polling agent before the close of the poll, the candidate or his election agent may appoint in the prescribed manner another polling agent at any time before the poll is closed and shall forthwith give notice of such appointment in the prescribed manner to such officer as may be prescribed.

- (2) Any revocation of the appointment of a counting agent shall be signed by the candidate or his election agent and shall operate from the date on which it is lodged with the Returning Officer, and in the event of such a revocation or of the death of a counting agent before the commencement of the counting of votes, the candidate or his election agent may appoint in the prescribed manner another counting agent at any time before the counting of votes is commenced and shall forthwith give notice of such appointment in the prescribed manner to the Returning Officer.

49. FUNCTIONS OF POLLING AGENTS AND COUNTING AGENTS

- (1) A polling agent may perform such functions in connection with the poll as are authorised by or under this Act to be performed by a polling agent.
- (2) A counting agent may perform such functions in connection with the counting of votes as are authorised by or under this Act to be performed by a counting agent.

50. ATTENDANCE OF A CONTESTING CANDIDATE OR HIS ELECTION AGENT AT POLLING STATION AND PERFORMANCE BY HIM OF THE FUNCTIONS OF A POLLING AGENT OR COUNTING AGENT

- (1) At every election where a poll is taken, each contesting candidate at such election and his election agent shall have a right to be present at any polling station provided under section 25 for the taking of the poll or at the place fixed under sub-section (1) of section 29 for the poll.
- (2) A contesting candidate or his election agent may himself do any act or thing which any polling agent or the counting agent of such contesting candidate, if appointed, would have been authorised by or under this Act to do, or may assist any polling agent or the counting agent of such contesting candidate in doing any such act or thing.

51. NON-ATTENDANCE OF POLLING OR COUNTING AGENTS

Where any act or thing is required or authorised by or under this Act to be done in the presence of the polling or counting agents, the non-attendance of any such agent or agents at the time and place appointed for the purpose shall not, if the act or thing is otherwise duly done, invalidate the act or thing done.

57. ADJOURNMENT OF POLL IN EMERGENCIES

- (1) If at an election the proceedings at any polling station provided under section 25 or at the place fixed under sub-section (1) of section 29 for the poll are interrupted or obstructed by any riot or open violence, or if at an election it is not possible to take the poll at any polling station of such place on account of any natural calamity, or any other sufficient cause, the Presiding Officer for such polling station, or the Returning Officer presiding over such place, as the case may be, shall announce an adjournment of the poll to a date to be notified later, and where the poll is so adjourned by a Presiding Officer he shall forthwith inform the Returning Officer concerned.
- (2) Whenever a poll is adjourned under sub-section (1) the Returning Officer shall immediately, report the circumstances to the appropriate authority and the Election Commission, and shall, as soon as may be, with the previous approval of the Election Commission, appoint the day on which the poll shall recommence, and fix the polling station or place at which and the hours during which, the poll will be taken, and shall not count the votes cast at such election until such adjourned poll shall have been completed.
- (3) In every such case as aforesaid, the Returning Officer shall notify in such manner as the Election Commission may direct the date, place and hours of polling fixed under sub-section (2).

58. FRESH POLL IN THE CASE OF DESTRUCTION, ETC., OF THE BALLOT BOXES

- (1) If at any election—
 - (a) any ballot box used at a polling station or at a place fixed for the poll, is unlawfully taken out of the custody of the Presiding Officer or the Returning Officer, or is accidentally or intentionally destroyed or lost or is damaged or tampered with, to such an extent, that the result of the poll at that polling station or place cannot be ascertained; or
 - (aa) any voting machine develops a mechanical failure during the course of the recording of votes; or
 - (b) any such error or irregularity in procedure as is likely to vitiate the poll is committed at a polling station or at a place fixed for the poll, the Returning Officer shall forthwith report the matter to the Election Commission.
- (2) Thereupon, the Election Commission shall, after taking all material circumstances into account, either—
 - (a) declare the poll at the polling station or place to be void, appoint a day and fix the hours, for taking a fresh poll at that polling station or place and notify the day so appointed and the hours so fixed in such manner as it may deem fit; or

- (b) if satisfied that the result of a fresh poll at that polling station or place will not, in way, affect the result of the election or that the mechanical failure of voting machine or the error or irregularity in procedure is not material; issue such directions to the Returning Officer as it may deem proper for the further conduct and completion of the election.
- (3) The provisions of this Act and of any rules or orders made thereunder shall apply to every such fresh poll as they apply to the original poll.

[58-A.ADJOURNMENT OF POLL OR COUNTERMANDING OF ELECTION ON THE GROUND OF BOOTH CAPTURING.

- (1) If at any election,—
 - (a) booth capturing has taken place at a polling station or at a place fixed for the poll (hereafter in this section referred to as a place) in such a manner that the result of the poll at that polling station or place cannot be ascertained, or
 - (b) booth capturing takes place in any place for counting of votes in such a manner that the result of the counting at that place cannot be ascertained, the Returning Officer shall forthwith report the matter to the Election Commission.
- (2) The Election Commission shall, on the receipt of a report from the Returning Officer under sub-section (1) and after taking all material circumstances into account, either –
 - (a) declare that the poll at that polling station or place be void, appoint a day and fix the hours, for taking fresh poll at that polling station or place and notify the date so appointed and hours so fixed in such manner as it may deem fit; or
 - (b) if satisfied that in view of the large number of polling stations or place involved in booth capturing the result of the election is likely to be affected, or that booth capturing had affected counting of votes in such a manner as to affect the result of the election, countermand the election in that constituency.

Explanation:– In this section, “booth capturing” shall have the same meaning as in section 135-A]

59. MANNER OF VOTING AT ELECTION

At every election where a poll is taken votes shall be given by ballot in such manner as may be prescribed, and no votes shall be received by proxy.

60. SPECIAL PROCEDURE FOR VOTING BY CERTAIN CLASSES OF PERSONS

Without prejudice to the generality of the provisions contained in section 59, provision may be made by rules made under this Act for enabling –

- (a) any of the persons as referred to in clause (b) of the sub-section (8) of section 20 of the Representation of the People Act, 1950 (43 of 1950), (hereafter in this section referred to as the 1950-Act) to give his vote either in person or by postal ballot or by proxy, and not in any other manner, at an election in a constituency where poll is taken;
- (b) any of the following persons to give his vote either in person or by postal ballot, and not in any other manner, at an election in a constituency where a poll is taken, namely:-
 - (i) any person as is referred to in clause (c) or clause (d) of sub-section (8) of section 20 of the 1950-Act;
 - (ii) the wife of any such person to whom the provisions of subsection (3) of section 20 of the 1950-Act apply and such wife being ordinarily residing with that person in terms of sub-section (6) of the that section;
- (c) any person belonging to a class of persons notified by the Election Commission in consultation with the Government to give his vote by postal ballot, and not in any other manner, at an election in a constituency where a poll is taken subject to fulfillment of such requirement as may be specified in those rules.
- (d) any person subjected to preventive detention under any law for the time being in force to give his vote by postal ballot, and not in any other manner, at an election in a constituency, where a poll is taken, subject to the fulfilment of such requirements as may be specified in those rules.

61. SPECIAL PROCEDURE FOR PREVENTING PERSONATION OF ELECTORS

With a view to preventing personation of electors provision may be made by rules made under this Act–

- (a) for the marking with indelible ink or the thumb or any other finger of every elector who applies for a ballot paper or ballot papers for the purpose of voting at a polling station before delivery of such paper or papers to him ;
- (b) for the production before the Presiding Officer or a Polling Officer of a polling station by every such elector as aforesaid of his identity card before the delivery of a ballot paper or ballot papers to him if under rules made in the behalf under the Representation of the People Act, 1950 (43 of 1950), electors of the constituency in which the polling station is

situated have been supplied with identity cards with or without their respective photographs attached thereto; and

- (c) for prohibiting the delivery of any ballot paper to any person for voting at a polling station if at the time such person applies for such paper he has already such a mark on his thumb or any other finger or does not produce on demand his identity card before the Presiding Officer or a Polling Officer of the polling station.

61-A. VOTING MACHINES AT ELECTIONS

Notwithstanding anything contained in this Act or the rules made thereunder, the giving and recording of votes by voting machines in such manner as may be prescribed may be adopted in such constituency or constituencies as the Election Commission may having regard to the circumstances of each case specify.

Explanation.— For the purpose of this section “Voting Machine” 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 this Act or the rules made thereunder shall, save as otherwise provided, be construed as including a reference to such voting machine wherever such voting machine is used at any election.

62. RIGHT TO VOTE

- (1) No person who is not, and except as expressly provided by this Act, every person who is, for the time being entered in the electoral roll of any constituency shall be entitled to vote in that constituency.
- (2) No person shall vote at an election in any constituency if he is subject to any of the disqualifications referred to in section 16 of the Representation of the People Act, 1950 (43 of 1950).
- (3) No person shall vote at a general election in more than one constituency of the same class and if a person votes in more than one such constituency, his votes in all such constituencies shall be void.
- (4) No person shall at any election vote in the same constituency more than once. Notwithstanding that his name may have been registered in the electoral roll for that constituency more than once, and if he does so vote, all his votes in that constituency shall be void.
- (5) No person shall vote at any election if he is confined in a prison, whether under a sentence of imprisonment or transportation or otherwise, or is in the lawful custody of the police:

Provided that nothing in this sub-section shall apply to a person subjected to preventive detention under any law for the time being in force.

- (6) Nothing contained in sub-sections (3) and (4) shall apply to a person who has been authorized to vote as proxy for an elector under this Act in so far as he votes as a proxy for such elector.

128. MAINTENANCE OF SECRECY OF VOTING

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

Provided that the provisions of this sub-section shall not apply to such officer, clerk, agent or other person who performs any such duty at an election to fill a seat or seats in the Council of States.

- (2) Any person who contravenes the provisions of sub-section (1) shall be punishable with imprisonment for a term which may extend to three months or with fine or with both.

129. OFFICERS, ETC. AT ELECTIONS NOT TO ACT FOR CANDIDATES OR TO INFLUENCE VOTING

- (1) No person who is a District Election Officer or a Returning Officer, or an Assistant Returning Officer, or a Presiding or Polling Officer at an election, or an officer or clerk appointed by the Returning Officer or the Presiding Officer to perform any duty in connection with an election shall in the conduct or the management of the election do any act (other than the giving of vote), for the furtherance of the prospects of the election of a candidate.

- (2) No such person as aforesaid, and no member of a police force, shall endeavour—

- (a) to persuade any person to give his vote at an election;
- (b) to dissuade any person from giving his vote at an election; or
- (c) to influence the voting of any person at an election in any manner.

- (3) Any person who contravenes the provisions of sub-section (1) or sub-section (2) shall be punishable with imprisonment which may extend to six months or with fine or with both.

- (4) An offence punishable under sub-section (3) shall be cognizable.

130. PROHIBITION OF CANVASSING IN OR NEAR POLLING STATION

- (1) No person shall, on the date or dates on which a poll is taken at any polling station, commit any of the following acts within the polling station or in any public or private place within a distance of one hundred metres of the polling station, namely—

- (a) Canvassing for votes; or
 - (b) soliciting the vote of any elector; or
 - (c) persuading any elector not to vote for any particular candidate ; or
 - (d) persuading any elector not to vote at the election; or
 - (e) exhibiting any notice or sign (other than an official notice) relating to the election.
- (2) Any person who contravenes the provisions of sub-section (1) shall be punishable with fine which may extend to two hundred and fifty rupees.
- (3) An offence punishable under this section shall be cognizable.

131. PENALTY FOR DISORDERLY CONDUCT IN OR NEAR POLLING STATIONS

- (1) No person shall on the date or dates on which a poll is taken at any polling station –
- (a) use or operate within or at the entrance of the polling station, or in any public or private place in the neighbourhood thereof, any apparatus for amplifying or reproducing the human voice such as a megaphone or a loud-speaker; or
 - (b) shout, or otherwise act in a disorderly manner, within or at the entrance of the polling station or any public or private place in the neighbourhood thereof;
- so as to cause annoyance to any person visiting the polling station for the poll, or so as to interfere with the work of the officers and other person on duty at the polling station.
- (2) Any person who contravenes or willfully aids or abets the contravention of the provisions of sub-section (1) shall be punishable with imprisonment which may extend to three months or with fine or with both.
- (3) If the Presiding Officer of a polling station has reason to believe that any person is committing or has committed an offence punishable under this section, he may direct any police officer to arrest such person and thereupon the police officer shall arrest him.
- (4) Any police officer may take such steps, and use such force as may be reasonably necessary for preventing any contravention of the provisions of sub-section (1) and may seize any apparatus used for such contravention.

132. PENALTY FOR MISCONDUCT AT THE POLLING STATION

- (1) Any person who, during the hours fixed for the poll at any polling station misconducts himself or fails to obey the lawful directions of the Presiding Officer may be removed from the polling station

by the Presiding Officer or by any police officer on duty or by any person authorised in this behalf by such Presiding Officer.

- (2) The powers conferred by sub-section (1) shall not be exercised so as to prevent any elector who is otherwise entitled to vote at a polling station from having an opportunity of voting at that station.
- (3) If any person who has been so removed from a polling station re-enters the polling station without the permission of the Presiding Officer, he shall be punishable with imprisonment for a term which may extend to three months or with fine or with both.
- (4) An offence punishable under sub-section (3) shall be cognizable.

132-A. PENALTY FOR FAILURE TO OBSERVE PROCEDURE FOR VOTING

If any elector to whom a ballot paper has been issued, refuses to observe the procedure prescribed for voting the ballot paper issued to him shall be liable for cancellation.

133. PENALTY FOR ILLEGAL HIRING OR PROCURING OF CONVEYANCE AT ELECTIONS

If any person is guilty of any such corrupt practice as is specified in clause (5) of section 123 at or in connection with an election, he shall be punishable with imprisonment which may extend to three months and with fine.

134. BREACHES OF OFFICIAL DUTY IN CONNECTION WITH ELECTIONS

- (1) If any person to whom this section applies is without reasonable cause guilty of any act or commission in breach of his official duty he shall be punishable with fine which may extend to five hundred rupees.
- (1A) An offence punishable under sub-section (1) shall be cognizable.
- (2) No suit or other legal proceedings shall lie against any such person or damages in respect of any such act or omission, as aforesaid.
- (3) The person to whom this section applies are the District Election Officers, Returning Officers, Assistant Returning Officers, Presiding Officers, Polling Officers and any other person appointed to perform any duty in connection with the receipt of nominations or withdrawal of candidatures, or the recording, or counting of votes at an election; and the expression "official duty" shall for the purpose of this section be construed accordingly, but shall not include duties imposed otherwise than by or under this Act.

134-A. PENALTY FOR GOVERNMENT SERVANTS FOR ACTING AS ELECTION AGENT, POLLING AGENT OR COUNTING AGENT

If any person in the service of the Government acts as an Election Agent or a Polling Agent or a Counting Agent of a candidate at an election, he shall be punishable with imprisonment for a term which may extend to three months, or with fine, or with both.

134-B. PROHIBITION OF GOING ARMED TO OR NEAR A POLLING STATION

- (1) No person, other than the Returning Officer, the Presiding Officer, any police officer and any other person appointed to maintain peace and order at a polling station who is on duty at the polling station, shall, on a polling day, go armed with arms, as defined in the Arms Act, 1959 (54 of 1959), of any kind within the neighbourhood of a polling station.
- (2) If any person contravenes the provisions of sub-section (1), he shall be punishable with imprisonment for a term which may extend to two years or with fine, or with both.
- (3) Notwithstanding anything contained in the Arms Act, 1959 (54 of 1959), where a person is convicted of an offence under this section, the arms as defined in the said Act found in his possession shall be liable to confiscation and the license granted in relation to such arms shall be deemed to have been revoked under section 17 of that act.
- (4) An offence punishable under sub-section (2) shall be cognizable.

135. REMOVAL OF BALLOT PAPERS FROM POLLING STATION TO BE AN OFFENCE

- (1) Any person who at any election fraudulently takes, or attempts to take, a ballot paper out of a polling station, or willfully aids or abets the doing of any such act, shall be punishable with imprisonment for a term which may extend to one year or with fine which may extend to five hundred rupees or with both.
- (2) If the Presiding Officer of a polling station has reason to believe that any person is committing or has committed an offence punishable under sub-section (1), such officer may, before such person leaves the polling station, arrest or direct a police officer to arrest such person and may search such person or cause him to be searched, by a police officer :

Provided that when it is necessary to cause a woman to be searched, the search shall be made by another woman with strict regard to decency.

- (3) Any ballot paper found upon the person arrested on search shall be made over for safe custody to a police officer by the Presiding Officer, or when the search is made by police officer, shall be kept by such officer in safe custody.
- (4) An offence punishable under sub-section (1) shall be cognizable.

135-A. OFFENCE OF BOOTH CAPTURING

- (1) Whoever commits an offence of booth capturing shall be punishable with imprisonment for a term which shall not be less than one year but which may extend to three years and with fine, and where such offence is committed by a person in the service of the Government, he shall be punishable with imprisonment for a term which shall not be less than three year but which may extend to five years and with fine.

Explanation—For the purposes of this sub-section and section 20-B “booth capturing” includes among other things, all or any of the following activities namely :—

- (a) seizure of a polling station or a place fixed for the poll by any person or persons, making polling authorities surrender the ballot papers or voting machines and doing of any other acts which affects the orderly conduct of elections;
- (b) taking possession of a polling station or a place fixed for the poll by any person or persons and allowing only his or their own supporters to exercise their right to vote and prevent others from free exercise of their right to vote;
- (c) coercing or intimidating or threatening directly or indirectly any elector and preventing him from going to the polling station or a place fixed for the poll to cast his vote;
- (d) seizure of a place for counting of votes by any person or persons, making the counting authorities surrender the ballot papers or voting machine and doing of anything which affects the orderly counting of votes;
- (e) doing by any person in the service of Government, of all or any of the aforesaid activities or aiding or conniving at any such activity in the furtherance of the prospect of the election of a candidate.

- (2) An offence punishable under sub-section (1) shall be cognizable.

136. OTHER OFFENCES AND PENALTIES THEREFOR

- (1) A person shall be guilty of an electoral offence if at any election he—
- (a) fraudulently defaces or fraudulently destroys any nomination paper; or
 - (b) fraudulently defaces, destroys or removes any list, notice or other document affixed by or under the authority of a Returning Officer; or
 - (c) fraudulently defaces or fraudulently destroys any ballot paper or the official mark on any ballot paper or any declaration of identity or official envelope used in connection with voting by postal ballot; or

- (d) without due authority supplies any ballot paper to any person, or receives any ballot paper from any person or is in possession of any ballot paper; or
 - (e) fraudulently puts into any ballot box anything other than the ballot paper which he is authorised by law to put in; or
 - (f) without due authority destroys, takes, opens or otherwise interferes with any ballot box or ballot papers then in use for the purpose of the election; or
 - (g) fraudulently or without due authority, as the case may be, attempts to do any of the foregoing acts or willfully aids or abets the doing of any such acts.
- (2) Any person guilty of an electoral offence under this section shall–
- (a) if he is a Returning Officer or an Assistant Returning Officer or a Presiding Officer at a polling station or any other officer or clerk employed on official duty in connection with the election, be punishable with imprisonment for a term which may extend to two years or with fine or with both.
 - (b) if he is any other person, be punishable with imprisonment for a term which may extend to six months or with fine or with both.
- (3) For the purposes of this section a person shall be deemed to be on official duty if his duty is to take part in the conduct of an election or part of an election or including the counting of votes or to be responsible after an election for the used ballot papers and other documents in connection with such election, but the expression “official duty” shall not include any duty imposed otherwise than by or under this Act.
- (4) An offence punishable under sub-section (2) shall be cognizable.

ANNEXURE II

(CHAPTER I Para 3)

EXTRACTS FROM THE CONDUCT OF ELECTIONS RULES, 1961

13. APPOINTMENTS OF POLLING AGENTS

- (1) The number of polling agents that may be appointed under section 46 shall be one agent and two relief agents.
- (2) Every such appointment shall be made in Form 10 and shall be made over to the Polling Agent for production at the polling station or the place fixed for the poll, as the case may be.
- (3) No polling agent shall be admitted into the polling station or the place fixed for the poll unless he has delivered to the Presiding Officer the instrument of his appointment under sub-rule (2) after duly completing and signing before the Presiding Officer the declaration contained therein.

14. REVOCATION OF THE APPOINTMENT OF POLLING AGENT

- (1) The revocation of the appointment of a Polling Agent under sub-section (1) of section 48 shall be made in Form 11 and lodged with the Presiding Officer.
- (2) In the event of any such revocation the candidate or his Election Agent may at any time before the poll is closed, make a fresh appointment in the manner specified in rule 13 and the provisions of that rule shall apply to every such agent.

16. VOTING NORMALLY TO BE IN PERSON

Save as hereinafter provided all electors voting at an election shall do so in person at the polling station provided for them under section 25 or, as the case may be, at the place of polling fixed under section 29.

POSTAL BALLOT

17. DEFINITIONS

In this part—

- (a) “service voter” means any person specified in clause (a) or clause (b) of section 60, but does not include “classified service voter” defined in rule 27M;
- (b) “special voter” means any person holding an office to which the provisions of sub-section (4) of section 20 of the Representation of the People Act, 1950 (43 of 1950) are

declared to apply or the wife of such person, if he or she has been registered as an elector by virtue of a statement made under sub-section (5) of the said section;

- (c) “voter on election duty” means any Polling Agent, any Polling Officer, Presiding Officer or other public servant who is an elector in the constituency and is by reason of his being on election duty unable to vote at the polling station where he is entitled to vote.

18. PERSON ENTITLED TO VOTE BY POST

The following person shall, subject to their fulfilling the requirements hereinafter specified, be entitled to vote by post, namely–

- (a) at an election in a Parliamentary or Assembly constituency–
- (i) special voters,
 - (ii) service voters,
 - (iii) voters on election duty, and
 - (iv) electors subjected to preventive detention;
- (b) at an election in a Council constituency –
- (i) voters on election duty,
 - (ii) electors subjected to preventive detention, and
 - (iii) electors in the whole or any specified parts of the constituency if directed by the Election Commission in this behalf under clause (b) of rule 68.
- (c) at an election by assembly members –
- (i) electors subjected to preventive detention; and
 - (ii) all electors if directed by the Election Commission in this behalf under clause (a) of rule 68.

20. INTIMATION BY VOTERS ON ELECTION DUTY

- (1) A voter on election duty who wishes to vote by post at an election shall send an application in Form 12 to the Returning Officer so as to reach him at least seven days or such shorter period as the Returning Officer may allow before the date of poll; and if the Returning Officer is satisfied that the applicant is a voter on election duty, he shall issue a postal ballot paper to him.

- (2) Where such voter, being a Polling Officer, Presiding Officer or other public servant on election duty in the constituency of which he is an elector, wishes to vote in person at an election in a Parliamentary or Assembly constituency and not by post, he shall send an application in Form 12-A to the Returning Officer so as to reach him at least four days, or such shorter period as the Returning Officer may allow, before the date of poll; and if the Returning Officer is satisfied that the applicant is such public servant and voter on election duty in the constituency, he shall—
- (a) issue to the applicant an election duty certificate in Form 12-B;
 - (b) mark 'EDC' against his name in the marked copy of the electoral roll to indicate that an election duty certificate has been issued to him; and
 - (c) ensure that he is not allowed to vote at the polling station where he would otherwise have been entitled to vote.

23. ISSUE OF BALLOT PAPER

- (1) A postal ballot paper shall be sent by post under certificate of posting to the elector together with —
- (a) a declaration in Form 13A;
 - (b) a cover in Form 13B;
 - (c) a large cover addressed to the returning officer in Form 13C; and
 - (d) instructions for the guidance of the elector in Form 13D;

Provided that the returning officer may, in case of a special voter or a voter on election duty, deliver the ballot paper and Forms, or cause them to be delivered, to such voter personally.

- (2) The Returning Officer shall at the same time—
- (a) record on the counterfoil of the ballot paper the electoral roll number of the elector as entered in the marked copy of the electoral roll;
 - (b) mark the name of the elector in the marked copy of the electoral roll to indicate that a ballot paper has been issued to him, without however recording therein the serial number of the ballot paper issued to that elector; and
 - (c) ensure that the elector is not allowed to vote at a polling station.

24. RECORDING OF VOTE

- (1) An elector who has received a postal ballot paper and desires to vote shall record his vote on the ballot paper in accordance with the directions contained in Part I of Form 13-D and then enclose it in the cover in Form 13-B.
- (2) The elector shall sign the declaration in Form 13-A in the presence of and have the signature attested by, a Stipendiary Magistrate or such other officer specified below, as may be appropriate, to whom he is personally known or to whose satisfaction he has been identified—
 - (a) in the case of a service voter, such officer as may be appointed in this behalf by the Commanding Officer of the unit, ship or establishment in which the voter or her husband, as the case may be, is employed or such officer as may be appointed in this behalf by the diplomatic or consular representative of India in the country in which such voter is resident;
 - (b) in the case of a special voter an officer not below the rank of a Deputy Secretary to Government.

MINISTRY OF LAW JUSTICE & COMPANY AFFAIRS
(Legislative Department)

NOTIFICATION

New Delhi, the 24th March, 1992

S.O. 230(E)– In exercise of the powers conferred by section 169 of the Representation of the People Act, 1951 (43 of 1951), the Central Government after consulting the Election Commission, hereby makes the following rules further to amend the Conduct of Election Rules, 1961 namely :–

1. (l) these rules may be called the Conduct of Elections (Amendment) Rules, 1992.
2. They shall come into force on the date of their publication in the Official Gazette.
2. In the Conduct of Election Rules, 1961 (hereinafter referred to as the principal rules).
 - (a) after the heading to Part IV, the following shall be inserted, namely:–

“CHAPTER I

VOTING BY BALLOT”;

- (b) in rule 28, for the words “In this Part”, the words “In this Chapter and Chapter II” shall be substituted;
- (c) after rule 49, the following shall be inserted namely:–

CHAPTER II

VOTING BY ELECTRONIC VOTING MACHINES

49A. DESIGN OF ELECTRONIC VOTING MACHINES

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 designs as may be approved by the Election Commission.

49B. PREPARATION OF VOTING MACHINE BY THE RETURNING OFFICER

- (1) The balloting unit of the voting machine shall contain such particulars and in such language or languages as the Election Commission may specify.
- (2) The names of the candidates shall be arranged on the balloting unit in the same order in which they appear in the list of the contesting candidates.

- (3) If two or more candidates bear the same name, they shall be distinguished by the addition of their occupation or residence or in some other manner.
- (4) Subject to the foregoing provisions of this rule, the returning officer shall–
 - (a) fix the label containing the names and symbol 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.

49C. ARRANGEMENTS AT THE POLLING STATIONS

- (1) Outside each polling station there shall be displayed prominently–
 - (a) a notice specifying the polling area, the electors of which are entitled to vote at the polling station and, when the polling area has more than one polling station, the particulars of the electors so entitled; and
 - (b) a copy of the list of the contesting candidates.
- (2) At each polling station shall be set up one or more voting compartments in which the electors can record their votes free from observation.
- (3) The Returning Officer shall provide at each polling station one voting machine and copies of relevant part of the electoral roll and such other election material as may be necessary for taking the poll.
- (4) Without prejudice to the provisions of sub-rule (3), the Returning Officer may with the previous approval of the Election Commission, provide one common voting machine for two or more polling station located in the same premises.

49D. ADMISSION TO POLLING STATION

The Presiding Officer shall regulate the number of electors to be admitted at any one time inside the polling station and shall exclude there from all persons other than.

- (a) polling officers;
- (b) public servants on duty in connection with the election;
- (c) persons authorised by the Election Commission;

- (d) candidates, their Election Agents and subject to the provisions of rule 13 one Polling Agent of each candidate;
- (e) a child in arms accompanying as elector;
- (f) a person accompanying a blind or infirm elector who cannot move without help; and
- (g) such other persons as the Returning Officer of the Presiding Officer may employ under sub-rule (2) of rule 49G or sub-rule (1) of rule 49-H.

49E. PREPARATION OF VOTING MACHINE FOR POLL

The control unit and balloting unit of every voting machine used at polling station shall bear a label marked with-

- (a) the serial number if any and the name of the constituency;
 - (b) the serial number and name of the polling station or stations as the case may be;
 - (c) the serial number of the unit; and
 - (d) the date of poll.
- (2) Immediately before the commencement of the poll, the Presiding Officer shall demonstrate to the Polling Agents and other person present that no vote has been already recorded in the voting machine and if bears the label referred to in sub-rule (1).
 - (3) A paper seal shall be used for securing the control unit of the voting machine and the Presiding Officer shall affix his own signature on the paper seal and obtain thereon the signature of such of the Polling Agents present as are desirous of affixing the same.
 - (4) The Presiding Officer shall thereafter fix the paper seal so signed in the space meant therefore in the control unit of the voting machine and shall secure and seal the same.
 - (5) The seal use for securing the control unit shall be fixed in such manner that after the unit has been sealed it is not possible to press the "result button" without breaking the seal.
 - (6) The control unit shall be closed and secured and placed in full view of the Presiding Officer and the Polling Agents and the balloting unit placed in the voting compartment.

49F. MARKED COPY OF ELECTORAL ROLL

Immediately before the commencement of the poll the Presiding Officer shall also demonstrate to the Polling Agents and others present that the marked copy of the electoral roll to be used during the poll does not contain-

- (a) any entry other than that made in pursuance of clause (b) sub-rule (2) of rule 20; and (EDC – Election Duty Certificate)
- (b) any mark other than the mark made in pursuance of the clause (b) of sub-rule (2) of rule 23. (PB – Postal Ballot)

49G. FACILITIES FOR WOMEN ELECTORS

- (1) Where a polling station is for both men and women electors, the Presiding Officer may direct that they shall be admitted into the polling station alternately in separate batches.
- (2) The Returning Officer of the Presiding Officer may appoint a women to serve as an attendant at any polling station to assist women electors and also to assist the Presiding Officer generally in taking the poll in respect of women electors and in particular to help the frisking any women elector in case it becomes necessary.

49H. IDENTIFICATION OF ELECTORS

- (1) The Presiding Officer may employ at the polling station such persons as he thinks fit to help in the identification of the electors or to assist him otherwise in taking the poll.
- (2) As each elector enters the polling station, the Presiding Officer or the Polling Officer authorised by him in this behalf shall check the electors name and other particulars with the relevant entry in the electoral roll and then call out the serial number name and other particulars of the electors.
- (3) Where the polling station is situated in a constituency electors of which have been supplied with identify cards under the provision of the Registration of Electors Rules 1960 the elector shall produce his identify card before the presiding officer of the Polling Officer authorised by him in this behalf.
- (4) In deciding the right of a person to cast his vote the Presiding Officer or the Polling Officer as the case may be shall over look the clerical or printing errors in an entry in the electoral roll if he is statisfied that such person is identical with the elector to whom such entry relates.

49I. FACILITIES FOR PUBLIC SERVANTS ON ELECTION DUTY

- (1) The provisions of rule 49-H shall not apply to any person who produces at the polling station an election duty certificate in Form-12B and seeks permission to cast his vote at that polling station although it is different from the one where he is entitled to vote.
- (2) On production of such certificate the Presiding Officer shall.

- (a) obtain thereon the signature of the person producing it;
- (b) have the person's name and electoral roll number as mentioned in the certificate entered at the end of the marked copy of the electoral roll; and
- (c) permit him to cast his vote in the same manner as for an elector entitled to vote to that polling station.

49J. CHALLENGING OF IDENTITY

- (1) Any Polling Agent may challenge the identify of a person claiming to be a particular elector by first depositing a sum of two rupees in cash with the Presiding Officer for each such challenge.
- (2) On such deposit being made the Presiding Officer shall–
 - (a) warn the person challenged of the penalty for personation;
 - (b) read the relevant entry in the electoral roll in full and ask him whether he is the person referred to in that entry;
 - (c) enter his name and address in the list of challenged vote in Form 14; and
 - (d) require him of affix his signature in the said list.
- (3) The Presiding Officer shall thereafter hold a summary inquiry into the challenge and may for that purpose–
 - (a) require the challenger to adduce evidence in proof of the challenge and the person challenged to adduce evidence in proof of his identity;
 - (b) put to the person challenged any questions necessary for the purpose of establishing his identify and require him to answer them on oath; and
- (4) If, after the inquiry, the Presiding Officer considers that the challenge has not been established he shall allow the person challenged to vote; and if he considers that the challenge has been established, he shall debar the person challenged from voting.
- (5) If the Presiding Officer is of the opinion that the challenge is frivolous or has not been made in good faith, he shall direct that the deposit made under sub-rule (1) be forfeited to Government, and in any other case, returned to the challenger at the conclusion of the inquiry.

49K. SAFEGUARDS AGAINST PERSONATION

- (1) Every elector about whose identify the Presiding Officer or the Polling Officer, as the case may be, is satisfied, shall allow his left forefinger to be inspected by the Presiding Officer or Polling Officer and an indelible ink mark to be put on it.

- (2) If any elector–
 - (a) refuses to allow his left forefinger to be inspected or marked in accordance with sub-rule (1) or has already such a mark on his left forefinger or does any act with a view to removing the ink mark, or
 - (b) Fails or refuses to produce his identify cards as required by sub-rule (3) of rule 49-H he shall not be allowed to vote.
- (3) Where a poll is taken simultaneously in a Parliamentary Constituency and an assembly constituency, an elector whose left forefinger has been marked with indelible ink or who has produced his identity card at one such election, shall not withstanding anything contained in sub-rules (1) and (2) be permitted to cast his vote for the other election.
- (4) Any reference in this rule to the left forefinger of an elector shall, in the case where the elector has his left forefinger missing, be constructed 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 or any other finger of his right hand and shall in the case where all his fingers of both the hands are missing be construed as a reference to such extremity of his left or right arm as he possesses.

49L. PROCEDURE FOR VOTING BY VOTING MACHINES

- (1) before permitting an elector to vote, the Polling Officer shall –
 - (a) record the electoral roll number of the elector as entered in the marked copy of the electoral roll in a register of voters in Form 17-A.
 - (b) Obtain the signature or the thumb impression of the elector on the said register of voters and
 - (c) Mark the name of the elector in the marked copy of the electoral roll to indicate that he has been allowed to vote.

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

- (2) Notwithstanding anything contained in sub-rule (2) of it shall be necessary for any Presiding Officer or Polling Officer or any other officer to attest the thumb impression of the elector on the register of voters.

49M. MAINTENANCE OF SECRECY OF VOTING BY ELECTORS WITHIN THE POLLING STATION AND VOTING PROCEDURES

- (1) Every elector who has been permitted to vote under rule 49-L 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 elector 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 elector's vote.
- (3) The elector shall thereafter forthwith
 - (a) proceed to the voting compartment;
 - (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 leave the polling station.
- (4) Every elector shall vote without undue delay.
- (5) No elector shall be allowed to enter the voting compartment when another elector is inside it.
- (6) If an elector who has been permitted to vote under rule 49-L or rule 49-P refuses after warning given by the Presiding Officer to observe the procedure laid down in sub-rule (3) of the said rules, the Presiding Officer or a Polling Officer under the direction of the Presiding Officer shall not allow such elector to vote.
- (7) Where an elector is not allowed to vote under sub-rule (6), a remark to the effect that voting procedure has been violated shall be made against the elector's name in the register of voters in Form-17-A by the presiding officer under his signature.

49N. RECORDING OF VOTES OF BLIND OR INFIRM ELECTORS

- (1) If the Presiding Officer is satisfied that owing to blindness or other physical infirmities an elector is unable to recognise the symbol on the balloting unit of the voting machine or unable to record his vote by pressing the appropriate button thereon without assistance, the Presiding Officer shall permit the elector 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 elector at any polling station on the same day;

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

- (2) The Presiding Officer shall keep a record in Form-14A of all cases under this rule.

49O. ELECTOR DECIDING NOT TO VOTE

If an elector, after his electoral roll number has been duly entered in the register of voters in Form-17A and has put his signature or thumb impression thereon as required under sub-rule (1) of rule 49L, decides not to record his vote, a remark to this effect shall be made against the said entry in Form-17A by the Presiding Officer and the signature or thumb impression of the elector shall be obtained against such remark.

49P. TENDERED VOTES

- (1) If a person representing himself to be a particular elector seeks to vote after another person has already voted as such elector, he shall on satisfactorily answering such questions relating to his identity as the Presiding Officer may ask be instead of being allowed to vote through the balloting unit supplied with a tendered ballot paper which shall be of such design, and the particulars of which shall be in such language or languages as the Election Commission may specify.
- (2) Every such elector shall before being supplied with tendered ballot paper write his name against the entry relating to him in Form-17B.
- (3) On receiving the ballot paper he shall forthwith—
- (a) proceed to the voting compartment;
 - (b) record there his vote in the ballot paper by placing a cross mark 'X' with the instrument or article supplied for the purpose on or near the symbol of the candidate for whom he intends to vote.
 - (c) fold the ballot so as to conceal his vote.
 - (d) show to the Presiding Officer, if required the distinguishing mark on the ballot paper;
 - (e) give it to the Presiding Officer who shall place it in a cover specially kept for the purpose; and
 - (f) leave the polling station.

- (4) If owing blindness or physical infirmities, such elector is unable to record his vote without assistance; the Presiding Officer shall permit him to take with him a companion, subject to the same conditions and after following the same procedure as laid down in rule 49N for recording the vote in accordance with his wishes.

49Q. PRESIDING OFFICER'S ENTRY IN THE VOTING COMPARTMENT DURING POLL

- (1) The Presiding Officer may whenever he considers it necessary so to do, enter the voting compartment during poll and take such steps as may be necessary to ensure that the balloting unit is not tampered or interfered with in any way.
- (2) If the Presiding Officer has reason to suspect that an elector who has entered the voting compartment is tampering or otherwise interfering with the balloting unit or has remained inside the voting compartment for unduly long period, he shall enter the voting compartment and take such steps as may be necessary to ensure the smooth and orderly progress of the poll.
- (3) Whenever the Presiding Officer enters the voting compartment under this rule, he shall permit the polling agents present to accompany him if they so desire.

49R. CLOSING OF POLL

- (1) The Presiding Officer shall close a polling station at the hour fixed in that behalf under section 56 and shall not thereafter, admit any elector into the polling station:

Provided that all electors present at the polling station before it is closed shall be allowed to cast their votes.

- (2) If any question arises whether an elector was present at the polling station before it was closed it shall be decided by the Presiding Officer and his decision shall be final.

49S. ACCOUNT OF VOTES RECORDED

- (1) The Presiding Officer shall at the close of the poll prepare an account of votes recorded in Form-17-C and enclose it in a separate cover with the words 'Account of Votes Recorded' superscribed thereon.
- (2) The Presiding Officer shall furnish to every polling agent present at the close of the poll a true copy of the entries made in Form-17C after obtaining a receipt from the said Polling Agent therefor and shall attest it as a true copy.

49T. SEALING OF VOTING MACHINE AFTER 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 Election Commission may direct and the seal used for securing them shall be so affixed that it will not be possible to open the units without breaking the seals.
- (3) The Polling Agents present at the polling station, who desire to affix their seals, shall also be permitted to do so.

49U. SEALING OF OTHER PACKETS

- (1) The Presiding Officer shall then make into separate packets.–
 - (a) the marked copy of the electoral roll;
 - (b) the register of voters in Form 17A;
 - (c) the cover containing the tendered ballot papers and the list in Form-17B;
 - (d) the list of challenged votes; and
 - (e) any other papers directed by the Election Commission to be kept in a sealed packet.
- (2) Each packet shall be sealed with the seal of the Presiding Officer and with the seal either of the candidate or of his Election Agent or of his Polling Agent who may be present at the polling station and may desire to affix his seal thereon.

49V. TRANSMISSION OF VOTING MACHINES, ETC. TO THE RETURNING OFFICER

- (1) The Presiding Officer shall then deliver or cause to be delivered to the Returning Officer at such place as the Returning Officer may direct.–
 - (a) the voting machine;
 - (b) the account of votes recorded in Form-17C;
 - (c) the sealed packets referred to in rule 49U; and
 - (d) all other papers used at the poll.
- (2) The Returning Officer shall make adequate arrangements for the safe transport of the voting machine, packets and other papers for their safe custody until the commencement of the counting of votes.

49W. PROCEDURE ON ADJOURNMENT OF POLL

- (1) If the poll at any polling station is adjourned under sub-section (1) of section 57, the provision of rules 49S to 49V shall, as far as practicable, apply as if the poll was closed at the hour fixed in that behalf under section 56.
- (2) When an adjourned poll is recommenced under sub-section (2) of section 57, the electors who have already voted at the poll so adjourned shall not be allowed to vote again.
- (3) The Returning Officer shall provide the Presiding Officer of the polling station at which such adjourned poll is held, with the sealed packet containing the marked copy of the electoral roll, register of voters in Form 17A and a new voting machine.
- (4) The Presiding Officer shall open the sealed packet in the presence of the Polling Agents present and use the marked copy of the electoral roll for marking the names of the electors who are allowed to vote at the adjourned poll.
- (5) The provisions of rule 28 and rules 49A to 49V shall apply in relation to the conduct of an adjourned poll before it was so adjourned.

49X. CLOSING OF VOTING MACHINE IN CASE OF BOOTH CAPTURING

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

- (d) after rule 66, the following shall be inserted, namely.–66A. Counting of votes where electronic voting machines have been used.–In relation to the counting of votes cast at a polling station where voting machine has been used.
 - (i) the provisions of rules 50 to 54 and in lieu of rules 55, 56 and 57, the following rules shall respectively apply, namely:–

“55C. SCRUTINY AND INSPECTION OF VOTING MACHINES”

- (1) The Returning Officer 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-rule (1), the candidate or his Election Agent or his Counting Agent present at 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 shall satisfy himself that none of the voting machines has in fact been tampered with.
- (4) If the Returning Officer 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 section 58, or section 58A or section 64A as may be applicable in respect of the polling or stations where that machine was used.

56C. COUNTING OF VOTES

- (1) After the Returning Officer 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 I" provided in the control unit whereby the total votes polled and votes polled by each candidate shall be displayed in respect of each such candidate on the display panel provided for the purpose in the unit.
- (2) As the votes polled by each candidate are displayed on the control unit, the Returning Officer shall have:—
 - (a) the number of such votes recorded separately in respect of each candidate in Part-II of Form-17C.
 - (b) Part-II of Form-17C completed in other respects and signed by the counting supervisor and also by the candidates or their election agents or their counting agents present; and
 - (c) corresponding entries made in a result sheet in Form-20 and the particulars so entered in the result sheet announced.

57C. SEALING OF VOTING MACHINES

- (1) After the result of voting recorded in a control unit has been ascertained candidate-wise and entered in Part II of Form 17C and Form 20 under rule 56C, the 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 voting 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 constituency;
- (b) the particulars of polling station or stations where the control unit has been used;
- (c) serial number of the control unit;
- (d) date of poll; and
- (e) date of counting;
- (ii) the provisions of rules 60 to 66 shall, so far as may be apply in relation to voting by voting machines and any reference in those rules to,—
 - (a) ballot paper shall be construed as including a reference to such voting machine;
 - (b) any rule shall be construed as a reference to the corresponding rule in Chapter II of Part IV or, as the case may be to rule 55C or 56C or 57C.
 - (c) in rule 92 of the principal rules—
 - (i) after sub-rule (1) the following sub-rule shall be inserted namely:—

“(1A) All voting machines used at an election shall be kept in the custody of the concerned District Election Officer”;
 - (ii) in sub-rule (2) after clause (d) the following clause shall be inserted namely:—

“(dd) the packets containing registers of voters in Form-17A”;
 - (f) in rule 93 of the principal rules.—
 - (i) in sub-rule (1), after clause (d) the following clause shall be inserted namely:—

“(dd) the packets containing registers of voters in Form 17-A”.
 - (ii) after sub-rule (1), the following sub-rule shall be inserted namely:—

“(1A) The control units sealed under the provisions of rule 57C and kept in the custody of the District Election Officer shall not be opened and shall not be inspected by or produced before any person or authority except under the orders of a competent court.”
- (g) in rule 94 of the principal rules, after clause (a) the following clause shall be inserted, namely:—

“(aa) the voting machines kept in the custody of the District Election Officer under sub-rule (1A) of rule 92 shall be retained intact for such period as the Election Commission may direct and shall not be used at any subsequent election without the previous approval of the Election Commission”;

(h) after rule 94A, the following rule shall be inserted, namely:–

Power of the Election Commission to issue directions

“95. Subject to the other provisions of these rules, the Election Commission may issue such directions as it may consider necessary to facilitate the proper use and operation of the voting machines.”

(i) after Form 17, the following Forms shall be inserted, namely:–

FORM-17A
(See Rule 49L)
REGISTER OF VOTERS

Election to the House of the People/Legislative Assembly of the State/Union Territory
from Constituency No. and Name of Polling Station.....
Part No. of Electoral Roll

Sl. No.	Sl. No. of elector in the electoral roll	Signature/Thumb impression of elector	Remarks
1.			
2.			
3.			
4.			
etc.			

Signature of the Presiding Officer

FORM-17B
(See Rule 49P)
LIST OF TENDERED VOTES

Election to the House of the People/Legislative Assembly of the State/Union Territory.....
fromConstituency.
.....
No. and Name of Part No. of Electoral Roll
Polling station.....

Sl. No.	Name of elector	Sl.No. of elector in electoral roll	Sl.No. in Register (Form 17A) of the person who has already voted in place of elector	Signature/Thumb impression of elector
1.				
2.				
3.				
4.				
5.				

Date.....

Signature of the Presiding Officer

FORM-17C

[See Rule 49S and 56C (2)]

PART I-ACCOUNT OF VOTES RECORDED

Election to the House of the People/Legislative Assembly of the State/Union Territory.....

.....from..... Constituency. No. and Name
of Polling Station.....

"Identification No. of VotingMachine used at the Polling Station :

- balloting unit
- control unit
- 1. Total No. of electors assigned to the polling station.
- 2. Total No. of voters as entered in the Register for Voters (Form 17A)
- 3. No. of voters deciding not to record votes under rule 49-O
- 4. No. of voters not allowed to vote under rule 49M.
- 5. Total No. of votes recorded as per voting machine.
- 6. Whether the total No. of votes as shown against item 5 tallies with the total No. of voters as shown against item 2 minus Nos. of voters deciding not to record votes as against item 3 minus No. of Voters as against item 4 (2-3-4) or any discrepancy noticed.
- 7. No. of voters to whom tendered ballot papers were issued under rule 49P.
- 8. No. of tendered ballot papers.

Sl. No.

From

to

- (a) received for use
- (b) issued to electors
- (c) not used and returned

- 9. Account of papers seals

Sl. Nos.

From To

Signature of Polling Agents

- 1. Serial Numbers of paper seals supplied

1.

From..... to.....

2.

2. Total numbers supplied.....
3. Number of papers seals used.....
4. Number of unused paper seals returned
to Returning Officer (Deduct item 3
from item 2)
5. Serial number of damaged paper seals if any

3.
4.
5.
6.

Date.....

Place.....

Signature of Polling Agents

Polling Station No.....

PART II - RESULT OF COUNTING

Sl. No.	Name of Candidate	No of Votes recorded
1.		
2.		
3.		
4.		
5.		
6.		

Total

Whether the total Nos. of votes shown above tallies with the total No. of votes shown against item 5 of Part 1 or any discrepancy noticed between the two totals.

Place :.....

Date :.....

Signature of Counting Supervisor

Name of candidate/election agent/
counting agent

Full Signature

1.

2.

3.

4.

5.

6.

7.

8.

Place

Date

"Signature of Returning Officer"

ANNEXURE III

(Chapter I Para-5)

OUTLINES OF FUNCTIONS TO BE PERFORMED BY PRESIDING OFFICERS AT VARIOUS STAGES

- I. On Appointment.
- II. On the day previous to the day of Poll.
- III. On arrival at the Polling Station on the day of Poll.
- IV. During the hours of Poll.
- V. After the completion of Poll.

I. ON APPOINTMENT

- 1.1. When you receive your appointment order, please check up carefully and examine:-

- (a) The name and number of your polling station;
- (b) The name of the assembly constituency within which the polling station is situated;
- (c) The exact location of your polling station.

This information will be found in your appointment order. You may also find the names of your Polling Officers in the order. Try to contact them and keep their residential and office addresses with you and give your residential and office address to them.

Attend as many training classes as you can, so that you become fully familiar with the operation of the voting machine. Never rely on your memory and past experience as they may betray you. The instructions are being changed considerably from time to time.

- 1.2. Read the following pamphlets and booklets very carefully :-

- (a) Handbook for Presiding Officers;
- (b) Manual of Electronic Voting Machine;
- (c) Letter of the Returning Officer to Presiding Officers giving important instructions.

- 1.3. Familiarise yourself with the item of polling material given in Annexure V.

- 1.4. Study carefully the manner and the method in which the control unit and balloting units are inter-linked and de-linked and the control unit closed and sealed.

- 1.5. Read carefully the different forms, statutory and non-statutory, as given in the Annexures.
- 1.6. Read very carefully the relevant sections of the Representation of the People Act, 1950 and 1951, given in Annexure I and relevant rules under the Conduct of Elections Rules, 1961, given in Annexure II. If you have any doubt, approach your Returning Officer and get your doubt clarified. Never be in a confused mind.

II. ON THE DAY PREVIOUS TO THE DAY OF POLL

- 2.1 On the day previous to the day of poll, you will be asked to collect the polling materials for use at the polling station. Please ensure that:-
- (a) The control unit and balloting unit(s) given to you pertain to your polling station.
 - (b) The 'Cand Set Section' of control unit is duly sealed and address tag is firmly attached thereto.
 - (c) The battery in the control unit is fully operational.
 - (d) The balloting unit(s) have been duly sealed and address tags are firmly attached, both at the top and bottom right portion.
 - (e) The appropriate ballot paper has been affixed on each balloting unit and is properly aligned under the ballot paper screen.
 - (f) The slide switch has been set to the appropriate position in each balloting unit.
 - (g) All the items of polling materials mentioned in Annexure V have been supplied in required quantity;
 - (h) Check up the serial numbers of paper seals;
 - (i) Check up the electoral roll to ensure that:-
 - (i) the copies of the supplements are given,
 - (ii) the part number of the roll and the supplement is correctly given,
 - (iii) page numbers in the working copies of the roll are given serially,
 - (iv) the printed serial numbers of voters are not corrected and no new numbers are substituted for them,
 - (v) all deletions of names and corrections of clerical or other errors as per the supplements have been incorporated.

- (j) Check the copy of the list of contesting candidates given to you. The names and symbols of the candidates given in the list must tally and should be in the same serial order in which they appear in the ballot paper on the balloting unit.
- (k) Check up that the phial of indelible ink supplied to you contains sufficient quantity of indelible ink and that its cap is perfectly sealed; if not re-seal the cap with candle/wax.
- (l) Check up the arrow cross-mark rubber stamp and your brass seals. Ensure that the arrow cross mark rubber stamp has seals affixed on both the sides and that the stamp pad is not dry. If your polling station is proposed to be located in a temporary structure, obtain iron box of sufficient dimensions to store your election papers.
- (m) If you have any doubt about your movement programme, route to be followed to reach the polling station, get them cleared and make sure of the time, the place of departure and mode of transport for reaching the polling station.

2.2. (a) Reach your polling station latest by 4-00 p.m. on the day previous to the day of poll and ensure that-

- (i) there is enough space for the voters to wait outside the polling station and for separate queues for male and female voters;
- (ii) there are separate passages for entry and exit of voters;
- (iii) the voting compartment for voters to record their votes is well lighted;
- (iv) a notice showing the polling area and details about voters is prominently displayed;
- (v) the copy of the list of contesting candidates is prominently displayed.
- (b) Appoint persons whom you will require to assist in identifying the voters including female assistant.
- (c) Decide the place where you, your Polling Officers and Polling Agents of the candidates will sit and the control unit of the voting machine will be placed.
- (d) Remove any photograph of any leader belonging to any political party hung in the polling station or cover them fully.

2.3 The voting machine and the polling materials entrusted to you should remain in your custody throughout, till the poll is completed and the voting machine and the materials are handed over back by you. Either you or one of the Polling Officers selected by you should remain in the polling station in charge of the voting machine and polling materials from the moment you arrive there. The voting machine and polling materials should not be left in the custody of the Police Guard

on duty at the polling station or any person other than yourself or a Polling Officer selected by you.

III. ON ARRIVAL AT THE POLLING STATION ON THE DAY OF POLL

- 3.1 Ensure that you and other members of your polling party reach the polling station 75 minutes before the hour fixed for starting the poll. On receipt, check the voting machine and the polling materials.
- 3.2 Check up the appointment letters of polling agents and explain to them provisions of section 128 of the R.P. Act, 1951. Assign them seats and issue them entry passes for their movements. Read out the declaration as referred to in Chapter XIII.
- 3.3 Make arrangements to appoint a Polling Officer if one from your party has not turned up.
- 3.4 Start preparing the voting machine including the conduct of mock poll one hour before the time fixed for commencement of poll.
- 3.5 After the mock poll and clear the data of mock poll in the voting machine before sealing the control unit.
- 3.6 Fix the green paper seal and close and seal the result section of the control unit.
- 3.7 Place the phial of indelible ink in such a way that the ink does not spill out.

IV. DURING THE HOURS OF POLL

- 4.1. Ensure that the polling starts sharp at the appointed time. Even if all formalities have not been completed, admit some voters in the polling station at the appointed time.
- 4.2. While poll is in progress, unusual complex cases are likely to crop up. Deal with them yourself leaving the Polling Officers' to carry on their normal duties. Such cases will be—
 - (a) Challenge to a voter (Chapter XV),
 - (b) Voting by minors (Chapter XV),
 - (c) Voting by blind or infirm voters (Chapter XIX),
 - (d) Voters deciding not to vote (Chapter XX),
 - (e) Voting on E.D.C. (Chapter XXI),
 - (f) Tendered votes (Chapter XXIII),
 - (g) Breach of secrecy of voting (Chapter XVIII),

- (h) Disorderly conduct at the booth and removal of disorderly persons (Chapter XIV),
 - (i) Adjournment of poll because of riot or any other cause (Chapter XXIV).
- 4.3. Collect statistical information for compilation of item 18 of your diary regarding polling every two hours.
 - 4.4. Close the poll at the appointed hour even if it has started late. Give slips with your signature to those persons who are in the queue at this hour. Ensure that no additional person joins the queue after the appointed hour.

V. AFTER THE COMPLETION OF POLL

- 5.1. Close and seal the voting machine as per the instructions given in Chapter XXV and XXVII.
- 5.2. Ascertain the number of female voters who have voted.
- 5.3. Complete Form 17C (account of votes recorded and paper seal account). Furnish to every polling agent present at the close of the poll, an attested true copy of Form 17C after obtaining from him a receipt for it on the declaration form referred to in Chapter XXVI. Then complete the declaration in other respects.
- 5.4. Complete your Presiding Officer's Diary and Form PS05.
- 5.5. Seal all election papers as per instructions in Chapter XXVIII.
- 5.6. Prepare first packet of five statutory covers.
- 5.7. Prepare second packet of eleven non-statutory covers.
- 5.8. Prepare third packet of seven items.
- 5.9. Prepare fourth packet of all other items.
- 5.10. Follow the programme of return journey to the collection centre for depositing the sealed voting machine and sealed packet of election papers. It is your personal responsibility to deliver the voting machine and other packets at the collection centre intact and obtain a receipt. Note that you have to hand over eight different items, viz;
 1. Voting machines;
 2. Cover containing the account of votes recorded and paper seal account;
 3. Cover containing the declarations of the Presiding Officer;
 4. Cover containing the Presiding Officer's Dairy;

5. Cover containing Form PS05,
6. Cover containing Visit Sheet,
7. First packet superscribed 'statutory covers' containing five covers;
8. Second packet superscribed 'non-statutory covers', containing nine covers;
9. Third packet containing seven items of election material and
10. Fourth packet containing all other items, if any.

ANNEXURE IV

(CHAPTER I, PARA 6)

CHECK MEMO FOR PRESIDING OFFICERS

ITEM	ACTION OF BE TAKEN	REMARKS
1.	Obtaining and keeping in possession all relevant instructions from the Returning Officer.	Whether obtained and kept?
2.	Familiarisation with the other members of the polling party and maintenance of close relationship with them.	Whether done?
3.	Collection of election material election materials and that too in sufficient quantities and numbers have been collected?	Whether ensured that all the
4.	Checking up of balloting unit & control unit of the voting machine, marked copies of the electoral roll, arrow cross mark rubber stamp, green paper seals, register of voter's, voter's slips, etc.	Whether done?
5.	Separate entrance and exit for voters at polling stations.	Whether ensured?
6.	Display of notice specifying the polling area and the numbers of electors assigned and also a copy of the list of contesting candidates;	Whether displayed?
7.	Inter-linking of control unit and balloting units and switching on the battery.	Whether done?
8.	Conducting mock contro	Whether Conducted?
9.	Fixing green paper seal on result compartment of control unit	Whether done?
10.	Sealing the result section of the control unit.	Whether done?
11.	Declaration to be made at the commencement of the poll.	Whether made?

12.	Reading out the provisions of the Sec. 128 of R.P. Act, 1951 with regard to the secrecy of voting by Presiding Officer at the beginning of the poll.	Whether done?
13.	Allowing polling agents to note the serial numbers of balloting unit and control unit and green paper seal.	Whether allowed?
14.	Marking of indelible ink on left fore-finger and obtaining the signature/thumb impression on the Registers of Voters (Form 17A)	Whether being properly done?
15.	Declaration from under-aged electors	Whether obtained?
16.	Maintenance of Presiding Officer's Diary from time to time as and when they occur?	Whether events are recorded
17.	Maintenance of Form PS05	Whether completed?
18.	Maintenance of Visit Sheet	Whether maintained?
19.	Close of poll at the appointed hour	Whether Done?
20.	Supply of account of votes recorded in Form 17C copies given to all the polling agents?	Whether attested
21.	Declaration to be made at the close of poll	Whether made?
22.	Sealing of voting machine and election papers instructions?	Where done according to

(Data Form PS-05 filled to be handed over at the collection centre)ANNEXURE V

ANNEXURE V

(CHAPTER III, Para I)

LIST OF POLLING MATERIALS FOR A POLLING STATION WHERE ELECTRONIC VOTING MACHINE IS USED

1	Control Unit	1
2	Balloting Unit(s)	1 (Depending upon the Nos. of Candidates)
3	Register of voters (Form 17A)	1
4	Voter's Slip	1200-1400 (depending upon the number of voters assigned to polling station)
5	Working Copies of Electrol Rolls	3
6	C.S.V., if any	3
7	Ballot Papers (for tendered votes)	20
8	Indelible Ink	2 Phial of 10 C.C. each
9	Address Tag for Control Unit	5
10	Address Tag for Balloting Unit	4
11	Special Tag	3
12	Green Paper Seals for EVM	4
13	Strip Seal	3
14	Rubber Stamp Arrow Cross Mark	1
15	Stamp Pad (Purple)	1
16	Metal Seal for Presiding Officer	1
17	Match Box	1
18	Presiding Officer's Diary	1
19	Distinguishing Mark Rubber Stamp	1

20 FORMS

1	List of Contesting Candidates	1
2.	List of Challenged Votes (Form-14)	2
3.	List of Blind and Infirm Voters (Form-14A)	2
4.	List of Tendered Votes (Form-17B)	10 (No. of candidates +3)
5.	Accounts of votes Recorded (Form-17C)	2
6.	Record of paper seals used	1 Book
7.	Receipt Book for deposit of challenged votes fee	4
8.	Letter to S.SH.O.	2
9.	Declaration by the Presiding Officer before the Commencement of Poll and at the end of poll (Part I to IV)	2
10.	Declaration by Elector about his age	2
11.	List of Electors who voted after giving declaration/ refused to give declaration	4
12.	Declaration by the companion of blind and inform voter	10
13.	Passes for Polling Agents	2
14.	Form PS05	2

21 ENVELOPS

1.	For smaller envelopes (Statutory Covers)(SE-8)	1
2.	For marked copy of electoral rolls (SE-8)	1
3.	For other copies of electoral rolls (SE-8)	1
4.	For Tendered Ballot Paper and Tendered Voters List	1
5.	For Declaration by the Presiding Officer before commencement of the poll and at the end of the poll (SE-7)	1
6.	For account of votes recorded (Form 17C) (SE-5)	1
7.	For list of challenged votes (SE-5)	1

8.	For unused and spoiled paper seals (SE-5)	1
9.	For appointment letters of Polling Agents (SE-6)	1
10.	For list of blind and infirm voters (SE-5)	1
11.	For Presiding Officer's Diary's report (SE-6)	1
12.	For Election Duty Certificate (SE-5)	1
13.	For Receipt Book and Cash forfeited (SE-6)	1
14.	For declaration of comparisons (SE-5)	1
15.	For smaller envelopes (others) (SE-7)	1
16.	For Register of Voters containing signatures of voters (Form 17A) (SE-8)	1
17.	For other relevant papers (SE-5)	1
18.	For smaller envelopes (SE-8)	1
19.	Cover for Presiding Officer's brief record under rule 40 (SE-6)	1
20.	Plain envelopes (SE-7)-2 (SE-8)-3	5
21.	For unused ballot papers (SE-7)	Total 5
22.	For any other paper that the R.O. has decided to keep in the sealed cover	1
23.	Cover for unused and damaged special tag (SE-7)	1
24.	Cover for unused and damaged strip seal (SE-7)	1

(Wherever the envelopes are smaller in size the packing paper may be used and where the relevant printed envelope is not available plain envelope can be used and purpose may be indicated with red ink)

22. SIGN BOARDS

- (a) Presiding Officer
- (b) Polling Officer

- (c) Entry
- (d) Exit
- (e) Polling Agent

Miscellaneous Notice specifying area etc. as required by Rule 30(1)(a)

23 STATIONERY

1.	Ordinary pencil	1
2.	Ball Pen	3 Blue + 1 Red
3.	Blank Paper	8 Sheet
4.	Pins	25 pieces
5.	Sealing Wax	6 Sticks
6.	Material for Voting Compartment	2 + = 4
7.	Gup paste	1 bottle
8.	Blade	1
9.	Candles	4 sticks
10.	Thin Twine Thread	20 mtrs.
11.	Metal rule	1
12.	Carbon Paper	3
13.	Cloth or Rag for removing oil etc.	3
14.	Packing paper	2 sheets
15.	Cup/Empty tin/Plastic Box for holding indelible ink bottle	1
16.	Drawing pins	24 pieces
17.	Check list	20 pieces
18.	Rubber Bands	1
19.	Cello Tape	

Lists of material to be returned by the Presiding Officer to the Sector Officer separately who in turn will deposit them in store at the office of the Chief Electoral Officer/District Election Officer –

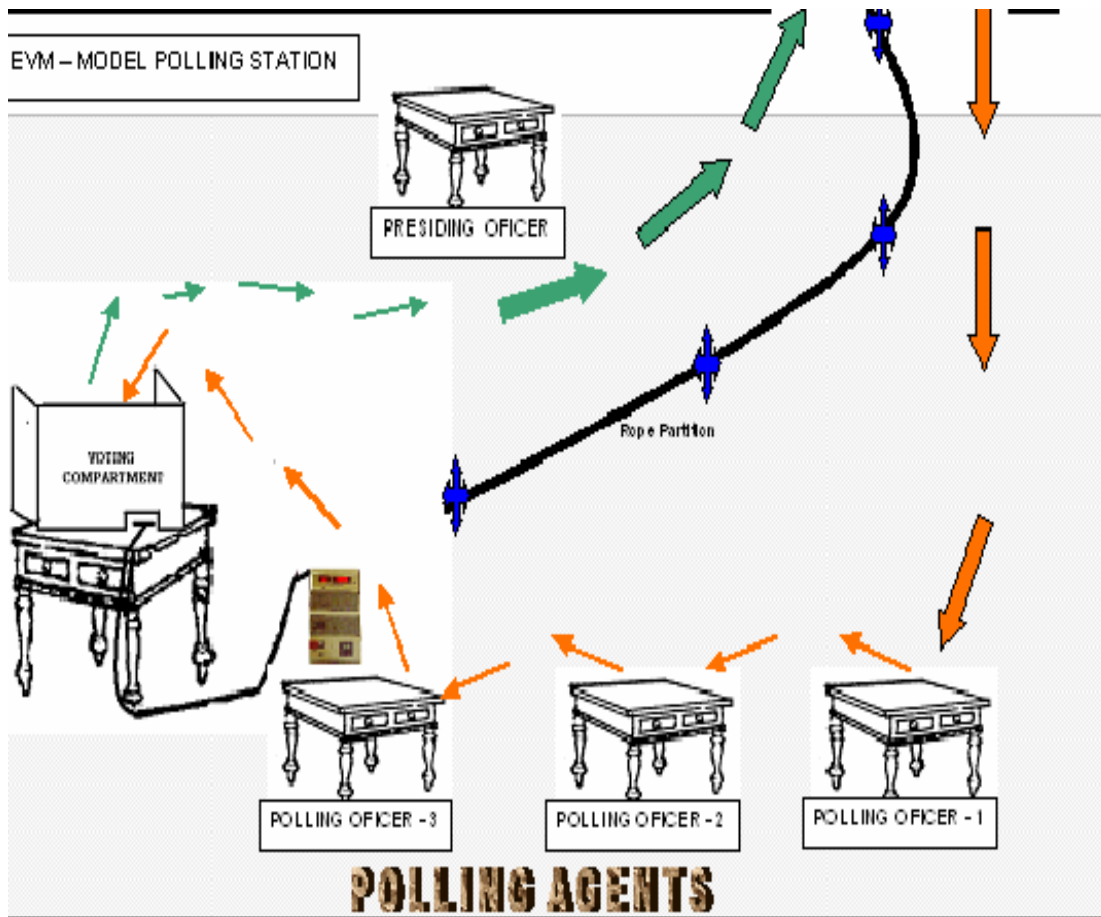
1. Arrow Cross Mark Rubber Stamp
2. Metal Seal of Presiding Officer'
3. Stationery bag containing
 - (i) Self inking pad
 - (ii) Material for voting compartment
 - (iii) Metal Rule
 - (iv) Plastic box for holding indelible ink
 - (v) All other unused items

ANNEXURE VI

(CHAPTER IV, Para 5)

MODEL POLLING STATION FOR ELECTRONIC VOTING MACHINE

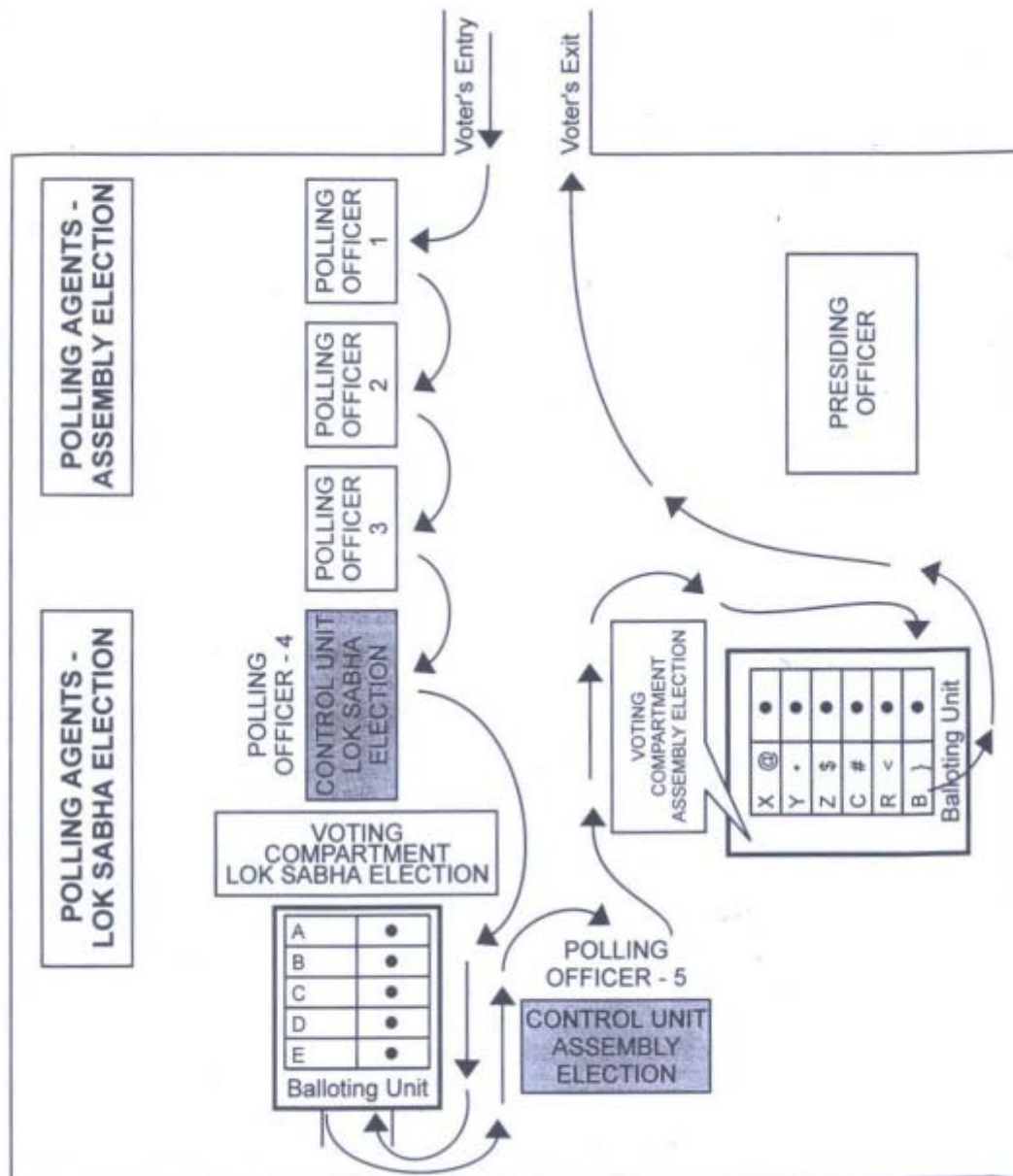
LAYOUT OF POLLING STATION FOR SINGLE ELECTION



Note: The cable connected to the balloting unit should come out of the voting compartment through an opening on the back side and through this opening the Presiding Officer or the third Polling Officer, who is in-charge of the control unit, as the case may be, should be able to see the full length of the cable right upto its joint with the balloting unit from his seat so that no elector will be able to tamper with the cable from inside the voting compartment without being detected by the Presiding Officer or the third Polling Officer, as the case may be,. However, this opening in the voting compartment should not be so big as to reveal any portion at the top of the balloting unit.

ANNEXURE VIA
(CHAPTER IV, Para 5)
MODEL POLLING STATION FOR ELECTRONIC VOTING MACHINE

LAYOUT OF POLLING STATION FOR SIMULTANEOUS ELECTION



ANNEXURE VII
(CHAPTER XIII, PARA 1 & 2
DECLARATION BY THE PRESIDENT OFFICER
PART-I

Declaration by the Presiding Officer before the commencement of the poll Election from
..... Parliamentary/Assembly Constituency Serial No. and name of polling
station.....

Date of Poll.....

I hereby declare :

- (1) that I have demonstrated to the polling agents and other persons present –
 - (a) by holding a mock poll that the voting machine is in perfect working order and that no vote is already recorded therein;
 - b) that the marked copy of the electoral roll to be used during the poll does not contain any marks other than those used for issuing postal ballot papers and election duty certificates;
 - (c) that the Register of Voters (Form 17A) to be used during the poll does not contain any entry in respect of any elector;
- (2) that I have affixed my own signature on the paper seal(s) used for securing the result section of control unit of the voting machine and obtained thereon the signatures of such of the polling agents as are present and desirous of affixing the same.
- (3) that I have written the serial number of the control unit on the special tag, and I have affixed my signature on the back side of the special tag and also obtained thereon the signatures of such of the candidates/polling agents as are present and desirous of affixing their signature.
- (4) that I have affixed my signature on the strip seal and also obtained thereon the signatures of such of the candidates/polling agents as are present and desirous of affixing their signature.
- (5) that I have read out the pre-printed serial number of the special tag and asked the candidates/polling agents present, to note down the serial number.

Signature

Signature of polling agents:

Presiding Officer

1. (of candidate)

2. (of candidate)

3. (of candidate)

4. (of candidate)

5. (of candidate)

6. (of candidate)

7. (of candidate)

8. (of candidate)

9. (of candidate)

The following polling agent(s) declined to affix his/her/their signature(s), on this declaration:

1. (of candidate)

2. (of candidate)

3. (of candidate)

4. (of candidate)

Signature.....

Date.....

Presiding Officer

PART II

DECLARATION BY THE PRESIDING OFFICER AT THE TIME OF USE OF SUBSEQUENT VOTING MACHINE, IF ANY

Election Parliamentary/Assembly Constituency

Serial No. and Name of Polling Station.....

Date of poll

I hereby declare :

(1) that I have demonstrated to the polling agents and other persons present –

- (a) by holding a mock poll that the voting machine is in perfect working order and that no vote is already recorded therein;
- b) that the marked copy of the electoral roll to be used during the poll does not contain any marks other than those used for issuing postal ballot papers and election duty certificates;

- (c) that the Register of Voters (Form 17A) to be used during the poll does not contain any entry in respect of any elector;
- (2) that I have affixed my own signature on the paper seal(s) used for securing the result section of control unit of the voting machine and obtained thereon the signatures of such of the polling agents as are present and desirous of affixing the same.
- (2) that I have written the serial number of the control unit on the special tag, and I have affixed my signature on the back side of the special tag and also obtained thereon the signatures of such of the candidates/polling agents as are present and desirous of affixing their signature.
- (3) that I have affixed my signature on the strip seal and also obtained thereon the signatures of such of the candidates/polling agents as are present and desirous of affixing their signature.
- (4) that I have read out the pre-printed serial number of the special tag and asked the candidates/polling agents present, to note down the serial number.

Signature

Signature of polling agents:

Presiding Officer

1. (of candidate)

2. (of candidate)

3. (of candidate)

4. (of candidate)

5. (of candidate)

6. (of candidate)

7. (of candidate)

8. (of candidate)

9. (of candidate)

Signature

Signature of polling agents:

Presiding Officer

PART III

DECLARATION AT THE END OF POLL

I have furnished to the polling agents, who were present at the polling station at the close of the poll and whose signatures are affixed below, an attested copy of each of the entries in 'Part-I-Account of Votes Recorded' of Form 17C as required under rule 49-S (2) of the Conduct of Elections Rules, 1961.

Date.....

Signature

Time.....

Presiding Officer

Received an attested copy of the entries in the accounts of votes recorded (Part I of Form 17C)

Signature of polling agents:

- | | |
|-----------------------------|-----------------------------|
| 1. (of candidate) | 2. (of candidate) |
| 3. (of candidate) | 4. (of candidate) |
| 5. (of candidate) | 6. (of candidate) |
| 7. (of candidate) | 8. (of candidate) |
| 9. (of candidate) | |

The following polling agents who were present at the close of the poll declined to receive an attested copy of Part I of Form 17C and to give a receipt therefor and so an attested copy of that Form was not supplied to them.

Signature of polling agents:

Presiding Officer

- | | |
|-----------------------------|-----------------------------|
| 1. (of candidate) | 2. (of candidate) |
| 3. (of candidate) | 4. (of candidate) |
| 5. (of candidate) | 6. (of candidate) |
| 7. (of candidate) | 8. (of candidate) |
| 9. (of candidate) | |

Date

Signature

Time.....

Presiding Officer

PART IV

DECLARATION AFTER THE SEALING OF THE VOTING MACHINE

I have affixed my seals, and I have allowed the polling agents who were present at the polling station at the close of poll to affix their seals, on the carrying cases of the control unit and balloting units of the voting machine.

Date

Signature

Time.....

Presiding Officer

The following polling agents have affixed their seals.

Signature of polling agents :

- | | |
|-----------------------------|-----------------------------|
| 1. (of candidate) | 2. (of candidate) |
| 3. (of candidate) | 4. (of candidate) |
| 5. (of candidate) | 6. (of candidate) |

The following polling agents refused or did not want to affix their seals.

- | | |
|-----------------------------|-----------------------------|
| 1. (of candidate) | 2. (of candidate) |
| 3. (of candidate) | 4. (of candidate) |

Signature

Date

Presiding Officer

ANNEXURE VIII
(CHAPTER XV Para 4)
RECEIPT
FOR CHALLENGE FEE

Book No Page No

Office of the Presiding Officer for Polling Station No of Assembly
Constituency comprised within Parliamentary Constituency.

Received a sum of Rs. 2 (Rupees two only) in cash from Shri

Candidate/Election Agent/Polling Agent on account of deposit for challenge under rule 36 of the Conduct
of Election Rules, 1961.

Date

Forfeited to Government

Presiding Officer

Received back the amount of Rs.2 (Rupees two only) under rule 36(5) of the Conduct of Election Rules,
1961.

Name and Signature of

Date.....

Candidate/Election Agent/Polling Agent

RECEIPT
FOR CHALLENGE FEE

Book No..... Page No.....

Recived a sum of Rs. 2 (Rupees two only) in cash from Shri
Candidate/Election Agent/ Polling Agent on account of deposit for challenge under rule
36 of the Conduct of Elections Rules, 1961.

Date

Presiding Officer

for Polling Station No.....

ofAssembly Constituency

comprised within the.....

Parliamentary Constituency.

ANNEXURE IX
(CHAPTER XV Para 5)
LETTER OF COMPLAINT TO THE S.H.O. POLICE

To
The Station House Officer,
.....
.....

Subject : **Election toAssembly Constituency comprised within
Parliamentary Constituency-Impersonation at Polling Station..... (number
and name).**

Date of poll

Sir,

I am to report that shri..... son of Shri....., and resident of
has challenged the identity of the person who is being handed over to This person claimed
to be whose name appears at Serial No..... in Part No..... of the
electoral roll of constituency. He could not prove himself to be this elector. In my opinion he is
an imposter. I am to request you to take necessary action as required under section 171-F of the Indian
Penal Code.

Yours faithfully,

Place.....

Date.....

Signature,

Presiding Officer

Copy forwarded to the Returning Officer for

Assembly Constituency and*

Copy forwarded to the Returning Officer for

Parliamentary Constituency and*

Signature,

Presiding Officer

RECEIPT

The above letter and the person referred to therein were handed over to me at..... (hour) on
..... (date) by the Presiding Officer.

Signature

* Here insert ex-officio designation of the concerned Returning Officer.

ANNEXURE X
(CHAPTER XV, Para 9)
FORM OF DECLARATION BY ELECTOR ABOUT AGE

I hereby solemnly declare and affirm that my age was more than 18 years on the first date of January, 19....., i.e. the qualifying date with reference to which the existing electoral roll of the constituency was prepared/revised.

I am aware of the penal provisions of section 31 of the Representation of the People Act, 1950, for making any false declaration in connection with the inclusion of any name in the electoral roll or the preparation, revision or correction of the electoral roll.

Signature/Thumb impression of the Elector

.....

Father/Mother/Husband's Name.....

.....

Part number of elector roll.

Dated.....

Serial number of elector.....

Certified that the above declaration was made and subscribed by the elector above named before me.

Signature of the Presiding Officer

.....

Number and name of polling station.....

Dated.....

.....

ANNEXURE XI
(CHAPTER XV, Para 9.2)

Election to form..... (name of Constituency)

No. and Name of Polling Station

Part I

**LIST OF VOTERS FROM WHOM DECLARATION AS TO THEIR AGE HAVE
BEEN OBTAINED**

Sl. No.	Name of elector	Part No. and Serial No. in electoral roll	Age as entered in electoral roll	Age as assessed by the Presiding Officer
1	2	3	4	5
(1)				
(2)				
(3)				
(4)				
etc.				

Part II

**LIST OF ELECTORS WHO HAVE REFUSED TO MAKE
DECLARATIONS AS TO THEIR AGE**

Sl. No.	Name of elector	Part No. and Serial No. in electoral roll	Age as entered in electoral roll	Age as assessed by the Presiding Officer
1	2	3	4	5
(1)				
(2)				
(3)				
(4)				
etc.				

Date.....

Signature of Presiding Officer

ANNEXURE XII
(CHAPTER XIX, Para 1.3)
DECLARATION BY THE COMPANION OF
BLIND OR INFIRM ELECTOR

..... Assembly Constituency

(comprised within..... Parliamentary Constituency)

Sl. No. and Name of Polling Station

I, son ofaged.....

resident of*..... hereby declare that

(a) I have not acted as companion of any other elector at any polling station today, the

.....

(b) I will keep secret the vote recorded by me on behalf of

Signature of Companion

* Full address to be given.

ANNEXURE XIII
(CHAPTER XXVI, Para 1.4)
Form 17C
[See Rules 19S and 56C (2)]
PART I-ACCOUNT OF VOTES RECORDED

Election to the House of the People/Legislative Assembly of the State/Union Territory.....

.....

From	XYZ Parliamentary
No. and Name of Polling Station	75-ABC
Identification No. of Voting	Control Unit.....
Machine used at the Polling Station	Balloting Unit.....
1. Total No. of electors assigned to the Polling Station	995
2. Total No. of Voters as entered in the Register for Voters (Form 17A)	761
3. No. of voters deciding not to record votes under rule 49-O	2
4. No. of voters <i>not allowed to vote</i> under rule 49-M	1
5. Total No. of voter recorded as per voting machine	758
6. Whether the total No. of votes as shown against item 5 tallies with the total no. of voters as shown against item 2 minus no. of voters deciding not to record votes as against item 3 minus No. of voters not allowed to vote discrepancy noticed.	Yes, it tallies
7. No. of voters to whom tendered ballot papers were issued under rule 49-P.	

8. No. of tendered ballot papers

Serial Nos.

From To

(a)	received for use	(10)	00981	00990
(b)	issued to electors	(3)	00981	00983
(c)	not used and returned	(7)	00984	00990

9. Account of paper seals

Serial Nos.

From A009758 To A009760

1.	Serial Numbers of paper seals supplied	From A009758	To A009760
2.	Total number supplied.....	3	
3.	Number of paper seal used	1 (A009758)	
4.	Number of unused paper seals returned to Returned Officer (Deduct item 3 from item 2)	2	
5.	Serial number of damaged paper seal if any	Nil	

Signatures of Polling Agents

1.
2.
3.
4.
5.
6.

Date.....

Place

Signature of the Presiding Officer

Polling Station No.

PART II-RESULT OF COUNTING

Sl. No.	Name of Candidate	No. of votes recorded
1.	A	109
2.	B	59
3.	C	77
4.	D	263
5.	E	38
6.	F	2
7.	G	51
8.	H	65
9.	I	94
Total		758

Whether the total nos. of votes shown above tallies with the total no. of votes shown against item 5 of Part I or any discrepancy noticed between the two totals– Yes, it tallies.

Date.....

Place

Signature of the Counting Supervisor

Name of Candidate/election agent/counting agent

Full Signature

1.

2.

3.

4.

5.

6.

7.

8.

Date.....

Place

Signature of the Returning Officer

ANNEXURE XIV
(CHAPTER XXIX, Para 1)
PRESIDING OFFICER'S DIARY

1. Name of the constituency (in block letters):
2. Date of poll :
3. Number of the polling station :
Whether located in-
 - (i) Government or quasi-government building;
 - (ii) Private building;
 - (iii) Temporary structure;
4. Number of polling officers recruited locally, if any :
5. Appointment of polling officer made in the absence of duly appointed polling officer, if any, and the reasons for such appointment :
6. Voting Machine-
 - (i) Number of Control Units used :
 - (ii) S. No. (s) of Control Units used :
 - (iii) Number of balloting units used :
 - (iv) S. No. of balloting units used :
7.
 - (i) Number of paper seals used :
 - (ii) Sl. Nos. of paper seals used :
- 7A.
 - (i) Number of special tags supplied:
 - (ii) S.No.(s) of special tags supplied:
 - (iii) Number of special tags used:
 - (iv) S.No.(s) of special tags used:
 - (v) S.No.(s) of special tags returned as unused:

- 7B. (i) Number of Strip Seals supplied:
(ii) S.No.(s) of Strip Seals supplied:
(iii) Number of Strip Seals used:
(iv) S.No.(s) of Strip Seals used:
(v) S.No.(s) of Strip Seals returned as unused:
8. Number of polling agents and the number who arrived late :
9. Number of candidates who had appointed polling agents at the polling stations :
10. (i) Total no. of voters assigned to the polling station:
(ii) Number of electors allowed to vote according to marked copy of the electoral roll:
(iii) Number of electors who actually voted as per the Register of Voters (Form 17-C).
(iv) Number of votes recorded as per the voting machine:

Signature of first Polling Officer

Signature of Polling Officer

in-charge of Register of Voters

11. Number of electors who voted-
Men.....
Women
Total
12. Challenged vote-
Number allowed
Number rejected
Amount forfeited Rs.
13. Number of persons who have voted on production of Election Duty
Certificate (EDC) :
14. Number of electors who voted with the help of companions :
15. Number of votes cast through proxy:
16. Number of tendered votes :

17. No. of electors-
- (a) From whom declarations as to their age obtained
 - (b) Who refused to give such declaration
18. Whether it was necessary to adjourn the poll and if so, the reasons for such adjournment :
19. Number of votes cast-
- from 7 a.m. to 9 a.m.
 - from 9 a.m. to 11 a.m.
 - from 11 a.m. to 1 p.m.
 - from 1 p.m. to 3 p.m.
 - from 3 p.m. to 5 p.m.
20. Number of slips issued at the closing hour of the poll :
21. Electoral offences with details :
- Number of cases of-
- (a) canvassing within one hundred metres of the polling station :
 - (b) impersonation of voters :
 - (c) fraudulent defacing, destroying or removal of the list of notice or other document at the polling station.
 - (d) bribing of voters :
 - (e) intimidation of voters and other persons :
 - (f) booth capturing
22. 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.

23. 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

24. Serious complaints, if any, made by the candidate/agents :

25. Number of cases of breach of law and order :

26. Report of mistakes and irregularities committed, if any, at the polling station:

27. Whether the declarations have been made before the commencement of the poll and if necessary during the course of poll when a new voting machine is used and at the end of poll as necessary :

Place :.....

Date :.....

Presiding Officer

This diary should be forwarded to the Returning Officer along with the voting machine, Form PS05. Visit Sheet and other sealed papers.

ECI Form ID
PS05

Election Commission of India General Elections

IMPORTANT
**NOT TO BE SENT TO
THE COMMISSION**

VOTER TURNOUR REPORT FOR POLLING STATION

A) Parliamentary Constituency No. & Name	B) Stat / UT Name
C) Assembly Segment No. & Name	D) Polling Station No. & Name

1.	Date of Poll		
2.	No. of electors who voted (as per item 11 of Presiding Officer's Diary)	Male	
		Female	
		Total	
3.	No. of voters identified using EPIC (as per Register of voters)		
4.	No. of Tendered Votes (as per item 15 of Presiding Officer's Diary)		

I authenticate the data given above.

(Presiding Officer's Signature)

For use in Collection Centre

*Date & Time of receipt
at the Collection Centre*

*Signature of Officer-in-charge
of Collection*

Note: The RO has to make an arrangement for a suitable counter at Collection centres when each polling party will first hand over this form before the ballot boxes/ EVMs received. Data from this format will be transcribed to Form A05. A copy of the Data Form A05 will be given to one of the Observers for being attached to his/ her second report. A summary of this in Form P05 will also be given to one of the Observers.

This copy is to be handed over to the Officer-in-Charge of Collection Centre where Polled Ballot Boxes/EVMs are to be deposited